PUBLIC HEARING MINUTES

Tempe

MINUTES OF THE
DEVELOPMENT REVIEW COMMISSION
January 28, 2014

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM

Commission Present:
Dennis Webb, Chair
Paul Kent, Vice Chair
Peggy Tinsley
Trevor Barger
Kevin O'Melia
Ron Collett
Linda Spears

Commission Absent:
Dave Maza
Dan Killoren
Angie Thornton

City Staff Present:
Steve Abrahamson, Planning and Zoning Coordinator
Ryan Levesque, Senior Planner
Diana Kaminski, Senior Planner
Steve Nagy, Administrative Asst. II

Chair Webb called the meeting to order at 6:06 p.m., which included the introduction of the Commission and City staff. It had been determined in the Study Session that the minutes for December 10, 2013 could be approved as drafted, and Items No. 2, No. 3 and No. 5 could be placed on the Consent Agenda should no one from the public wish the case to be heard.

1. CONSIDERATION OF MEETING MINUTES: 12-10-2013

On a motion by Commissioner Tinsley and seconded by Commissioner Collett, the Commission with a vote of 5-0 (Commissioners Spears and O'Melia abstained) approved the minutes of the December 10, 2013 meeting.

CONSENT AGENDA

On a motion by Vice Chair Kent and seconded by Commissioner Spears, the Commission with a vote of 7-0 approved the Consent Agenda as recommended in the following staff reports:

2. Request for a Preliminary Subdivision Plat for **1916 HAYDEN LANE (PL130143)**, located at 1916 East Hayden Lane. The applicant is Brightlake Architecture, LLC.

STAFF REPORT: DRCr_1916HaydenLane_012814.pdf

Commissioner O'Melia expressed concern on PL130143 (1916 E. Hayden Ln.) to staff about an easement for the Kirkland – McKenny Ditch on the north side of the property. Staff responded that this would be done in the final subdivision plat.

3. Request for a Preliminary Subdivision Plat for **BASELINE CORPORATE CENTER (PL130448),** located at 4920 South Wendler Drive. The applicant is Hunter Engineering.

STAFF REPORT: DRCr_BaselineCorporateCenter_012814.pdf

5. Request for a Development Plan Review for a retail store for **VERIZON WIRELESS (PL130407),** located within Tempe Marketplace, at 39 South McClintock Drive. The applicant is Butler Design Group.

STAFF REPORT: DRCr_VerizonWireless_012814.pdf

REGULAR AGENDA

4. Request for a Development Plan Review for eight new attached three-story single-family townhomes for **KENNETH PLACE TOWNHOMES (PL120269),** located at 1419 South Kenneth Place. The applicant/owner is Neil Tang.

Diana Kaminski presented the case by reviewing the vacant properties the development would be built on as well as the changes in elevations and materials from a development the developer previously had approved by the Development Review Commission. Ms. Kaminski then deferred to the applicant and architect as to the design merits.

The case was represented by the applicant Neil Tang and the development designer, Tommy Suchart. Mr. Suchart addressed the fact that existing, previously approved setbacks as well as other stipulations discussed with Ms. Kaminski had been maintained.

Chair Webb opened the item for questions. He then asked why the applicant changed the design on a development that had already been through the approval process.

Mr. Suchart stated that the previous design wasn't exactly what the owner wanted to do in terms of an investment in the area. They sought to accomplish a look that will help define the future look of the area by finding a material that is similar to stucco in cost, but doesn't have the time and maintenance issues associated with it.

Commissioner Barger, referring to the unit with frontage to the north side of the street, asked why the front door is isolated from the street with a wall that blocks views from the unit to the street.

Mr. Suchart responded that he is not sure which opening Commissioner Barger is referring to.

Commissioner Barger requested Ms. Kaminski indicate which front door he is referring to.

Mr. Suchart explained that the window layout on the west elevation is intended to be an artistic layout and that the sizes of the windows were kept smaller for efficiency/heat gain reasons.

Commissioner Barger confirmed that the unit on the northwest corner there is concrete wall that makes up the west façade; a 10 ft. enclosed exterior space, and then the front door. He then confirmed that the windows and wall are both shaded from the upper level, but no visibility from the area out to the street frontages.

