

# STAFF REPORT

**DATE:** February 27, 2019

**TO:** Board of Adjustment

**FROM:** Zoning Administration  
Planning & Development  
Services Department

**ACTIVITY NO. T19SA00038**

**C10-19-06 PI BETA PHI SORORITY HOUSE / ARIZONA ALPHA HOUSE CORPORATION OF PI BETA PHI / 1035 NORTH MOUNTAIN AVENUE, R-3**

The applicant's property is an approximately 0.5 acre lot zoned R-3 "Residential" and is developed with a sorority house. The applicant is proposing to add a 3,176 square foot two-story addition to the existing building. The applicant is requesting variances to reduce the front street perimeter yard setback, reduce the required number of vehicle parking spaces, allow the use of the alley for maneuvering directly into or from any parking space, and allow the existing asphalt to serve as the pedestrian refuge, all as shown on the submitted plans.

## **THE APPLICANTS' REQUEST TO THE BOARD**

The applicant is requesting the following variances:

- 1) Allow a reduced front street perimeter yard setback from 32'2" to 24'2", as measured from the proposed building addition to the east property line;
- 2) Allow the number of required vehicle parking spaces to be reduced from 38 spaces to 12 spaces;
- 3) Allow use of the alley for maneuvering directly into or from any parking space; and
- 4) Allow the new pedestrian refuge area along the along the west side of the building to be surfaced with asphalt paving.

## **APPLICABLE TUCSON ZONING CODE SECTIONS**

The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to the following:

Section 4.7.12 and Table 4.8-2 which provide the criteria for residential development in the R-3 zone;

Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide the dimensional standards applicable to all principal and accessory structures;  
Section 7.4 and Table 7.4.4-1 which provide the required vehicle parking and maneuvering standards; and

Section 7.8 which provides the criteria for pedestrian pathways.

## **GENERAL DEVELOPMENT INFORMATION**

### **Zoning and Land Use**

**SITE: ZONED R-3; (Sorority)**

North: Zoned R-3; (Sorority)

South: Zoned R-3; (Post-secondary Institution)

East: Zoned R-3; (Fraternity)

West: Zoned R-2; (Post-secondary Institution)

## **RELATED PLAN REVIEWS**

### **Engineering**

The Engineering Section of Planning and Development Services Department has no objection or adverse comments.

## **BOARD OF ADJUSTMENT FINDINGS**

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.

7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

### **ZONING ADMINISTRATION CONSIDERATIONS**

The applicant's property is an approximately 0.5 acre lot zoned R-3 "Residential" and is developed with a sorority house. The applicant is proposing to add a two-story addition to the existing house. The expansion project will add two sleeping rooms, reconfigure the kitchen, install an ADA lift to the second floor and add ADA compliant bathrooms to increase accessibility within the building for members with disabilities, and increase communal living areas used for dining, studying, socializing, chapter meetings and sorority events.

The applicant is requesting variances to reduce the front street perimeter yard setback, reduce the required number of vehicle parking spaces, allow the use of the alley for maneuvering directly into or from any parking space, and allow the existing asphalt to serve as the pedestrian refuge, all as shown on the submitted plans.

### **Building setback**

UDC Sections 6.3.4, 6.4.5, and Table 6.3-2.A, require a minimum front street setback of 20' or 1 ½ the height, whichever is greater.

Based on a wall height of 21'-5", the required front street perimeter yard setback is 32'-2". The proposed setback is 24'-2".

### **Parking, Maneuvering**

UDC Section 7.4 and Table 7.4.4-1 require parking for a Sorority to be provided at a ratio of 0.7 spaces per resident with maneuvering into and from each parking space to be wholly outside the public right-of-way.

Based on 54 residents, 38 parking spaces are required. 12 parking spaces are proposed.

Access and maneuvering into and from each parking space is via the private alley that runs parallel to the sorority property along its west boundary.

### **Pedestrian Access**

Per UDC 7.4.1.C and TSM Section 7-01.4.3.C asphalt or asphaltic concrete may not be used for required sidewalks. The required pedestrian refuge area connecting the parking spaces to the pedestrian circulation system is surfaced with asphalt paving.

### **Discussion**

The proposed 3,176 square foot expansion will enhance ADA access and provide the necessary communal space for the sorority's growing membership. The location of the expansion is the most logical choice on the lot as it results in a cohesive floor plan while maximizing the remaining outdoor living space. The proposed front yard setback is not out of character with existing front street setbacks along this block of Mountain Avenue.

The historic sorority and fraternity houses are located within the boundaries of the University of Arizona campus and were constructed during an era when the need for a personal vehicle on campus was atypical. In 1929, when this house was built, provision of off-street parking for sorority/fraternity houses was minimal. Most of the existing historic houses provide minimal on-site parking. The U/A encourages students, whether living on or off campus, to use alternate modes of transportation such as walking, bicycles, mass transit, shuttles or ride services. For those that choose to drive, there are numerous parking garages and surface parking lots with spaces available to lease long term or hourly. While this proposal eliminates a few of the existing spaces, access, maneuvering and pedestrian circulation to the remaining spaces will continue to work, as provided.

**Conclusion**

Given that the expansion is necessary to improve ADA access and to meet the needs of the community it serves and that the location of the expansion and reduced setback is the most logical choice; and given that there are special circumstances such as existing site conditions, surroundings and location that result in the inability to provide additional parking and that existing access, maneuvering and circulation will continue to function; and given that the expansion is not out of character with other development in this neighborhood, and does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone, staff does not object to the requested variances.

**NEIGHBORHOOD CONTACT (BY APPLICANT)**

See the attached neighborhood notification dated January 18, 2019 and the meeting sign-in sheet dated January 23, 2019.

**PLANNING & DEVELOPMENT SERVICES RECOMMENDATION**

PDSD staff has no objection to the applicant's requested variances.

It is the opinion of staff there are special circumstances applicable to the property; that granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and that the variances requested are the minimum needed to afford relief and the least modification possible of those *UDC* provisions which are in question.

Mark Castro, Lead Planner  
for  
Russlyn Wells, Acting Zoning Administrator

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