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*Via electronic mail*

July 31, 2017

Ms. Carolyn Laurie  
Principal Planner  
Planning & Development Services  
City of Tucson  
201 N. Stone Ave., 3<sup>rd</sup> Floor  
Tucson, AZ 85701

Re: Aspire Tucson, 950 N. Tyndall – July 2017 Design Package Change Submission

Dear Carolyn:

As you are aware, Din/Cal 3, Inc. (“Din/Cal”) recently began its project at 950 N. Tyndall Ave., Pima County Assessor’s Parcel No. 124-04-097C (the “Project” or “Property”). The City of Tucson (“City”) approved the Project’s Main Gate Overlay District (“MGO”) Design Package (“Design Package”) on November 9, 2016 (the “Approval,” Case No. T16SA00348, DP16-0151). Since then Din/Cal has created the Project’s detailed building plans (“Building Plans”), now in the final stages of City review.

The Building Plans resulted in minor changes to Project’s design, which are detailed in the enclosed Design Package Change Submission I, dated July 24, 2017 (the “Submission”). The Submission organizes changes by their location: 1) Street-level Design and Landscape changes; 2) Building Façade changes; and 3) Rooftop Amenity Area changes. In addition, the Project’s materials board has been updated to reflect several minor changes to the Project’s windows/glazing.

This letter details and explains the reason for each change. Each heading below contains a label number that corresponds with the changes depicted in the Submission. As described below, all changes were made either to respond to an unforeseen circumstance in the Building Plans, to improve the Project’s functional and/or aesthetic design, or to substitute a material with another almost identical material. None of the changes result in a significant impact to the Project’s visible or functional design features, and therefore all changes are insubstantial/minor. Because these changes are minor, we request they be approved as such by the Director, Planning and Development Services, pursuant to the “Processing Main Gate District Applications” policy.

***A. Street Level Design & Landscape Changes.***

The following changes occur at the Project’s street level:

1. **Sidewalk Material (A1)**: The City’s Department of Transportation requires the Project’s sidewalks to be poured concrete instead of concrete pavers. TDOT required this change

to eliminate potential tripping hazards created by the pavers. Din/Cal will use colored concrete to maintain the pedestrian level color variations created by the pavers. This minor design change conforms to the City's streetscape standards, is a reasonable response to TDOT's required change, and will use a material/color as equivalent as practical to the approved color. *See* Submission, pp. 16, 32.

2. Additional Bike Parking/Rack Change (A2): Din/Cal is adding 18 bicycle parking spaces to the Project (14 at street-level, four interior), increasing the total to 120 bicycle spaces. In addition, the rack shape has changed to a more angled design, replacing the circular shaped rack in the Approval. The primary reason is that the angled rack design is more compact, leaving more space for pedestrian circulation. The increase of bike parking is a functional improvement, and modifying the bike rack style is a design improvement that promotes pedestrian circulation. Both do not noticeably change the Project's design, and are minor changes. *See* Submission, pp. 4, 16, 32, 34, 36.
3. Landscaping Change at South Wall (A3): Din/Cal will plant bushes instead of trees in the ten-foot gap between the Project and the Arizona History Museum ("Museum"). This change is because the narrow gap is shaded year round and likely will not provide adequate sun for the trees. The trees also do not provide a functional benefit, as they are not near any pedestrian walkways and not visible from the Museum, which has no first or second floor windows in the area. Instead of trees, Din/Cal will landscape the area with plants/bushes that need little sunlight. Because the trees add no benefit to the Project's exterior design or functionality, replacing them is a minor design change. *See* Submission, pp. 8, 16.
4. Exterior Transformer Location (A4): At Approval, Din/Cal had not finalized the Project's electric transformer locations. The Submission locates two transformers at the back of the Project so that they cannot be seen from Speedway or Tyndall. One will be located at the Project's southeast corner, adjacent to an existing transformer. This transformer location is away from the building and only visible from the back of the Chase Bank parking lot. The other transformer will be located in the Project's courtyard, and is described below at A11. Locating the exterior transformer at the back edge of the Property, away from public view, is a reasonable response to an unforeseen circumstance, and therefore a minor change. *See* Submission, pp. 8, 10, 12, 16, 22.
5. Stucco Panels Added to Ground Level (A5): The Building Plans require that stucco walls replace windows in several areas along the Tyndall Ave. ("Tyndall") and First St. ("First") street-levels. This change falls under two categories:
  - *Drainage Elements* – The Building Plans place downspout pipes/nozzles at five locations along Tyndall and First where store-front windows were originally designed. To accommodate the drain nozzles, five storefront windows will be replaced by white stucco panels, approximately three-feet wide each. The stucco panels will match the nearby ground floor walls.
  - *Interior Room Changes* – The Building Plans replace part of the fitness center with the Fire Command Room, a mechanical room and a stairwell exit. The