Mr. Suchart affirmed there is a window on the wall looking out to the enclosed space outside of the front door. Commissioner Barger explained that his concern with this design is that prevent visibility from the inside out which in the downtown/ASU area of Tempe increases the need for Police patrol. He then asked if the designer had any solution that would not increase the solar gain but allow for better visibility to the street.

Mr. Suchart replied that a perforated corrugated material, which would provide only a small variation in the elevation, could work as a solution to Commissioner Barger's concern.

Commissioner Spears asked Ms. Kaminski if the case had gone through Site Plan Review.

Ms. Kaminski affirmed the case had gone through Site Plan Review, which included review by the Police Department, who had not made any comment on the size of the windows. Staff however did recommend that units facing the street do have door and windows that look out onto the street.

Commissioner Spears then asked if it were possible for someone to be inside of the front door entryway, without being visible from the street.

Mr. Suchart confirmed that from certain angles, the entry way is indeed a blind entryway; however, this was designed to provide privacy for residents.

Chair Webb then inquired about how the corrugated material will attach to the exterior walls of the building.

Mr. Suchart confirmed exposed fasteners will be used to attach the corrugated material.

Chair Webb then asked what will be behind the corrugated material.

Mr. Suchart responded that there will be a self-healing waterproof membrane, then stud framing, and then drywall inside.

Chair Webb then asked what the R-value of the walls is.

Mr. Suchart responded that he did not know the specific R-value, but that it is higher than stucco walls.

Chair Webb asked Mr. Suchart if he knew the HERS rating, which Mr. Suchart did not. Chair Webb also asked if Mr. Suchart knew the LVR of the corrugated material - Mr. Suchart did not know. Mr. Suchart then explained that the finish of the corrugated material is meant to absorb heat and ventilate instead of reflecting it.

Chair Webb then confirmed the 1'6"x1'6" size of the windows.

Mr. Suchart explained the reason for these smaller windows at head height were to provide privacy in bathrooms.

Commissioner Barger, referring to the ground level, north and south elevations, noted that there only appeared to be one window looking from the living space to the landscape space north and south of each unit. He then confirmed with Mr. Suchart that this is the only way to see the exterior.

Mr. Suchart explained that privacy was the main reason the design was done this way.

Commissioner Barger inquired as to the reason for a similar design for the second level. Mr. Suchart confirmed that this was again done for reasons of privacy.

Commissioner Barger then inquired as to how the gap between the corrugated materials floating on the surface of the exterior wall and the window sills will be addressed.

Mr. Suchart responded that solutions that will deal with the transition are still being discussed.

Commissioner Barger also inquired if the solutions to deal with the transition between the window and the corrugated material will accommodate different sized windows.

Mr. Suchart was unclear on reasoning of Commissioner Barger's question.

Commissioner Barger explained the massing issues that the style of building, window sizing, and randomized voids create.

Mr. Suchart responded that window sizes and massing along the façade attempt to create individuality of the units, as well as addressing concerns of privacy.

Chair Webb asked if Mr. Suchart had built this design anywhere else, to which Mr. Suchart responded that he had not.

Commissioner Spears expressed that she interprets what Mr. Suchart refers to as a courtyard is more of a walkway. She then asked where the public space of the development was.

Mr. Suchart explained the entry courtyard of the units is the public space.

Commissioner Spears then confirmed the dimensions of these spaces (6' at the narrowest and 7.5' at the widest, with a 3' sidewalk to the door of the unit.

Chair Webb asked if the applicant had conducted any market studies to determine how the style of this project would be received by the community.

Mr. Suchart responded that he was engaged by the applicant to create something more fitting to the demographic typically found in the area. The applicant responded that the design was in line with other developments in the City of Tempe and used newer, larger developments along Apache as examples.

Chair Webb expressed that he was unclear on whether or not there have been others residential buildings built where the exterior facades consisted of 90% corrugated steel.

Mr. Tang and Mr. Suchart could give no examples of such.

Commissioner Tinsley asked the applicant if he would be willing to consider using a perforated form of the metal, and if this would still capture the style he is going for.

