



## Minutes of the Development Review Commission July 24, 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:**

Vice Chair David Lyon  
Commissioner Thomas Brown  
Commissioner Philip Amorosi  
Commissioner Michael DiDomenico  
Commissioner Don Cassano  
Commissioner Andrew Johnson  
Alternate Commissioner Angela Thornton  
Alternate Commissioner Barbara Lloyd

**Absent:**

Commissioner Scott Summers

**City Staff Present:**

Chad Weaver, Director, Community Development  
Donna Kennedy, Director, Economic Development  
Ryan Levesque, Deputy Director – Planning, Comm. Devel.  
Suparna Dasgupta, Principal Planner  
Diana Kaminski, Senior Planner  
Cynthia Jarrad, Administrative Assistant

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

**Election of Chair and Vice Chair:**

**MOTION:** Motion made by Commissioner DiDomenico to nominate Vice Chair Lyon as the new Chair. Motion seconded by Commissioner Cassano.

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

**MOTION:** Motion made by Chair Lyon to nominate Commissioner DiDomenico as the new Vice Chair. Motion seconded by Commissioner Amorosi.

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

**Consideration of Meeting Minutes:**

- 1) Study Session Minutes, May 22, 2018
- 2) Regular Meeting Minutes, May 22, 2018

**MOTION:** Motion made by Commissioner DiDomenico to approve Study Session and Regular Meeting Minutes for May 22, 2018. Seconded by Commissioner Johnson.

**VOTE:** Motion passes, 5-0, with Commissioners Cassano and Lloyd abstaining.

Chair Lyon recused himself at this time and stepped down from the dais. Vice Chair DiDomenico then commenced chairing the meeting, with Commissioner Thornton seated in the vacancy.

- 3) Request a Zoning Map Amendment from R1-6, G1D and MU-4 to PCC-2 and a Planned Area Development Overlay consisting of seven commercial buildings ranging from five to twelve stories on approximately 18 acres; three Use

Permits for a hotel, entertainment, and outdoor vending; and a Development Plan Review for Phase One consisting of a six-story 185,759 s.f. biomedical research office and a six-story parking structure for **IDEA TEMPE**, located at 1000 West Rio Salado Parkway. The applicant is Berry Riddell, LLC. (**PL180160**)

**PRESENTATION BY STAFF:**

Ms. Diana Kaminski, Senior Planner, gave a presentation. She reviewed the applicant's requests, and then shared aerial photographs and explained specifics of the site. This is a 17-acre site on the north side of Rio Salado Parkway, south of the Salt River Channel, extending from the west drive of the existing Tempe Center for the Arts, including the existing parking lot, west past the intersection of Hardy Drive. The site currently has three zoning districts proposed to change to commercial use with this request, which would bring it into conformance with the General Plan 2040. The requested Planned Area Development (PAD) would determine the perimeter setbacks for the overall development, 20' to the south, east and west, and 0' to the north, with 0' internal setbacks between new lots within the development. The building height would be established as a range, from 50-185' to comply with both the expectations of the Development Agreement for mid-range structures, and restrictions established by the Federal Aviation Administration (FAA) for maximum building heights within the flight path of Sky Harbor International Airport. The PAD would also establish a 46% building lot coverage and 24% landscape area. Lastly, the applicant is requesting a reduction from the parking ratios, through a shared parking model, to reduce the overall parking by approximately 25% required by code. This would be re-evaluated with future phases to assure total build out will meet expected parking demand for the Tempe Center for the Arts (TCA), events, and the new uses on site. The site is owned by the City of Tempe and has a long history of underutilization: from the 1930's to the 1970's it was part of Salt River Watershed and then part of household landfill. In 1991, the Salt River was channelized, creating the northern boundary of the site. In 2006, there was an approved development entitlement for 12 acres of the site for Mixed Use, then in 2014 the General Plan changed land use in the area from Mixed Use to Commercial. An RFQ was issued in 2016 for the development of the 12 acres plus an additional 5 acres, and then in 2017 a Master Development Agreement was negotiated, to remediate the landfill and lease the site for future development of an Economic Development innovation hub with support for science and the arts, including a future TCA Annex. The development is phased for construction over the next 14 years, resulting in 7 buildings, two of which are above-ground parking structures. Phase 1 would include Building B and building A1. The applicant is requesting approval of the PAD with all three options, with Option A being their preferred solution. Staff has written a condition that may meet the original intent with Option C. She shared Landscape Plans and shared some specifics about types of vegetation, etc. Staff is recommending a more varied palette than what is proposed, providing more color within the tree flowers and more shade along the sidewalks, as there is not enough diversity in types/species of trees for a 17-acre site. To assure that a stronger massing of color is provided at the entryway, a condition has been added for future landscape enhancements. Also, to assure building diversity in massing and height in future phases, conditions regarding design and massing were included. The 6-story garage in Phase 1, Building A 1, will have temporary screening on the area where the future TCA annex would be located. This screening is proposed to be temporary art on a vinyl sign material. The remainder of the garage as shown would be exposed as the permanent design solution for this structure. It includes perforated panels finished with a mica-based paint, that will change colors based on sun angle, providing slight color variation throughout the day. She then explained to the Commission the reasoning for certain conditions added by staff. These conditions regard providing a functional space that meets size and adjacency needs for the TCA annex, ensuring compliance with transit plans and Character Area, artwork, pedestrian experience, parking and circulation needs, sufficient parking, access for ingress and egress by Public Works department, providing a hotel as part of the development, the applicant providing public notification before hearings for future phases, and diversity in architecture for future phases/buildings. In conclusion, staff recommends approval of the PAD with 23 conditions, and recommends approval of the design of the site plan, landscape plan and elevations for Phase 1, with 33 conditions outlined in the report. She has received two letters of support, which are included with the report.