Tyndall-frontage's store-front windows adjacent to these rooms have been removed and replaced with white stucco wall to match the other ground floor walls.

The need for stucco walls in these areas is an unforeseen circumstances caused by the Building Plans. This is a reasonable response to an unforeseen development requirement, and does not significantly change the Project's design. *See* Submission, pp. 6, 12, 18, 20, 26, 32, 34, 36.

6. Water Meter Location (A6): At Approval, Din/Cal had not determined the water meter location. The Building Plans locate the water meter at the Project's southwest corner in narrow space adjacent to the Museum. The water meter will be screened from the pedestrian level by a security gate. Din/Cal has placed the meter in an inconspicuous location that has no impact on the Project's design. *See* Submission, pp. 6, 26.
7. Handrails at Exits (A7): The Project's two rear stairwell exits are approximately three feet under grade where they abut the back sidewalk. To ensure the safety of pedestrians using the sidewalk and stairwell, Din/Cal added a railing adjacent to the stairwell exit and stairs. This is a functional/safety improvement to the rear of the Project, and is a minor change that does not noticeably change the Project's design. *See* Submission, pp. 10, 12, 22, 24.
8. Service Door Material (A8): The Project's rear service doors for the recycling and loading areas will change from roll-down to swing doors. This door-style change is because there is not enough head-room clearance to install the roll-down doors. The doors' shape and location will not change, and both will be painted white to match the adjacent wall color. Changing the door style is a reasonable response to an unforeseen circumstance, and is minor because it does not noticeably change the Project's design. *See* Submission, p. 10, 24.
9. Rear Door Eliminated (A9): The Building Plans reconfigured the interior layout of the Project's mechanical and loading areas. This layout redesign resulted in the elimination of one service door. This wall area will become a white stucco matching the adjacent rear walkway area. The removal of an unnecessary service door at the back of the Project is a minor functional design change that has no real impact on the Project's design. *See* Submission, p. 10.
10. Courtyard Landscape Reconfigured (A10): The courtyard landscaping and amenities are changing to accommodate the Project's window cleaning equipment. Din/Cal will use stages to allow workers to clean the Project's exterior windows. The Project's roof layout prevents the stages from being launched at the courtyard's roof, so they must be set-up at the courtyard's ground floor. As a result, the courtyard's landscape planters and furniture must be portable to allow for equipment setup. In addition, the courtyard shade structure and lighting elements must be removed to allow the stages to be launched from the courtyard. This change is a reasonable response to the need to launch the window staging equipment from the courtyard. As the courtyard is not visible from the street, this

is a minor change that does not impact the Project's exterior design. *See* Submission, p. 16, 38.

