

DESIGN REVIEW BOARD

Friday, August 19, 2016 - 7:30 a.m.

AGENDA

Public Works Building, 3rd Floor North Conference Room

201 North Stone Avenue

Tucson, Arizona

STUDY SESSION

Call to order

Roll call of DRB members

Robert Page (Chair)

David Marhefka

Mike Anglin (Vice Chair)

Savannah McDonald

Eric Barrett

Nathan Kappler

Approval of minutes from April 15, 2016

Approval of minutes from July 15, 2016

NEW CASE:

DRB-16-12- FRIEL/PARISIS DETACHED GARAGE/LIVING SPACE CONVERSION, 1201 EAST ALTA VISTA STREET, #2, R-2 [C10-16-08]

The appellants (M. Friel and J. Parisis) are appealing the Planning and Development Services Director's decision to deny Design Development Option (DDO) Case DDO-16-27. Case DDO-16-27 is a request to convert an existing detached accessory garage structure into additional living space. Conversion from an accessory structure into living space triggers the need to bring the structure into compliance with design criteria applicable to residential development in the R-2 zone. The appellants filed a DDO application (Case DDO-16-27) with the Planning and Development Services Department requesting the zoning approval necessary to allow the structure to remain with reduced building setbacks, as measured from the south and east lot lines. The appellants' DDO was denied due to the project's non-compliance with a required DDO General Finding of Tucson *Unified Development Code (UDC)* Section 3.11.1.D.1.e.

Tucson *UDC* sections applicable to this project include Section 3.11.1.D (DDO Findings); Table 4.8-2 which provides the Use Specific Standards applicable to residential development in the R-2 zone; Sections 6.3, 6.4, 6.5 and 6.6 which provide the development standards for all principal and accessory structures; and, Section 3.10.2 which provides for the Board of Adjustment to hear and decide on appeals made to the Planning and Development Services Director's decision on DDO applications; and Section 2.2.6.C.3 which states that the DRB reviews, for recommendation to the Board of Adjustment, appeals of Planning and Development Services (PDS) Director decisions on DDO applications and shall in formulation of its recommendation utilize the same criteria, as provided in Section 3.11.1.D.1 (DDO General Findings) required of the PDS Director in making the decision.

THE APPELLANTS' REQUEST

The appellants are requesting reversal of the Planning and Development Services Director's decision to deny Case DDO-16-27, which is a request to allow the following Design Development Options (DDO):

- 1) Allow the south perimeter yard setback to remain as reduced from six (6') feet to one (1') feet, as measured from the new second dwelling to the south lot line of the property and;

- 2) Allow the east perimeter yard setback to remain as reduced from six (6') feet to four (4') feet, as measured from the new second dwelling to the east lot line of the property, all as shown on the submitted plans.

THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED DESIGN DEVELOPMENT OPTIONS AND RECOMMENDS THAT THE BOARD OF ADJUSTMENT (UPHOLD) (MODIFY) (REVERSE) THE DIRECTOR'S DECISION TO DENY DDO 16-27 FINDING THE APPLICATION (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN UDC SECTION 3.11.1.D.1.a-j AND 3.11.1.D.2.a-e (SEE ATTACHMENT 'A').

RNA-16-17 THE JULIAN DREW HISTORIC BUILDING: STOREFRONT ALTERATION/EVEN STEVENS SANDWICHES, 178 EAST BROADWAY BOULEVARD, OCR-2 [DRB-16-13 & HPZ-16-66]

The applicant's project is located within the Rio Nuevo Area (RNA) Overlay Zone, and is zoned OCR-2 "Office Commercial Residential". The applicant proposes alteration of the storefront system. The proposed alterations to the building include: (1) installation of a new glass door facing north, highly visible from the street; (2) new projection into the building of the first story to provide a relief from the façade on the ground level; (3) addition of a new double hung window on the west façade to allow for pedestrians and vehicular traffic to get a glimpse into the restaurant; (4) addition of the patio area to be fenced with new stained wood railing as a barrier; (5) use of wood on windows to relate back to the original design of the building; (6) build a new accessible ramp to the parking lot; and, (7) signage .