Commissioner DiDomenico inquired if the applicant was in agreement with all 33 conditions, and Ms. Kaminski responded that that was her understanding, but the applicant could explain, if they were not.

Commissioner Amorosi inquired about more specifics on what Community Services was looking for, as Condition #4 mentions continuing to work with staff for an adequate footprint that meets the TCA's needs. Ms. Kaminski replied that she would defer to the applicant to answer this question, but her understanding was that the proposal was several thousand

square feet short. He then asked for clarification of where the ten public surface spaces are located, since the report states “near the trailhead connection.” Ms. Kaminski pointed out the spaces, which are currently on the north side of the second garage, to the west of Building C. These ten spaces would be available for people coming to visit the park after those phases are completed. Before completion, there will be temporary parking spaces that shift until remediation is finished and construction begins.

Commissioner Brown asked for clarification on the PAD, they are typically pretty “crisp,” but this development has varying building heights, as an example. Ms. Kaminski stated there is a development agreement, which sets the minimum baseline of what is expected of the developer, and there is also a maximum range that would be allowed by the FAA. Staff has not had any issue with the range of heights they are requesting, as they would hope to have the diversity of the building heights within the different phases. If they are meeting the requirements of the development agreement, staff agrees with the range they have proposed. Staff’s idea of the PAD is that there will not be anything lower than or above that range. Commissioner Brown then asked about the parking estimates, according to his calculations, it looks like parking should be provided for well over a million square feet, not 720,000 square feet. Ms. Kaminski agreed, stating that the parking estimates done by the applicant were taken on a median range, or toward the smaller end of the range. Because this is a phased project to be constructed over multiple years staff has added conditions that the applicant will have to update parking studies before the second garage is built in order to ensure that parking is adequate for uses proposed with the various phases of the project. Commissioner Brown then stated he was shocked at the height and does not like the idea of five identical buildings, he will speak with the design team, as he wants to be absolutely sure of what he is approving. His concern is that once the PAD with these height ranges is in place, buildings can be much taller than what is proposed tonight, and then there is no recourse to go lower. Ms. Kaminski agreed that the PAD established a rough footprint, and then as each phase are proposed, the design of the building will need to be approved.

Commissioner Lloyd inquired if below grade parking was discussed as an option for the Phase 1 parking structure. Ms. Kaminski replied that it had been discussed but was not feasible. The applicant will have more details. Commissioner Lloyd then commented that she thought ten public spaces for the entrance / accessibility to the trails and pathways along the lake was not enough, she would like to ask the applicant about this as well.

Commissioner Amorosi stated he had the same concerns as Commissioner Brown about height. If the PAD is approved with a maximum height of 185 feet, that means there is the possibility of a 17-story building. This is not the downtown area, and 17 stories is too high. He thinks 145 feet may be more appropriate. Ms. Kaminski replied that she would defer to the applicant to respond to this request.

Vice Chair DiDomenico asked if TCA representatives or traffic engineering would like to present their information.

