

Minutes of the Development Review Commission REGULAR MEETING February 13, 2024

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 Andrew Johnson
Vice Chair Michelle Schwartz
Commissioner Barbara Lloyd
Commissioner Joe Forte
Commissioner Larry Tom
Alt Commissioner Charles Redman
Alt Commissioner Robert Miller

City Staff Present:

Jeff Tamulevich, Director, Community Development
Ryan Levesque, Deputy Director, Community Development
Michelle Dahlke, Principal Planner
Jacob Payne, Senior Planner
Joanna Barry, Administrative Assistant II

Absent:

Commissioner Don Cassano
Commissioner Linda Spears
Alt Commissioner Rhiannon Corbett

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

Consideration of Meeting Minutes:

- 1) Development Review Commission – Study Session 1/23/24
Development Review Commission – Regular Meeting 1/23/24

Motion: Motion made by Commissioner Tom to approve Study Session minutes and Regular Meeting minutes for January 23, 2024 and seconded by Commissioner Lloyd.

Ayes: Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Forte, and Tom

Nays: None

Abstain: Commissioners Redman and Miller

Absent: Commissioners Cassano and Spears

Vote: Motion passes 5-0

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

- 2) Request a Use Permit to allow a second-story addition to an existing single-family residence for the **SVOBODA RESIDENCE**, located at ~~2906~~ 2902 South Juniper Street. The applicant is etoddtDesign, Inc. (PL240004)

Motion: Motion made by Commissioner Tom to approve Consent Agenda and seconded by Commissioner Miller.

Ayes: Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Forte, Tom, Redman, and Miller

Nays: None

Abstain: None

Absent: Commissioners Cassano and Spears

Vote: Motion passes 7-0

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

- 3) Request for a Planned Area Development Overlay to establish development standards and a Development Plan Review for a new 13-story mixed-use development with 208 dwelling units on .49 acres for **COLLEGE AND 7TH MIXED-USE**, located at the southwest corner of College Avenue and 7th Street. The applicant is Gammage and Burnham, PLC. (**PL230076**)

PRESENTATION BY APPLICANT:

Manjula Vaz, Gammage & Burnham, PLC, gave a brief overview of the request. The parking is below grade in order to reduce the height of the building, highlight the ground floor retail, and avoid multiple levels of parking dominating the streetscape experience. Ms. Vaz went over the parking layout for the site along with the planned amenities.

Robert Thompson, TVA Architects, gave a brief overview of the site plan, project design, elevations, and materials that will be used.

Ms. Vaz referenced the reduced amount of parking that is being proposed and stated that she thinks this is a building for the future where eventually there will be fewer parking garages attached to buildings. This site is located near the streetcar, light rail, and Orbit bus so there is no need to have so much parking.

Dawn Cartier, CivTech, noted that in the past 10 years there has been a shift in the need for parking due to Waymo, Uber, Lyft, etc. Considering the multi-modal options available in Tempe, she believes there are some spots in Tempe that could support a zero-parking requirement. Ms. Cartier stated that in their research they found that in developments where they offer car sharing, car ownership went down by 67%. The proposed site offers two car sharing spaces. Ms. Vaz stated they are requesting staff's Condition of Approval #4, "requiring an additional level of parking", to be removed.

Commissioner Lloyd asked what kind of studies were done for a scenario of there being a burden due to the lower parking and what options were available to this property if it turns out there is more demand. Ms. Cartier stated they did not do an analysis of the surrounding area parking but there are options to convert more regular parking space to shared parking. They could also add more shared vehicles to this site.

Commissioner Redman stated he supports this request for reduced parking, but he would like to see some sort of agreement with the neighboring developments since they know how much availability they have and can commit to providing some spaces. Ms. Vaz agreed but stated their first plan is to tell residents that they do not have available parking spaces. Residents can find parking elsewhere, but they will be dissuading people from bringing cars.

Commissioner Tom asked what the current parking ratio request is and was advised it .094 per bedroom.

Commissioner Miller stated he supports the lower parking amount. He asked who the target market was for this development and Ms. Vaz stated it is a combination of ASU professors, people who work downtown, people who would like to live near the university, and those who enjoy the amenities in the area.

Chair Johnson stated that he likes the project and the ideas they are bringing to the table, even though he may not be super comfortable with them. He stated that this project on its own does not necessarily concern him, but he asked Ms. Vaz to convince him that it would not start setting a precedent for other projects. He noted that he lives in the neighborhood to the west, and he does not want to see people who live in the towers in the downtown area have such a lack of parking available that they start parking on the street in front of his house then getting their bike out and biking home. Ms. Vaz stated that this is location based and that she does not think every project could request a similar reduction in parking. She stated that as you get closer to neighborhoods the number could change, but the City has invested a lot of money into the infrastructure to provide alternative modes of transportation.

Commissioner Tom noted that for the restaurant they have 8,145 square feet and asked if they are exempting the first 5,000 square feet for the kitchen and storage area. Ms. Vaz stated they were and that it was per code.

PRESENTATION BY STAFF:

Jacob Payne, Senior Planner, gave an overview of the request and unique Conditions of Approval that are listed in the staff report, including the request of an additional level of parking. He provided a parking breakdown showing the comparison of what code requires versus what is being requested in the Planned Area Development (PAD). In the zoning code there is already a reduced parking standard for projects in the City Center (CC) zoning district. He stated that what is being proposed by the applicant is .094 spaces per bedroom across the board for a total of 42 spaces. City code for this area would require 172 spaces. If this project were located in a different zoning district in the City it would require 539 spaces. Mr. Payne showed a chart with other projects in the area that were approved for reduced parking and noted that this project has the most reduction in parking that they have seen requested in the downtown area.

