



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

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To: Planning Commission

From: Nicole Ewing Gavin
Director, Planning and Development Services

Subject: Amendment to Main Gate District Overlay – Courtesy Review

Issue – This is a courtesy informational item to allow the Planning Commission to review and comment on a proposed amendment to the Main Gate District Optional Urban Overlay District (MGD-UOD), as requested by Council Member Kozachik and initiated by Mayor and Council on March 22, 2016. This UOD amendment would disallow balconies for group dwellings within the MGD-UOD above the third story unless oriented toward an inner courtyard. This amendment is in response to concerns surrounding behavioral issues associated with large student housing towers.

Recommendation – Comments from the Planning Commission will be included in the staff report to the Zoning Examiner who will make a recommendation to the Mayor and Council on this amendment.

Background – On June 28, 2011, the Mayor and Council initiated amendments to the *West University Neighborhood Plan (WUNP)* to facilitate transit-oriented development in the Transition Area (the University of Arizona Main Gate district) including, but not limited to, removing the 40-foot building height limit. The amendments involved associated changes to the *University Area Plan (UAP)*, removing the access requirement to a major street for residential development with density greater than 7 units per acre; and expanding the location for new residential development with a density of 15 units or more per acre. On December 13, 2011, the Mayor and Council adopted Resolution No. 21835 and 21836 which amended the *UAP* and the *WUNP*.

On December 5, 2011, the Mayor and Council initiated a rezoning of properties within the West University Neighborhood Plan's Transition Area to an Urban Overlay District (UOD), to support and guide transit-oriented development. On February 28, 2012, the Mayor and Council adopted Ordinance No. 10968, authorizing the rezoning for the MGD-UOD. The affected properties in the MGD-UOD are bounded by Speedway Boulevard on the north, Park Avenue on the east, Sixth Street on the south, and Euclid Avenue on the west, covering an area of approximately 54 acres (Attachment B).

Present Considerations – Four student housing projects (group dwellings) have been built utilizing the MGD-UOD. Since late 2014 there have been a series of incidents involving students throwing objects from upper floor balconies to the ground below. Property managers have addressed this by evicting students involved and installing video cameras. However in

some cases it has been difficult to identify the perpetrators. Council Member Kozachik has request that the MGD-UOD document be amended to prevent future developments from having similar issues associated with balconies. The proposed amendment would disallow balconies for group dwellings within the MGD-UOD above the third story unless oriented toward an inner courtyard (Attachment A).

Process - Section 5.13.9 of the Unified Development Code (UDC) states that the Mayor and Council may initiate an amendment to a UOD. The Planning and Development Services Department has determined that this amendment is a substantial change, which would require a full notice procedure and a Zoning Examiner Hearing. The Zoning Examiner will make a recommendation to the Mayor and Council who will render a decision on the proposed amendment. Prior to the Zoning Examiner process, staff will reach out to the Main Gate Design Review Committee and other stakeholders for comment. The Planning Commission was one of the stakeholders identified by the Mayor and Council, and Commissioner comments will be included in the process.

Attachments:

- A – MGD amendment
- B – Main Gate District UOD