

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION SEPTEMBER 23, 2008

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM (5:30 Study Session)

COMMISSION PRESENT:

Vanessa MacDonald, Chair
Tom Oteri
Stanley Nicpon
Monica Attridge
Mario Torregrossa
Heather Swanson
Dennis Webb
Peggy Tinsley (Study Session only)

CITY STAFF PRESENT:

Lisa Collins, Deputy Development Services Manager
Ryan Levesque, Senior Planner
Kevin O'Melia, Senior Planner
Diana Kaminski, Senior Planner

Chair MacDonald called the meeting to order at 6:00 p.m., which included the introduction of the Commission and City staff.

1. CONSIDERATION OF MEETING MINUTES: POSTPONED

CONSENT AGENDA

Item No. 3 was placed on the Consent Agenda for approval during Study Session.

On a motion by Commissioner Nicpon and seconded by Commissioner Swanson, the Commission with a vote of 7-0 approved the Consent Agenda with all conditions as recommended in the staff report, with a modification to Condition No. 5.

- Request for **OKLAND CONSTRUCTION OFFICES (PL080105)** (William Okland, representing the Okland Family, property owner; Phillip Weddle, Weddle Gilmore Architects, applicant) consisting of a new two-story 23,690 s.f. office building, site and landscape improvements and the remodel of an existing 9,040 s.f. office/warehouse building. The site is +/- 3.46 net acres and is located at 1700 N. McClintock Drive in the GID, General Industrial District and the RSOD, Rio Salado Overlay District. The request includes the following:

DPR08120 – Development Plan Review including site plan, building elevations and landscape plan.

ZUP08135 – Use Permit Standard for the two story office building to allow a ten (10) percent height increase from 35'-0" to 38'-6" in the GID District.

ZUP08136 – Use Permit Standard for the two story office building to allow a twenty (20) percent street side yard setback reduction from 25'-0" to 20'-0" in the GID District.

STAFF REPORT: [DRCr_Okland_Offices_092308.pdf](#)

Condition No. 5:

Provide distinctive, upgraded paving at each driveway apron ~~consisting of unit paving.~~ Extend unit **UPGRADED** paving in ~~the~~ **EACH** driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges. **PLACE EDGE OF ACCESSIBLE SIDEWALK BYPASS ON THE PUBLIC RIGHT OF WAY LINE. (MODIFIED BY THE COMMISSION)**

REGULAR AGENDA

2. Request for **DUTCH BROTHERS COFFEE (PL070279) (Don Kermin, Hanley Properties, owner /Antonio Gavarrete, FM Group, applicant)** for a Development Plan Review for a new 380 s.f. coffee shop with a 200 s.f. patio and a drive-through located within an existing retail center located at 3225 S. Mill Avenue, in the PCC-1, Planned Commercial Center Neighborhood District. This request includes the following:

DPR08188 –Development Plan Review for a site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr_DutchBrothers_092308.pdf](#)

This case was presented by Diana Kaminski and represented by Dave Vines, Jim Thompson and Hal Snow. Since this case had previously been approved through the Development Review Commission, Chair MacDonald suggested moving directly toward Commissioner's questions, rather than having an entire presentation.

Commissioner Attridge: Is concerned regarding relationship of this new building to Huntington Square (color and slope of roof). Also that when a building is this distinctive, it becomes a sign and if were to become vacant, would be difficult to find another tenant.

Dave Vines: Willing to modify colors for Commission, pitch of the roof is important to Dutch Bros' branding.

Commissioner Nicpon: Don't lose identity, nothing wrong with the site at Rural and Lemon.

Chair MacDonald called for public input and seeing none, closed the hearing to the public.

Commissioner Webb: Suggested that color and roof pitch should remain as proposed.

Commissioner Torregrossa: Suggested continuance to resolve appearance.

Attridge: Wants new building to conform to appearance of center.

On a motion by Commissioner Nicpon and seconded by Commissioner Webb, the Commission with a vote of 4-3 (Commissioners Oteri, Attridge and Torregrossa opposed) approved this Development Plan Review with all conditions as recommended in the staff report, with modification to Condition No. 5 to read as follows:

Condition No. 5:

~~The main building color shall be either Benjamin Moore Paints 2124-70, Distant Gray (off white) or Dunn Edwards Sand Dune DE61228 (beige) to be more integrated with the existing commercial center. The other colors and materials for Dutch Brothers Building F are as follows:~~

MAIN BUILDING STUCCO COLOR - BENJAMIN MOORE PAINT 1587 GIBRALTAR CLIFF

Wainscot pop-out at building base – Superlite (BV1) Split Face veneer masonry block, Charcoal

Window and Door trim – Benjamin Moore Paints 2124-70, Distant Gray

Drive and patio canopy - EIFS –Benjamin Moore Paints 812 Blueberry Hill

Metal awning and plate –Benjamin Moore Paints 2175-30 Rust

Standing seam metal roof and parapet top – Benjamin Moore Paints 2175-30 Rust

Except that main colors and materials that exceed light reflectance value of 75 percent shall be revised to be not greater than 75 percent. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. Planning inspection staff will field verify colors and materials during the construction phase.

