



Main Gate District – Design Review Committee

Wednesday, August 23, 2017 – 5:30 p.m.

Planning and Development Services, 3rd Floor Conference Room

201 North Stone Avenue, Tucson AZ 85701

Legal Action Report

1. Roll Call (5:37 pm)

Those present and absent were:

Present:

Rick Gonzalez, Design Professional, Design Review Committee (DRC) Chair
Matt Williams
Tom Warne
Johnny Birkinbine
Jane McCollum

Absent:

Bob Smith (due to conflict)

Staff Members Present:

Carolyn Laurie, Planning & Development Services
Kelly Lee, Planning & Development Services

2. Approval of Legal Action Report – October 17, 2016

Rick Gonzalez moved to approve Legal Action Report of October 2016. Mr. Warne seconded. Motion carried 5-0. Matt Williams abstained.

3. **MGOD -17-02 Speedway/Tyndall–Hub III of Tucson Student Housing & Retail –**

Kelly Lee, Planning and Development Services Department (PDSD), provided a brief overview of the Main Gate Overlay District (MGOD) review process, pre-application information and associated MGOD citations. The project is located in Area 1 (Tyndall Subarea) on the southwest corner of Speedway Boulevard and Tyndall Avenue. The Property is zoned C-1. In accordance with Section B-2.d.6, the Design Review Committee's (DRC's) or Design Professional's recommendations shall be advisory to the Director and the Director shall make the final decision on a project's compliance with MGOD design requirements. When the proposed case is located in the Tyndall Subarea, the DRC shall make final decisions on compliance with this development document and on any special procedures noted in Section D (Area 1). The DRC may add special conditions to an approval to assure compliance with the intent of the MGOD. Appeals to the DRC decision shall be in accordance with the Board of Adjustment appeals process in Section 3.10.1 of the Unified Development Code.

In addition, the following applies in accordance with Section D to the subject parcels of the Tyndall Sub Area:

- Section D-4- which identifies tax codes for-northern lots- 115-04-502B, 115-04-500B, 115-04-498B and 115-04-4990. These have changed slightly due to the right-of-way taking along Speedway for a bus stop.

- Section D-4.a- Building Heights not to exceed four stories or 56 feet
- Section D-4.b- Special Bulk Reduction Plan- The Design Review committee may approve a special bulk reduction plan using step backs and other criteria for buildings along the west side of Tyndall. There will be a finding to assure the historic buildings to the west are considered in the design. Bulk Reduction on the other sides of the building may be less than is required in C-17 and the provisions of Section C-18.g should be taken into consideration in the plan. However, the corner of Frist Street and Tyndall should be designed using urban design best practices for pedestrian oriented street corners.
 - Section C-17 Height and Mass Transition- Along Euclid and Speedway Boulevard, the height and mass transition must occur through the stair stepping method along at least 75% of the length of the street façade above 2 stories or 26 feet (whichever is lower), by which the building mass above 2 stories or 26 feet shall be setback as minimum of 12 feet from the building façade at finished grade.
 - Section C-18.g- Non Historic-Non Contributing Property- Development of property that is neither a contributing property in the West University National Register Historic District nor located in West University Historic Preservation Zone but which is adjacent to a Contributing property shall be designed to complement the architecture of the Contributing property. Architecture that complements existing Contributing properties shall be achieved through elements such as styles, colors, forms and material but is not intended to impose additional limitations on allowable heights indicated in Figure 8 of the MDOD. Other elements include addressing privacy mitigation and building preservation through architectural elements such as building step backs and setback, textures, materials forms and landscaping.

The second procedural item is the applicant's request for an alternative step-back design along Speedway. Per MGOD section B.3: In order to accommodate creative solutions to design and development issues, the Director may approve alternatives to the development regulations determined by the Director to be consistent with Urban Design best practices. The applicant is requesting an alternative step-back design along speedway and thus, the Director has forwarded the request to the DRC for recommendation and approval. For the purposes of the MGOD, urban design best practices include four options which include:

- i. Design studies approved for the City of Tucson,
- ii. Adopted urban design standards for a downtown area or university transition area in an American city of comparable size,
- iii. Books written by urban design experts or endorsed by a professional organization, such as the AIA or APA, which address downtown or university transition area development or any comparable report, study, and,
- iv. Lastly, any standards recommended by the City's Design Professional and approved by the Director.