11. Added Courtyard Transformer (A11): The Project's second electrical transformer will be located in an enclosure at the rear, adjacent to the courtyard's east side. The transformer will not be visible from the courtyard or the street. The transformer will be screened from the courtyard by a wall and water feature. From the Project's rear, the transformer will be screened by a gray metal gate painted to match the Project's gray stucco (the approved design for this area). This change addresses an unforeseen circumstance, and is minor in that it replaces a gray stucco wall with a gray gate of the same color, and occurs at the rear of the Property. *See* Submission, p. 10, 22, 16.
12. Tree Grates at Street Level (A12): To promote drainage irrigation to the street-level trees, Din/Cal has added tree grates around each. This is a functional design improvement that improves the look and functionality of the streetscape. It is a minor design element addition, and improves the overall design and functionality of the streetscape. (*See* Submission, p. 32, 36).
13. Front Street Level Doors Moved (A13): The Building Plans reconfigured the interior rooms at the Project's southwest corner by adding a Fire Command Room and mechanical space. This caused the exterior doors to each of these rooms to correspondingly shift along the Project's Tyndall frontage. This change is minor in that the doors will all be moved within the same general location, and no changes will be made to the door color, material, or style. These changes are a reasonable response to an unforeseen circumstance and are minor because they do not change the Project's design. *See* Submission, p. 6, 26, 34.
14. Louver Replacing Rear Door (A14): The Building Plans now provide interior access to the Project's emergency generator ("Generator"), eliminating an exterior door. To provide adequate ventilation for the Generator, Din/Cal replaced the exterior door with a ventilation louver. This design change makes the Generator more secure by eliminating exterior access, and the louver at the Project's rear does not significantly change the Project's design. *See* Submission, p. 10, 24.
15. Garage Door Recessed (A15): Din/Cal has moved the parking garage door to the building's interior, at the garage's second underground level. The garage's first level will have spaces for the retail tenant(s), which requires open access to those spaces during the retail business hours. In addition, Din/Cal is concerned that if the door remains at the garage entrance, resident traffic waiting for the garage door to open could backup into First. Moving the garage door to the second level eliminates these two issues. This is a functional improvement to the Project, and does not significantly change the Project's design. *See* Submission, p. 12.
16. Louver Removed (A16): A mechanical room louver on the Project's north side has been relocated to the adjacent interior bike storage room. This is a minor design improvement

that eliminates a louver from view along the First pedestrian level. *See* Submission, p. 12, 36.

17. **Street Level Glass Style Change (A17)**: Din/Cal has made the Tyndall and First street-level glass non reflective to improve pedestrian visibility into the Project’s retail, lobby and fitness areas. This change applies only to the street-level glass. This is a minor design improvement that enhances and activates the street level pedestrian experience. This change has no impact on window shape or frame materials, and will not affect the Project’s overall design. *See* Submission, p. 6, 12.

## ***B. Building Façade Adjustments.***

The following changes occur on one or more of the Project’s façades:

1. **Roof Accent Extension (B1)**: The Project’s red architectural roof accent feature (“Roof Accent”) will extend from the north façade approximately four feet to match the overhang distance on the west façade. This will create a consistent and balanced overhang at the Project’s northwest corner, improving the design and appearance of the Roof Accent. The Roof Accent’s color, location and general design will not change. As this change only adjusts the dimension of the Roof Accent, with no other changes, it is a minor change. *See* Submission, pp. 6, 10, 18, 24.
2. **Red Strip Depth (B2)**: As a condition of the Approval, Din/Cal agreed to use one material for the Project’s red architectural strip (“Red Strip”). Din/Cal chose stucco as it will be easier to maintain/paint long term. The stucco’s supporting structure can only be extended approximately six inches from the building façade, thus requiring the Red Strip’s depth (i.e., distance from the building façade) to be reduced to six inches (from two feet). This minor change is a reasonable response to allow for easier long term maintenance, and does not significantly change the Red Strip’s overall design, color, or general location. *See* Submission, pp. 6, 8, 10, 12, 24, 34, 36.
3. **Remove Ventilation Louver (B3)**: The Building Plans removed the need for an enclosed area for rooftop mechanical equipment. With no enclosed mechanical space, the metal louver that vented this space is unnecessary and has been removed. Din/Cal will replace the louver by extending the existing metal cladding panels to the top of the façade. The louver was a functional element, and its removal addresses an unforeseen circumstance that has little impact on the Project’s design. This also is a design improvement because it eliminates a mechanical element and replaces it with the already approved metal cladding pattern. *See* Submission, p. 12, 18, 24.
4. **Red Strip Alignment (B4)**: The Red Strip will be moved approximately two feet in several areas so that it aligns with the Project’s finished floors. This change is being done to allow the Red Strip’s stucco to be supported by the Project’s concrete finished floors. This minor design change is based on an unforeseen circumstance, and has no

real impact on the Project’s design as it does not change the Red Strip’s color, façade coverage or general pattern. *See* Submission, p. 8, 10, 12, 18, 20, 22, 24, 26.