A neighborhood meeting was held on August 28, 2023 and attended by one individual who inquired about the use, the design of the project, details on parking, rental pricing, and schedule for future hearings. Staff has not received any other public input for this project.

Mr. Payne stated there are several unique Conditions of Approval for this project and that the applicant is in agreement with all of them except for #4. This condition states that the developer will provide no less than 80 on-site parking spaces, resulting in one additional below grade level of parking. He noted that in the prior iteration of this project the applicant had indicated that they could do two levels of parking, which would provide approximately 84 parking spaces. Staff feels that is a more appropriate number and is a middle ground for what they are proposing and what the City Center zoning requires. Staff also believes the low parking level proposed by the applicant would exclude people who are not students but who want to live downtown and need a car. Mr. Payne proceeded to go over the other unique Conditions of Approval.

Commissioner Tom asked if staff has had conversations with the developers or residents of the other surrounding developments who received a reduction in parking about any negative impacts from those reductions. Mr. Payne stated they have not. He noted that Condition of Approval #5 stating that the applicant provide information to the City on a yearly basis on how the parking situation is working out will be useful information.

Commissioner Redman referenced Condition of Approval #7 regarding disclosure to prospective tenants of the proximity of the site to numerous live venues and stated it is not a normal City planning idea. Ryan Levesque, Deputy Director, stated this condition is to advise prospective tenants that the downtown area is a vibrant and active entertainment district, so there will be noise either inside or outside.

Chair Johnson stated he appreciates staff trying to find a middle ground regarding the parking and the condition related to collecting parking data annually from the applicant. He referenced a comment that was made earlier by another Commissioner regarding parking in other garages that may not be fully utilized. He asked if there was a mechanism that would allow a future development that wants to reduce their parking to show they have a long-term lease, or something similar, with another parking facility that may be used strictly for their residents. Mr. Levesque stated that we do have allowances for parking management plans to allow sharing of parking. If another project has excess parking they can dedicate or allow another project to transfer some of those parking rights to another facility.

This could be a private agreement between the two parties, without City involvement. Chair Johnson asked if there was a way that the City could be involved as a measure to free up a few spaces for a development. Mr. Levesque stated that if there was an applicant that wanted to present a project and get another property site on board that was willing to dedicate "X" number of spaces it can be used in the evaluation and justification for reduced parking.

Commissioner Miller referenced the last DRC joint meeting with the City Council and noted that a question was raised about the number of parking spaces available in the downtown area. He asked if this information has been gathered yet. Mr. Levesque stated that the Downtown Transit Authority (DTA) has and shares the number of spaces available as approximately 9,000. He noted that those numbers are about the availability of temporary or guest parking spaces. There are sites that make their parking available to the general public and there are some that are restricted exclusively for their site only. Commissioner Miller stated it would be useful to find out how many undedicated and unencumbered spaces are used on a daily basis.

PUBLIC COMMENT: NONE

COMMENTS AND DISCUSSION FROM THE COMMISSION:

Commissioner Lloyd stated that she liked the scope and quality of the project. She also likes that the parking is going underground instead of there being several layers of screened parking. She noted that in the DRC joint discussion with the City Council they talked about the under-utilization of parking. She stated that if the City really wants multi-modal transportation and to be pedestrian-friendly, then we need to "put our money where our mouth is". The developer on this project is willing to take that risk. Commissioner Lloyd stated she is in support of letting the market speak on how much parking is required versus mandating a minimum. There is underutilized parking in the area that can be used if there is more demand that can be met in the development's space. She stated this development is a good toe in the water and is a good location to do it in. She is in support of the project without the inclusion of Condition of Approval #4.

Commissioner Tom agreed with Commissioner Lloyd and stated that we have to start somewhere, and this is a good location with its proximity to the streetcar and light rail. He would also support a motion that removes Condition of Approval #4. He is not a huge fan of Condition of Approval #5 regarding annual reporting parking data to the City as he feels this should be private and not part of the public record.

Chair Johnson stated that he likes the project. He noted that coming into this meeting he was very comfortable with the middle ground that staff was looking for regarding the parking, however over the course of the meeting he thinks it is worth a shot to look at this project on its own and go for a little greater reduction in parking. He noted that the DRC's vote is not final, and the City Council will have the final check on this. He would be in support of the project with the removal of Condition of Approval #4. He would like to keep condition #5 in so that the City has additional tools for future projects.

Commissioner Miller stated he is in agreement for approving the request with the removal of Condition of Approval #4. He believes it is a good time to start doing this and it can push the DRC and the City towards a more proactive position in terms of shared parking and maybe better utilization of the resources we already have. He has no issue with including condition #5.

Motion: Motion made by Commissioner Miller to approve PL230076 with the removal of Condition of Approval #4. Seconded by Commissioner Redman.

Ayes: Chair Johnson, Vice Chair Schwartz, Commissioners Lloyd, Forte, Tom, Redman, and Miller

Nays: None

Abstain: None

Absent: Commissioners Cassano and Spears

Vote: Motion passes 7-0

Staff Announcements: NONE

There being no further business the meeting adjourned at 7:01 p.m.

Prepared by: Joanna Barry, Administrative Assistant II

Reviewed by: Ryan Levesque, Deputy Director – Community Development