Tucson Unified Development Code (UDC) Sections applicable to the project include, but are not limited to, Section 2.2.6.C.14 which states that the DRB reviews for recommendation, all proposed development in the Rio Nuevo Area (RNA), as provided in Section 5.12.7. In formulating its recommendation, the DRB shall apply the design standards in Sections 5.12.7.C, *Building Design Standards* and 5.12.7.D *Site Design Standards*.

The Applicant's Request

The applicant is requesting a review of the proposed store front alteration for compatibility with Rio Nuevo and Downtown Zone design criteria.

THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE APPLICANT'S PROJECT FOR COMPLIANCE WITH RIO NUEVO DESIGN CRITERIA AND RECOMMENDS TO THE PLANNING & DEVELOPMENT SERVICES DIRECTOR (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE BUILDING DESIGN STANDARDS SET FORTH IN UDC SECTION 5.12.7.C 1-15 AND SITE DESIGN STANDARDS IN SECTION 5.12.7.D (SEE ATTACHMENT 'B').

RND PRE-APPS

The purpose of the pre-application portion of the meeting is to provide potential Rio Nuevo Area (RNA) applicants with an opportunity for non-deliberative discussion with the DRB about the project and the RNA process, prior to actual submittal of the application.

Call to the Audience

Adjourn

If you have any questions concerning this DRB meeting, please contact Michael Taku at 837-4963.

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ATTACHMENT A: DDO APPEALS

UDC SECTION 2.2.6.C.3 states that the DRB reviews, for recommendation to the B/A, appeals of decisions by the PDSB Director on DDO applications in accordance with Section 3.10.2, *Board of Adjustment Appeal Procedure*. The DRB shall apply the same findings (Section 3.11.1.D, *Findings for Approval*) required of the PDSB Director when making its recommendation.

SECTION 3.11.1.D.1 "GENERAL FINDINGS FOR DDO"

For all modification requests, the PDSB Director may approve a DDO request only if the request meets all of the following findings:

- a. Is not a request previously denied as a variance;
- b. Does not modify a conditional requirement or finding to determine whether the use should be allowed in the zone;
- c. Is not to a condition of approval for a rezoning or Special Exception Land Use application;
- d. Does not modify a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs;
- e. Does not result in deletion or waiver of a UDC requirement;
- f. The modification applies to property that cannot be developed in conformity with the provisions of this Chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, exceptional topographic conditions, or location.
- g. Does not create a situation where proposed development substantially reduces the amount of privacy that would be enjoyed by nearby residents any more than would be available if the development was built without the modification;
- h. Does not create a situation where proposed development will block visibility within the required visibility triangle on adjoining streets for either vehicular or pedestrian traffic;
- i. Does not create a situation where the proposed development will cause objectionable noise, odors, trespass lighting, or similar adverse impacts adjacent properties or development; and
- j. Does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.

SECTION 3.11.1.D.2 "SPECIFIC FINDING FOR SETBACK AND WALL HEIGHT MODIFICATION REQUESTS"

In addition to the findings in Section 3.11.1.D.1, the PDSB Director shall find, in the case of setback and wall height only, that the modification:

- a. Does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification;
- b. Provides design alternatives to better integrate the development into the design character of the immediate neighborhood;

- c. Does not apply to a setback requirement of a Flexible Lot Development (FLD);
- d. Does not create a situation where the proposed development will interfere with the optimum air temperature or solar radiation orientation of buildings on adjoining properties substantially more than would occur if the building or structures were built without the modification; and
- e. Does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modifications.

ATTACHMENT B: RNA DESIGN CRITERIA

Development within the RNA is required to comply with the following building design standards. Compliance with these standards will ensure that development complies with the design principles set forth in UDC Section 5.12.7 Please describe how the project complies with each of the following:

5.12.7. C Building Design Standards

1. The proposed buildings shall respect the scale of those buildings located in the development zone and serve as an orderly transition to a different scale pursuant to Section 5.12.8.B, Development Transition Standards. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long range plans should be consulted for guidance as to appropriate heights;

2. All new construction must be consistent with the prevailing setback existing within its development zone except that the PDSD Director may approve a different setback than the prevailing setback upon a written finding during the review process that a different setback is warranted by site conditions or applicable development design goals consistent with Section 5.12.1, Purpose, and the proposed setback will not be incompatible with adjacent properties, as defined in Section 11.4.2.A;

3. All new construction shall provide scale defining architectural elements or details at the first two floor levels, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies;