Mr. Ralph Remington, Deputy Community Services Director, Arts & Cultural, and Ms. Kathleen Dooner, Community Services Supervisor, then spoke. They stated that within this development, the square footage needed for the TCA Annex is not being met. Two years ago, there was an analysis done to determine square footage needed for classrooms, etc, as well as spaces needed to complement a theater, such as dressing rooms, green rooms, seam shop, storage, etc. The first determination was that about 41,000 square feet was needed. In the current design, the rooms have been split, with some being in another wing, which is not optimal, the needed space is in the theatrical wing of the building. The current design is several thousand square feet less than what was requested, and some of the space is on the second floor, which is not optimal for functionality either. Currently, the design plan does not correspond to the needs.

Commissioner Brown pointed out a sliver of area showing that is about 10 feet wide and marked as TCA Annex. He stated one cannot just add square footage if it is not functional and usable. Vice Chair DiDomenico stated that he agreed unless that area is specifically desired as storage space.

Vice Chair DiDomenico verified with Ms. Kaminski that this issue is currently being dealt with by having a condition included that staff would continue to work with the applicant to make sure the TCA’s needs are met. She responded that is the case. Vice Chair DiDomenico reminded those in attendance that the DRC is a recommending body for this project, and this project

will go on to City Council for approval. The staff / applicant / TCA conversations can continue on this issue and then staff would be the adjudicator of whether or not the applicant has met the need or made appropriate changes. Ms. Kaminski added that in discussions, they "were getting close" and that the number will be nailed down with the Community Services Staff before the garage goes into construction.

Commissioner Lloyd asked if the Community Services staff would discuss their understanding of the parking situation not only at project completion, but in the interim. Where will your patrons and employees park during this construction, if there are parking costs, etc.

Ms. Dooner replied that the existing parking lot and the dirt lot just west of that are currently being used, the dirt lot alone accommodates about 250 to 300 cars. They have been informed, however, that in September, all of that will be gone, and the only parking available will be a parking lot just west of Hardy and just south of the path, which will house approximately 340 spaces. They have been looking into transportation for moving patrons from that parking lot over to the TCA, as it is a bit of a walk. They have also purchased five golf carts and retrofitted them for passengers so that personnel can be transported as well. The south parking lot that was employee parking is now an ADA lot.

Vice Chair DiDomenico asked if they knew if the parking area was to be an unpaved, gravel finish. Ms. Dooner replied that the developer has stated they will be using a stabilized surface that can be striped. He then asked if the distance was about 100 yards, and Ms. Dooner replied that it was actually a quarter of a mile, it is not close.

Commissioner Lloyd asked if this issue had been discussed with the applicant, and Ms. Dooner stated that it had, Boyer had offered valet parking, which would be a challenge in itself. She stated it is pricey to take care of this parking situation, as the department does not have budgeted money for it. The developer had communicated that they would pay for these transportation costs for the patrons, but there has been no firm commitment on paper that this will happen.

Commissioner Lloyd then asked if, with the permanent structure, the TCA's parking needs are being met? Ms. Dooner replied that they will have 150 parking spaces, for daytime hours, for patrons and employees. Then at night and on weekends they will have access to park in the garage, but that will be at a cost. Commissioner Lloyd asked if the 150 spaces allotted will be at a charge, and Ms. Dooner responded yes. The original hope was that the parking would be paid for by the developer, and would result in free parking, but in recent conversations, they have stated the remediation costs would probably be so high that this would not be feasible.

#### **PRESENTATION BY APPLICANT:**

Ms. Wendy Riddell of Berry Riddell, LLC, then spoke. She began by saying she wanted to make it clear that they were never tasked with designing the TCA space. The images presented this evening do not show a design of that space, they were simply asked to show that there was a capability to fit those uses. Rather, she would like to speak about this project in total, because if they can get Phase 1 underway, then there is a potential revenue source for all of these other types of things to happen, such as the TCA Annex. Regarding the concerns she heard this evening over the PAD, she wished to point out that it is a very competitive marketplace, with the largest competitors right across the river in the form of SRP and The Grand development. This applicant is very aware of this, and it has been very competitive to bring users and projects to the City. The staff report states, "the project helps obtain a maximum return on investment to the surrounding lake infrastructure, helping assure a fiscally sustainable future." The applicant is very committed to this site, and has shown this commitment already, in that remediation of the site began in June, before they were zoned or entitled. This project will go forward with a partnership blessed by the City Council. The Development Agreement between Boyer and the City states that Boyer "is responsible for full remediation of the site, remediation of the PAD for TCA's future phase, the future phase of the TCA Annex, structured and shaded parking for TCA, any desired additional amenities selected by the City, and sharing in revenues for value not otherwise used by the City for amenities." As to the future TCA annex, the applicant must receive written notice from the City Council to trigger moving forward on that. As to the discussions about parking, the Development Agreement calls for 50 24/7 spaces for TCA staff, 250 additional nights/weekend spaces for public use, or 250 additional 24/7 spaces for public use. The City is in the "driver's seat" here, and currently the City has elected 150 24/7 public spaces,