Rory Juneman, of Lazarus, Silvyn and Bangs, P.C. representing Core Spaces provided a brief introduction of the team, including representatives from the development company, the design team, and engineering firm. He provided an overview of the proposal and a summary of meetings that have occurred with DRC members and staff. Some concerns brought up by City staff, the Design Professional and DRC Members were addressed in the presentation. These included the alternative stepback request and "Urban Design Best Practices" scenarios, pedestrian lighting, rooftop amenities location, best location for retail space, loading area and impact on neighbors, and compatibility with adjacent historic structures. Additional renderings provided were labeled with an "N" representing a new rendering not included in the original design package submittal. These new renderings are focused on the views along pedestrian level along Speedway with the integration of the existing bus stop showing the full sidewalk. Mr. Juneman concluded his presentation with an explanation of the move-in process, resident security controlled access, security cameras, and coordination with other projects in the Main Gate Area 1. During the construction process there will be onsite management contacts for any issues that arise.

Jeff Zelisko, Antovich and Associates, representing Core Spaces provided a presentation on the design of the project. Items highlighted in the presentation included lighting added throughout the entry of the building, integration of the bus stop along Speedway, compatibility with the neighborhood and adjacent structures and renderings of building stepbacks at 3 feet opposed to 12 feet required in the Main Gate Area 1

requirements. Other presentation items included details on building materials, colors, design, site plans, floor plans, lighting, signage, access, pedestrian walkways, parking and open space/landscaped elements. Mr. Zelisko presented a proposed shadow study and photo simulations from different perspectives in the surrounding area. In summary, Mr. Zelisko feels they are meeting all zoning requirements with the exception of the setback requirements and they have exceeded requirements for design compliance with the Main Gate Overlay District Requirements.

DRC discussion

Mr. Warne (Ms. McCollum agreed) is concerned that the northwest sun will be glaring down on the retail space along Speedway and there is not enough landscaping and shade along this streetscape. Mr. Warne suggested that the applicant increase shade while balancing the need for exposure and visibility along Speedway.

Rick Gonzalez, the appointed design professional, gave a brief summary of his review comments. He acknowledged that the proposed alternative 3-foot setback request is superior to the required 12-foot setback. His concerns were mainly regarding the western elevation adjacent to the historic bungalows (West University Historic District limits) and felt that this façade had not been properly addressed in the application. Mr. Gonzalez would like to see more of how it relates to homes next door and how the applicant will address compatibility and privacy mitigation. He specifically didn't like the west side façade transformer area (looks like a pill box) and suggested that they improve the design to make it more in line with rest of the building. He also mentioned that the loading and mechanical spaces are located along this west façade and additional screening should be considered, such as additional landscaping along the alleyway to look like a regular streetscape.

Mr Zelisko stated that additional landscape may be difficult due to functional standpoint. There is simply not enough space along the western border. How about on the other side of the alley? Mr. Gonzalez said they definitely need some type of screening with taller, more vertical type of landscape elements. Mr Juneman suggested the developer could limit hours and limitation on deliveries in addition to researching options for limiting traffic going north along this alleyway. Although it doesn't help properties adjacent, it does help properties to south. Mr. Williams is also concerned with smells and noise with associated truck traffic and additional restaurant/retail uses.

DRC Members: Mr. Williams, Ms. McCollum and Mr. Warne, all agreed with Rick Gonzalez' comments and the design of the transformer area. Mr. Williams suggested that the corner needs to be softened by reducing the amount of area for transformer area and adding landscaping. His concern is that the corner of the alley and transformer area needs to blend with the retail spaces. Mr. Williams does like the step-back of the building. Mr. Warne added that coming down Speedway going east and going south on Euclid, you will see the western façade and the transformer area. The buildings next to it will be impacted and this area will be a major viewpoint.

Mr. Zelisko suggested that the design could include vines up transformer area. Mr Juneman agreed that we need to soften up corner with landscaping; however, we don't want to encourage people to walk down the alley for safety reasons. Mr. Zelisko stated that he will attempt to make it blend in more with the elements and colors other sides of the building.

Mr Warne asked what is the procedure to procedural question about intent for motion(s)?

Ms. Laurie indicated there are two motions needed tonight: One for the decision on the design package. The DRC has the option to approve, approve with conditions, or continue with list of items or denial. The other item for decision tonight is the request for alternative massing (setback) requirements.

Ms. McCollum is concerned about the lighting with other projects in Main Gate Area 1 during holidays, when buildings are “closed,” we lose the ambient light internal to the building. For those who stay through the holidays, it creates dark streetscapes. She feels that lighting overall in Main Gate is an issue. Lighting in the Main Gate Area should not be shut down. Hub 2 is an issue because of the vacancy of the retail. You have addressed it but it is a larger question for this overlay.

The difference from other development and the Proposed Hub III of Tucson is that the amenity spaces are on ground floor. Mr. Zelisko specifically added outdoor lighting since when we met earlier in the project. We’re addressing it with the additional lights on Speedway and Tyndall. This building appears to have adequate lighting based on retail and lower level activated spaces. Management should think about this during closures. Mr. Juneman indicated there are two sconces on Tyndall and we might consider wall sconces along townhouses. Lights will come on when it gets dark with photo cells and timer.