4. Every commercial building frontage shall provide windows, window displays, or visible activity within and adjacent to the building at the ground floor level, with a minimum of 50 percent of the building frontage providing such features;

5. A single plane of a façade at the street level may not be longer than 50 feet without architectural relief or articulation by features such as windows, trellises, and arcades;

6. Building façade design shall include pedestrian-scaled, down-shielded, and glare controlled exterior building and window lighting;

7. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies;

8. Modifications to the exterior of historic buildings shall complement the overall historic context of the Downtown and respect the architectural integrity of the historic façade;

9. Buildings shall be designed to shield adjacent buildings and public rights-of-way from reflected heat and glare;

10. Safe and adequate vehicular parking areas designed to minimize conflicts with pedestrians and bicycles shall be provided;

11. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structure or vegetation, where permitted by the City;

12. Colors may conform to the overall color palette and context of the Downtown area or may be used expressively to create visual interest, variety, and street rhythms. The rationale for an expressive or idiosyncratic use of color shall be described in the site plan submittal;

13. New buildings shall use materials, patterns, and elements that relate to the traditional context of the Downtown area;

14. Twenty-four-hour, street-level activity is encouraged by providing a mixture of retail, office, and residential uses within each building; and,

15. Primary public entries shall be directly accessed from a sidewalk along a street rather than from a parking lot. Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of, and access to, residential structures may be elevated. Secondary access may be provided from off-street parking areas.

5.12.7. D **Site Design Standards**

1. Vehicular Circulation

a. All parking area access lanes (PAALs) adjacent to buildings shall have pedestrian circulation paths between the PAAL and the building, with a minimum width of six feet.

b. The locations of all points of vehicular ingress and egress shall be perpendicular to the intersecting street. Points of ingress and egress points shall be designed to minimize vehicular/pedestrian and vehicular/bicycle conflicts. Adequate storage for vehicular queuing at parking facilities shall be contained on site. Right turn bays are strongly discouraged. Points of ingress and egress shall be minimized wherever possible. Additional temporary ingress and egress locations may be permitted for parking structures when occasional high peak period traffic flows (i.e., parking facilities for event venues) are anticipated.

2. **Parking**

a. General Parking standards are listed in Section 7.4. Some properties in the RNA may also be located in the Downtown Parking District, which allows a reduction in the number of parking spaces as provided in Section 7.4.5.B.

b. Screening of Parking All new parking shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of pedestrian arcades, occupied space, or display space.

c. Employee Parking Employee parking for all uses should be provided at remote locations in order to maximize the availability of space for development.

3. **Plazas and Open Space**

The fundamental objective of the design standards in this Section 5.12.7.D.3 is to encourage public and private investments to enhance the character and function of Downtown's pedestrian environment.

a. **Plazas and Pedestrian Nodes**

Five percent of the gross floor area of new construction shall be provided in public plazas or courtyards. Open space plazas, courtyards, and patios are landscaped outdoor areas designed to accommodate multiple uses, from large gatherings of the people for performing arts to smaller gatherings. The plazas and courtyards will be one of the ways that spaces and uses can be linked. The requirement of this section may be waived or reduced by the PDSD Director upon a written finding during the review process that the development enhances the downtown pedestrian environment even with a smaller percent or elimination of the requirement.

b. **View shed Corridors**

Views of all historic properties and all natural elements surrounding the Downtown should be considered during design. Plazas, courtyards, and open spaces shall be sited to include views to other public spaces, where feasible.

c. **Linkages (Physical and Visual)**

Neighborhood linkages shall be maintained throughout Downtown.

4. **Streetscape**

a. Streetscapes must be consistent with the Streetscape Design Policy. In streetscape design, priority is given to pedestrians.

b. **Shade**

Shade shall be provided for at least 50 percent of all sidewalks and pedestrian pathways as measured at 2:00 p.m. on June 21 when the sun is 82° above the horizon (based on 32°N Latitude). Shade may be provided by arcades, canopies, or shade structures, provided they and their location and design characteristics are compatible with the prevailing and design context of the street and the architectural integrity of the building. Deciduous trees, as proposed in the Downtown Comprehensive Street Tree Plan, are encouraged to supplement existing evergreen trees. The use of plantings and shade structures in the City right-of-way are permitted to meet this standard with the approval of the Department of Transportation. The shade provided by a building may serve to meet this standard.