a 60-minute validation system, and the right to elect other options for a validation system for its 24/7 spaces. Again, these decisions about paid or free parking, etc, are up to the City, not Boyer, according to the Development Agreement.

She then stated the zoning change makes sense for the site, and with the new zoning it will be in conformance with the 2040 General Plan, which calls for "the Rio Salado growth area to be a regional destination for employment, with the position of Town Lake to obtain maximum return on investment and be fiscally sustainable for the City." The biggest unknown for this project is the cost of remediation. The project will eventually include all the necessary items to activate this site and will total 800,000 to one million square feet. They hope to get "off the ground" now, so they can return to the Commission soon, with Phases 2, 3, 4 and 5. They plan to continue with public outreach as the phases progress. Currently, there is a tenant with a signed lease, this tenant is one of the world's top five biotech companies with over 65,000 employees globally. This first office building will house these 450 to 600 jobs. She acknowledged there has been trepidation as to how the Phase 1 garage will be screened, and then shared images of what has been planned to do that. There are two different options for screening, and she asked the Commissioners for their feedback as to which they preferred.

She added that the vehicular and pedestrian experiences were also a major focus in the planning process. The vehicular separation has been carefully contemplated to maintain a true pedestrian experience. The intention was to make the entire space functional and beautiful, with future outdoor seating, shaded pocket parks, food trucks, etc. Great views, lighting consistent with the surrounding area, opportunities for solar, etc, were all part of the design. The applicant is only requesting two small changes to the conditions put forth. First is changing Condition #20 regarding the number of hotel keys, instead of "150 to 200 keys," they would like it to read "150 or more." Second, they would like to have Condition #23a read simply "Provide variation in building height," striking out the rest of the sentence "of at least 20' between adjacent buildings (separated by less than 100 feet.)"

Commissioner Amorosi stated he understood the developer was not responsible for the design of the TCA Annex, but said they seemed close to that 41,000 square feet that was desired. Ms. Riddell agreed. He then asked about the shape of that area of the building in two of the options, in one it is a more of a curved look, and in one it is squared off, what was the thinking behind that. Ms. Riddell responded that was simply for more flexibility with future design. He asked if that small sliver of space which is a thin strip of extra parking behind the parking garage could be utilized to add to the workable space that is needed for the Annex. Ms. Riddell responded that it certainly could, there are many opportunities for changes and adjustments as the project progresses. He then asked if the applicant would be amenable to having Condition 23b to include the word "rectangular" preceding "floorplate" in the sentence "Provide variation in building footprint to not replicate the floor plate of phase one", so as to be absolutely sure there are not seven square buildings on this site. Ms. Riddell responded they would agree to that.

Commissioner Lloyd inquired how many square feet of Phase I the newly signed tenant would occupy. Ms. Riddell responded that they are committed to four floors with an option to go to six. They will be utilizing 120,000 of 180,000 square feet. Commissioner Lloyd then asked about the number of parking spaces allocated for the multi-modal path. Is there an opportunity for that to be more than ten spaces? Ms. Riddell responded that was the number they were given, and they accommodated, but it is certainly something they are willing to take a look at. She cannot say this evening definitively what the number would be.