4. Request for **ELEMENT HOTEL (PL080167)** (Bill Swank, 915 Apache LLC, property owner; Manjula Vaz, Gammage & Burnham PLC, applicant) consisting of a new 152-room hotel with ground floor commercial located on Apache Boulevard within approximately 113,800 square feet of building area, six stories in height on 2.1 acres, located at 919 East Apache Boulevard in the CSS, Commercial Shopping and Services District and R-4, Multi-Family Residential General District. The request includes the following:

ZON08007 – (Ordinance No. 2008.48) Zoning Map Amendment to be added into the (TOD) Transportation Overlay District, with existing CSS and R-4 Zoning Districts.

PAD08013 – Planned Area Development Overlay for to modify the development standards to allow a maximum building height increase from 35 feet to 85 feet and reduce the minimum required parking from 188 to 141 spaces.

ZUP08125 – Use Permit to allow a 152 room Hotel within the CCS District.

ZUP08138 – Use Permit to allow commercial parking within the R-4 District.

DPR08169 – Development Plan Review including site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr_ElementHotel_092308.pdf](#)

This case was presented by Ryan Levesque and represented by Manjula Vaz of Gammage and Burnham, and Jason Ploszaj of RSP Architects.

Commissioner's concerns center around the green accent color used on the west building elevation and at the northeast corner.

Chair MacDonald called for public input.

Phil Amorosi, spoke in support of this project. Mr. Amorosi, speaking as a citizen and not necessarily as a representative of APAC, mentioned APAC unanimously approved the project. Neighbors would like to see a 6' fence on Spence Avenue (applicant recommended a modification to Condition No. 12).

Chuck Fong, apartment complex owner, spoke in opposition of a bar or nightclub being located in this hotel.

Chair MacDonald closed the hearing to public input.

Ms. Vaz first addressed Mr. Fong's concerned and confirmed there would not be a nightclub located in the hotel.

After more discussion regarding the green accent color, Ms. Vaz indicates that the applicant would be willing to look at other shades of green that would work with their color scheme.

Commissioner Nicpon suggested a "jade" green and Commissioner Oteri suggested a "palo verde" green.

Commissioner Swanson suggested that the Commission move the case forward and have the green color brought back so as not to hold up the project.

Commissioner Oteri: By modifying the condition of approval, have we maintained authority to have the color brought back to us for approval?

Lisa Collins: We can craft the stipulation to say that the paint palette shall return to the Development Review Commission for approval. This will make it clear that they cannot proceed with permitting until that color has been approved through the Commission.

Oteri: If they bring a paint palette back that the Commission does not approve again, can they go to Council?

Collins: The DRC is the decision-making body on a Development Plan Review, if the applicant wanted to appeal your decision, they would then go to City Council.

On a motion by Commissioner Nicpon and seconded by Commissioner Webb, the Commission with a vote of 7-0 recommended approval of the Planned Area Development Overlay, Zoning Map Amendment and approved the Use Permits and Development Plan Review as recommended in the staff report with modifications to Conditions 12 and 16 to read as follows:

Condition No. 12:

Provide screen walls parallel to adjacent streets with a height not to exceed 3'-0" measured from nearest parking lot grade. **SPENCE AVENUE FRONTAGE SHALL INCLUDE AN ADDITIONAL 3'-0" VIEW FENCE, TOTALING 6'-0" IN HEIGHT. (ADDED BY COMMISSION)**

Condition No. 16:

The materials and colors are approved as presented:

Primary Building color – Dunn Edwards – Coral Clay DEC719

Primary Building color – Dunn Edwards – River Rocks DE6061

Building accent– Dunn Edwards – Rosewood DEC706

~~Corner building color, matching logo – Dunn Edwards – Cabbage Patch DE5579~~ **GREEN COLOR SHALL RETURN TO THE DEVELOPMENT REVIEW COMMISSION FOR APPROVAL. (MODIFIED BY COMMISSION)**

Building accent– Dunn Edwards – Antique White DEW351

All color chips using fine finish E.I.F.S.

Copper panels

Davis Colors Concrete – Coca 6130

Glazing – VE2-52 Insulating Glass HS/HS

Bronze Anodized Aluminum

Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Any additions or modifications may be submitted for review during building plan check process.

5. ANNOUNCEMENTS - NONE

The hearing adjourned at 7:41 p.m.

Prepared by: Lisa Lathrop, Administrative Assistant II
Reviewed by: Lisa Collins, Deputy Development Services Manager



Lisa Collins
Deputy Development Services Manager