



Board of Adjustment
October 30, 2019 at
1:00pm
Mayor and Council Chambers, City Hall
255 W. Alameda Street

Legal Action Report

1. Call to Order/Roll Call

A quorum was established and meeting started at 1:30pm.

2. C10-19-17 EL SUR RESTAURANT / OMAR AND ISELA MEJIA / 5602 EAST 22ND STREET / C-1

The applicant's property is an approximately 15,357 square foot corner lot zoned C-1, and is developed with a restaurant and a second building that is currently used as storage. The applicant is proposing to split the second building into two separate building and use one of the newly created buildings as an expansion to the restaurant. The applicant is also proposing to use an existing outdoor dining patio for the restaurant. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.20 and Table 4.8-4 which provide criteria for commercial development in the C-1 zone, Section 7.4.6 which provides criteria for the required number of parking spaces, location of parking and maneuverability criteria, Section 7.6 which provides criteria for commercial landscaping and screening standards and Section 7.8 which provides criteria for pedestrian refuge, and surface and access requirements for the development. The applicant is requesting the following variances: **1)** Delete the requirement to provide 8 canopy trees throughout the vehicle use areas; **2)** Modify the required 10' wide street landscape border along 22nd Street frontage road, as per condition A; **3)** Modify the required 10' wide street landscape border along Jefferson Avenue, as per condition A; **4)** Modify the required 30" screen between the vehicle use area and Jefferson Avenue, as per condition B; **5)** Allow the continued use of the right-of-way for maneuvering directly into or from the parking spaces located on the north side of the development; **6)** Delete the required sidewalk between Building 'C' and the two parking spaces at the northeast corner of the development; **7)** Delete the required sidewalk along 22nd Street Frontage road, all as shown on the construction drawings.

DECISION: VARIANCES 1, 2, 3, 4, 5, 6, AND 7 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- A. Landscape borders to be provided on 22nd Street Frontage and Jefferson Avenue where feasible and in the northwest corner of the property.
- B. 30" screening along Jefferson Avenue to be provided where feasible, subject to approval by Tucson Electric Power.
- C. Landscape plan to be prepared by a Registered Landscape Architect.
- D. Maintenance of all landscaping to be the responsibility of the property owner.

3. ADJOURNMENT

Meeting was adjourned at 1:50 pm.