Commissioner Brown stated he understood the design of the buildings would be coming back through DRC, but in Ms. Riddell's opinion, is it likely the PAD will be back to be amended as well? Ms. Riddell responded that they believe it is much better to have the overall PAD in place, as it is much easier to secure tenants if they know they are welcome to come in without having to go through a zoning process. However, they cannot see the future, and these are predictions, so it could certainly be the case that the PAD is amended at some point. Commissioner Brown then added that it is now common knowledge one of these buildings will be a hotel, and he is concerned it will be 185 feet, so that hotel guests will get a great view of the water to the east. His concern is that it may conflict with the TCA Annex, and he would like to see the entrance to this large site at the west end, that would be ideal. Ms. Riddell responded that it has not yet been determined exactly where the hotel will go, therefore the exact layout, etc is an unknown at this time. He then asked about remediation risk, stating that when he had met informally with Ms. Riddell, there was no idea what the TCA remediation costs were, but he was able to

get them quickly, as they are public record. He believes they may be overstating the number, his opinion is it is probably about half of the \$25 million in the presentation this evening. Ms. Riddell stated she also hopes the number is lower than \$25 million, but they simply do not know. She reminded the Commission that this is a public / private partnership, and the City benefits, as does the developer, if the final costs come in lower. Ms. Riddell agreed that the trigger price is \$25 per square foot, however the remediation is ongoing, and the final numbers have not been determined. Commissioner Brown asked what happens with the agreement if the number goes over \$25 per square foot. Ms. Riddell responded that up to \$25 is paid for by the developer, if costs are higher than that, up to \$32.50, is a split per the development agreement. If costs are exponential, that no one could have predicted, then they would be back to negotiating with the City. All of the remediation operation is being monitored, it is being watched very carefully. He then asked, when the buildout is complete, he believes the public entrance spot should be at the Hardy Drive alignment, not at the TCA. Ms. Riddell stated that her understanding was that was the general alignment. They do not wish to detract from the entrance to the TCA, which is well established and has its own presence. He stated he is still concerned about building to the maximum height allowable, and the maximum square feet as well. Ms. Riddell responded that if they were to build at that capacity, the parking requirements alone would be astronomical, it is just not practical. He finished by mentioning the location of the garage, the developer has said they are not responsible for the design of the TCA Annex, but once the garage is built, it leaves a little sliver of land, which is less than ideal. He will make a recommendation this evening to have the garage pushed back.

Ms. Dasgupta clarified that the SRP project was a PAD, and it was required to come through the same process at the City, just as all others do. Ms. Riddell apologized, saying that was her mistake.

**PUBLIC COMMENT:**

Mr. Merrill Darcey of Tempe stated he likes the project overall, but he has a few objections. He lives near the project but was unaware the development was happening. There was a public meeting given by the developer, but only six people were in attendance. He believes that no building in this project should be higher than the TCA, at 100 feet. Also, there should be a clear vision of who / what is the anchor of this development. Is it the TCA, or is it technology and biotech? The TCA should be the anchor, and if so then where are the museums and the cultural district? This is not a place for a hotel, for commercial, etc. It should be education / cultural in scope. This is too broad of a blanket.

Mr. Philip Yates, President of the Riverside Neighborhood Association, stated that he was unprepared for a foot-stamping attorney demanding approval of a project this evening. He has heard a lot of discussion this evening, but he is still unsure of what the project will be. Ten public parking spaces for a project of this magnitude is ridiculous. The buildings are blasé and uninspiring, when they should be a "statement," as they are adjacent to the Arts Center. There seems to be no affordable housing considered here, and there are too many "unsures" in this plan. It is disturbing to hear "we don't know" so many times with a project of this magnitude.

Mr. John Kane of Tempe stated he is here this evening with views from three different fronts. One, he is a member of Friends of the TCA, second, he is a commissioner with the Tempe Sustainability Commission, and third, he is one of the architects of the TCA. Overall, he supports the project, and believes it is very important to bring it to completion. We only get "one shot" at doing this right, and his understanding is that it has been in the design phase for about a year. He has met with the architects twice, and they seem to have listened carefully. He believes it is very important to make ensure a good experience for TCA patrons from their car, how they arrive on site, shade, the ground level experience, and so on, especially if they come from the second garage. He agrees with Commissioner Brown that the garage must be situated correctly, for it to be functional in every way, for patrons, for refuse, supply trucks, etc. Putting that garage in without really designing the space is not a good idea, that needs to be right, as it is critical. From the sustainability standpoint, the focus is connecting. In our city, since every project is now an in-fill project, they should each add to the whole and connect the city together. In this plan there are not enough permanent shade structures complementing the trees, to make the experience friendly and hospitable in traversing across the site. When the TCA was designed, they were asked to design it basically as the "Opera House", an iconic structure meant to be the object and the landscape, with the ideal that all future buildings support and create the space. Much like a great city in which the cathedral is at the center of the park, and the surrounding buildings and landscape support it. He finished by reiterating that we really need to think this through and get it right the first time.