Mr. Suchart confirmed the perforated material slightly alter the look, however, still maintain the contemporary design.

Commissioner O'Melia asked if the applicants would consider gating the entry courtyard as well as adding lamps.

Mr. Suchart confirmed he would consider these options, however, preferred to maintain a gate that would still allow visibility into the entry courtyard.

Commissioner O'Melia then confirmed implementation of Condition of Approval #12, that there would indeed be at a minimum, 5 ft. candles to decrease the possibility of predators hiding out behind corners. Mr. Suchart affirmed this.

Vice Chair Kent asked the applicant for the square footage per unit of the previous proposal as well as the square footage per unit of the new proposal.

Mr. Tang responded that the square footage per unit of the prior proposal was around 1250sq. ft. The square footage per unit of the new proposal increases 1500-1600.

Commissioner Tinsley asked the applicant if he would be willing to accept a condition of using gates as discussed by Commissioner O'Melia, as well as using the perforated material to allow for better visibility. Mr. Suchart responded that he would.

Commissioner Barger inquired as to any CC&R limitations on the units being only two bedroom units versus three bedroom units with a study being enclosed as a bedroom.

Mr. Tang responded that he knew of no such limitations and that CC&Rs have yet to be established.

Chair Webb addressed whether the Commission had any other questions for the applicant, which there were none. He then opened the session to public comment; one neighbor was present but did not speak. He then opened discussion amongst the Commission.

Vice Chair Kent commented that the design entailed a lot of metal, and compared to the previous submission thought there was a lot of building fit into a small area.

Commissioner Barger commented that he liked the east and west elevations, however questioned the details required to pull off a project of this style. He specifically referred to massing, window sizes and placement, as well as roof line elements that create a challenge of coming together well. With certain detailing, he believed these elements could all come together, however does not currently see it doing so.

Commissioner Spears commented that she believes security will be as issue, does not see the units as being owner occupied, and believes the loft spaces meant to be studies will in fact become third bedrooms.

Chair Webb commented that he share similar views as Commissioner Barger, that there are many details that have not been thought out completely. He also does not like the amount of corrugated steel being used.

Commissioner Tinsley commented she is not crazy about the design, however, it is the designer's project, and he is allowed to create unconventional designs.

Under the conditions that a perforated corrugated material will be used on the entry walls as well as a non-solid gate at each courtyard with a five candle lamp, Commissioner Tinsley and moved to approve the project.

The motion was seconded by Commissioner Collett.

Ms. Kaminski requested clarification on the conditions prior to the vote. She specifically requested clarification on the amount and size of perforation as well as where perforated material will be required.

Commissioner Tinsley clarified that designer/applicant and staff will come up with appropriate perforation details pending the vote. She also clarified that perforated material should be used on south side of referred to opening. Commissioner Tinsley requested that Mr. Suchart describe what the perforated material will look like.

Mr. Suchart explained that the perforated corrugated material includes roughly ¼"-1/2" circular holes that will allow visibility from a distance, but not as much from up close.

Commissioner Collett accepted the amendment to the Condition of Approval.
Commissioner O'Melia requested to modify condition #3 to add 'Provide a transparent security fence and entrance gate design at the narrow end of each entrance courtyard.'

Commissioner Tinsley accepted Commissioner O'Melia's addition as part of her motion.

Commissioner O'Melia confirmed that the reference to the lighting was already in condition #12.

Chair Webb confirmed the addition with the applicant, who acknowledged the addition.

On an amended motion by Commissioner Tinsley, seconded by Commissioner Collett, the Commission with a vote 3-4, the motion failed. Dissenting were Chair Webb, Vice Chair Kent, Commissioner Spears and Commissioner Barger.

Ms. Kaminski then stated that there needed to be a motion in the affirmative, to which the Commission responded that there was a motion in the affirmative which was defeated.

Chair Webb explained that the applicant has a right to appeal within 14 days.

6. ANNOUNCEMENTS – No announcements.

The meeting was adjourned at 6:38 p.m.

Prepared by: Steve Nagy,
Reviewed by: Ryan Levesque, Senior Planner

Ryan Levesque, Senior Planner