Ms. Laurie and Ms. Lee quoted section of the MGOD where lighting is addressed. Section C-19- Light Strategies, which directly relates to the Dark Sky Ordinance.C-19.i: Street Façade and Building Façade, item 5 distinct architectural lighting elements.

Mr. Birkinbine requested that Ms. Laurie clarified that step-back also needs DRC approval rather and just a recommendation. Ms. Laurie responded by indicating that the DRC makes the decision on the overall project. For this alternative massing request, there are two considerations. In accordance with Urban Design Best Practices, Section B.3 of the MGOD, Rick Gonzalez as design professional and DRC chair will make a recommendation to the Director and the Director will make final approval. However, the Director’s recommendations is to forward the decision to DRC to make final approval. Ms. Lee read through Section B-2.d.6. Section D.4.b to clarify the approval procedures

- Section B-2.d.6 When the proposed case is located in the Tyndall Subarea, the DRC shall make final decisions on compliance with this development document and on any special procedures noted in Section D (Area 1). The DRC may add special conditions to an approval to assure compliance with the intent of the MGOD. Appeals to the DRC decision shall be in accordance with the Board of Adjustment appeals process in Section 3.10.1 of the Unified Development Code.
- Section D-4.b- Special Bulk Reduction Plan- The Design Review committee may approve a special build reduction plan using step backs and other criteria for buildings along the west side of Tyndall. There will be a finding to assure the historic buildings to the west are considered in the design. Bulk Reduction on the other sides of the building may be less than is required in C-17 and the provisions of Section C-18.g should be taken into consideration in the plan. However, the corner of Frist Street and Tyndall should be designed using urban design best practices for pedestrian oriented street corners.

Mr. Birkinbine made two additional points of concern:

(1) The DRC should take extra care to ensure Speedway frontage is handled correctly. The pedestrian experience should be the main focus and the need to enhance and encourage pedestrians along the streetscape. My suggestion is to provide shade and other amenities, maybe trees or look at the possibility pulling back the retail spaces on the 1st floor providing an overhang for pedestrian shade rather than promoting the 3-foot step back with the 2nd floor. It will create a better streetscape, retail and pedestrian experience. Building is small scale and it’s got the stepback already in height.

Other DRC members agreed that providing additional shade will make the retailers more successful. There was additional discussion on setback between the applicant representatives and DRC Members. All members agreed that a 12-foot setback is not appropriate at the 2nd level.

(2) The DRC should also take into account the relation to historic buildings on west of the subject property. In particular, Mr. Birkinbine wants to see the historic context in elevations and perspectives along west and north. The design package should relate the larger building to bungalows with rhythm, scale, continuity of lines, and not just the building materials. For example, the proposed Trinity project at University Boulevard and 4th avenue has shown architectural renderings that integrate the rhythm of the adjacent structures. The west façade of Hub III seems to ignore that context. The applicant should provide elevation(s) showing how the project incorporates to properties to the west.

Mr. Zelisko identified there will be a setback similar to the Speedway frontage. The western façade will have a 12-foot setback along 15% of the façade.

Mr. Gonzalez requested a motion for approval the alternative step back design along Speedway portion of the project to step back to begin at the 2nd level, recessed between 1 and 3 feet from the 1st level facade. Any step-back relief approvals are decided on a case-by-case basis and this approval does not set precedent for granting relief to future buildings in Area 1. Mr. Williams motioned to approve; Ms. McCollum seconded. Motion passed 5-0.

Mr. Warne requested a motion to continue MGOD17-02 Hub III of Tucson design package so that the applicant can address the comments and suggestions (summarized below) made during this hearing. Mr. Gonzalez made a motion and Ms. McCollum seconded the motion. Passed 5-0.

1. Lighting along Speedway Boulevard and Tyndall Avenue should be addressed at the streetscape pedestrian level for safety issues.
2. Design on western fringe of the development should address the alleyway, privacy mitigation, and adjacency to historic properties.
3. The context of building to historic properties to the west should be addressed by using both elevations and perspectives along west boundary and Speedway Boulevard. The new elevations should relate the larger building to the adjacent bungalows with rhythm, scale, continuity of lines, and not just the building materials.
4. The Speedway Boulevard streetscape should be refined to address additional shade, landscaping and utilize concepts proposed for Hub III façade along Tyndall Avenue.
5. Address the design of the transformer location by integrating the corner of Speedway and alleyway to fit better within the Speedway and western façade.

4. Call to the Audience

5. Future Agenda Items

- Sterling Din/Cal Major IID amendment
- Waste Management Pickup for Frog N Firkin/No Anchovies/Illegal Petes

6. Adjournment

The meeting was adjourned at 8:38 p.m.