Commissioner Cassano inquired of Mr. Kane his opinion on the issue of the square footage needed for the TCA Annex. Commissioner Cassano stated he believes 7,000 square feet of the needed 41,000 square feet needed being upstairs would not be acceptable, it needs to be on the ground floor and functional. Mr. Kane stated that in his opinion it is definitely a design issue, not a numbers issue, and it needs to be resolved now, before it is built and too late. Good design could actually dictate that less square footage is needed. Assuring that the space is used efficiently and is functional for staff, refuse, suppliers, etc is imperative. If those things are not considered now, we are fooling ourselves that we are going to be able to make it work. It would be a shame to have something non-functional with an operation of this caliber.

Ms. Anndee Rickey of Scottsdale then spoke, saying she lives in Scottsdale, but is a fairly new board member for the Friends of the TCA. Her background is in development, and she understands that from the developer's point of view, they would want a broad vision for this, with many different ideas moving forward. However, she wanted to emphasize that the TCA is an extraordinarily special place and was built as such. Tempe wants to be a spectacular city, and when you have these iconic buildings you need to hold them as very special. Therefore, there should not be an office park sitting next to the Arts Center. The TCA is the draw, and why that piece of land is valuable as is. Her suggestion is not to give all the "okays" now, but to look at each area as the phases come through. This process could still move quickly, making sure that each piece makes sense rather than just giving a blanket "yes" at this time.

#### **APPLICANT RESPONSE:**

Before Ms. Riddell approached the podium, Commissioner Amorosi asked if she would address the comment she made earlier that "185 feet is not really 185 feet" when she spoke.

Ms. Kennedy, Economic Development Director for the City of Tempe, then approached the podium and stated she wanted to give some background and then respond to the height question. She stated this project has been given careful consideration by the City Manager's office. Originally, there had been a plan for the City to build the second phase of the TCA immediately south of the existing center, without partnering with a developer. This opportunity of sharing remediation costs with the developer is a cost savings for the City. She appreciates what she has heard from staff, architects, etc this evening and understands that everyone wants to "get it right." The RFP and application process included directors from the TCA and ASU as well as other directors, and this developer and agreement was agreed upon as the best fit. In regard to the TCA Annex needing 41,000 square feet, the development agreement actually states 50,000 square feet, as there is an intent to have a restaurant there as well. If the City were to build this on their own, without working collaboratively with a developer, we may be waiting ten years to have it built. Her department is tasked with deciding public benefits, weighing funding, etc. The city will be receiving a percentage of the leases, and that percentage will go back into the project, and will address the parking concerns etc that were voiced this evening. The City's intention is to put cost savings back into the project to help with parking costs, with some possibilities being nights, weekends or holidays free, first hour free, etc. Next steps are, once the developer reports back with the final remediation costs, her department will calculate the numbers and then go back to the TCA director to see what works for her and what she wants. The city's focus is to proceed with this project while assuring the iconic TCA remains a gem for Tempe. The focus of all involved remains the best interest of the city, of the patrons, and of the citizens that come and enjoy the grounds, paths, and the lake. There are already other tenants that are wishing to come on board, and hopefully this will not take generations to be built.

Vice Chair DiDomenico offered his apologies, saying Ms. Kennedy's comments were appropriate early in the meeting with Staff's presentation. It may have saved some "head-scratching" and questioning if she had spoken earlier in the meeting, as she had valuable information to share. He once again apologized.

Ms. Riddell then spoke again, saying they agree with those that have spoken tonight. The TCA is iconic and must be a critical part of the campus. This is a collaborative process that will be in progress for the foreseeable future. They are not saying "trust us," but "trust the process" and trust that this is going to be a great project that will be coming back to this Commission in future phases. She respectfully requests the Commission's approval.

**COMMISSION COMMENTS:**

Commissioner Brown said he has studied the details, and the projected corner of the third bay of the garage is eighty-seven feet from the east property line, the edge of the driveway. He has looked at the other schemes developed by the center and found that needs to be 160 feet. His opinion is that the developer can get all the spaces they need and push things to the west. Since they will have the ability to go higher, it should not affect the total square footage they would be able to profit from. He asked Ms. Riddell if she would agree to have that furthest point be 160 feet from the east property line. She stated she could not agree to that on the spot but would continue to work with staff on this issue. He countered that he did not want a precedent set with the possibility of the developer working with staff, but then concluding that "it will not work." He conceded that she cannot answer the question on the spot but wanted to go on record as saying that there is a good number that is feasible, and it is not five feet.

Commissioner Johnson asked staff if they agreed to the condition removing the cap for the number of hotel keys, Ms. Kaminski responded yes, staff agreed to that. He also asked if staff was agreeable to the removal of the section of the condition regarding variation between building heights, Ms. Kaminski stated they were not, staff would like to keep the language as is. He then asked if the rotating artist panels along the parking garage will work for staff, and if there needs to be a modification to the condition regarding this. Ms. Kaminski stated staff is continuing to work with the Art in Private Development and Community Services staff, and since the rotating art would be temporary, there is no need to modify the condition.

Commissioner Amorosi stated he is in favor of the temporary panels for rotating art, and he also wanted to be sure the developer respects the view from Hardy, looking north, which is very important to the community. He does not want to see big square buildings ruining that whole view. In the options for site layout presented, if one building moves, another one pops out, and still ruins the view. Does the developer understand that a clear view from Hardy looking north is important to the community and a view of the Papago Buttes and Camelback Mountain is much desired? Ms. Riddell responded by sharing two images of the current view from that corridor with the 10-level and 6-level buildings already entitled at the Grand development, stating she is aware of the concern with the view corridor, and is confident as they work through future phases, this will be taken into consideration.

Vice Chair DiDomenico reminded everyone that this approval is for the first two buildings only, and the rest would be coming before the Commission in phases, with a more detailed look at each building at that time.

Commissioner Brown interjected that the perspective drawing, depicting the Grand and Papago Park with the view as illustrated by the applicant, is incorrect building and it looks as if they have drawn a 25-story building. A 10-story building (such as the Grand at Papago Park) would not obstruct the view of Camelback Mountain.

Commissioner Johnson also commented on the illustration by the applicant depicting the Grand at Papago building and stated he would like to see this perspective with some actual top elevation of the Grand at Papago Park because that building is much recessed and he does not believe this drawing represents what those buildings will be when the project is built out.

Commissioner Thornton added that she believes this is a great project on a difficult site. She is also in favor of the rotating art option. She does not usually like glass buildings on Town Lake, but she does like their buildings, stairs, and lighting. She will support the project.

Commissioner Lloyd stated she also likes the project and appreciates the fact that quality jobs are coming to this location. Her caveat is that we get one shot at this, and she wants the sensitivity to the TCA to remain and be respected. It is important that this destination enhances the experience, rather than acts as a deterrent. She thinks it is important to keep in mind the co-tenancies as well, so that they complement the desired culture of the site.



**MOTION:** Commissioner Johnson made a motion to approve PL180160, with modified Condition #20 reading "...developer shall provide a minimum 150-key hotel" and modified Condition #23b reading "...not replicate the rectangular floorplate." Motion seconded by Commissioner Cassano.

Commissioner Brown then stated that a few more stipulations might be added to this motion. Those are: the view corridor from Hardy be more fully respected, as all three site layout options on Attachment 33 clip severely into the views. Second, the easternmost tip of the three-bay garage be 160 feet from the existing road. Third, the garage structure Building A and A1, A2 not exceed the 70 feet as designed and presented. Fourth, Building D should be conditioned to not exceed the height of the TCA at 106 feet.

Vice Chair DiDomenico asked if Commissioner Johnson would like to amend his motion to include these items, Commissioner Johnson stated that he would not, as he is not comfortable changing dimensions on the spot, without review by the applicant and staff. He would leave his motion unchanged. Commissioner Cassano then confirmed his second of the original motion.

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

Vice Chair DiDomenico reminded members of the public that the Commission had just voted to pass the project on to City Council with a recommendation of approval. Staff will continue to work with the applicant. The upcoming dates it will be heard by Council will be August 9<sup>th</sup> and August 30<sup>th</sup>, 2018.

**COMMISSION ANNOUNCEMENTS:**

Vice Chair DiDomenico formally welcomed the newest Commissioner, Mr. Don Cassano, a very familiar face in the City of Tempe. He welcomed Commissioner Cassano's participation in the group.

**STAFF ANNOUNCEMENTS:**

Ms. Dasgupta stated the next Development Review Commission meeting was scheduled for August 14, 2018.

**There being no further business, the meeting was adjourned at 7:59 pm.**

Prepared by: Cynthia Jarrad



Reviewed by:  
Suparna Dasgupta Principal Planner, Community Development Planning