5. Window Width Increases (B5): During Building Plans development, Din/Cal identified several columns of single-width windows that will be replaced by double-width windows to provide more natural light into rooms. This window upsizing will add 872 sq. ft. of glazing to the Project. The upsized windows are the same, approved windows used elsewhere on the Project. The addition of windows is a minor change, and improves the Project by increasing the overall glazing in areas where windows are already approved. *See* Submission, p. 8, 12, 18, 20, 24, 26.
6. Window Location Adjustment (B6): Din/Cal finalized the interior room locations during the Building Plans process. This resulted in several window columns being shifted to align with interior rooms. In total, six columns will shift to the side. Most columns will shift two-to-three feet, and two columns on the west side will shift seven feet. This change does not eliminate any windows, and was done to address an unforeseen circumstance caused by finalizing the interior room locations. This change is minor because it has essentially no impact on the Project’s exterior design. *See* Submission, p. 6, 8, 10, 12, 18, 20, 22, 24, 26.
7. West Parapet Height Adjustment (B7): The height of the west façade’s recessed wall (“Recessed Wall”) will be raised approximately three feet to align the entire west wall façade height. The Recessed Wall’s raised area will be covered by the existing metal cladding pattern. This minor adjustment is a design improvement that provides a consistent height across the west façade. *See* Submission, p. 6, 18.
8. Spandrel Glass at Mezzanine Level (B8): The Building Plans have several Mezzanine level locations where interior spaces (e.g., restrooms, closets) cannot accommodate proposed windows. In these areas, Din/Cal will install spandrel glass (“Spandrel”) to mimic the windows’ shape, size, and appearance. Placing Spandrel where windows cannot be located will maintain the Project’s exterior glazing pattern, therefore maintaining the Project’s glazing pattern. This minor change is a reasonable response to the Project’s updated interior room layout. *See* Submission, p. 6, 8, 10, 12, 40.

### ***C. Roof Amenity Space Reconfiguration.***

The Approval, Condition No. 2, acknowledged that Din/Cal will reconfigure the Project’s rooftop amenity area (“Amenity Area”) upon finalizing the roof’s mechanical space. In this condition, Din/Cal committed to retaining the transition buffers between the Amenity Area and the building’s edges, especially on the Project’s north edge.

The Submission contains Din/Cal’s reconfigured roof space that finalizes the location of the mechanical space and Amenity Area. This updated roof design maintains or increases the transition buffers at the building edges, and much of the center Amenity Area has been pushed back from the building’s west edge, significantly increasing the buffers. Most of the other

changes to the Amenity Area are simply repositioning furniture and other amenity elements (grills, hammocks, etc.) to fit within the reconfigured space. In addition to these general changes, the following minor changes have occurred to the Amenity Area:

1. Shade Structures Removed (C1): Din/Cal eliminated the Amenity Area's permanent shade structures, as required by the City. The reason for this requirement is that pursuant to the City's Building Code, the shade structures would have increased the Project's height above the allowed height. The Amenity Area will continue to have three cabanas that are less than 120 sq. ft. each, and therefore do not count towards the Project's height. *See Submission, p. 6, 8, 10, 14.*
2. Accessible Ramp (C2): Din/Cal has added a ramp to provide accessibility access to the Amenity Area, as required by the City. This functional change has no impact on the Project's design. *See Submission, p. 14.*
3. Pool Equipment Room Relocated to Mezzanine (C3): The Building Plans moved the pool equipment room to the below Mezzanine level. This functional change has no impact on the Project's overall design, as it is not noticeable from the outside of the building. *See Submission, p. 14.*
4. Removal of Indoor Mechanical Space (C4): During Building Plans development Din/Cal determined it would not need interior rooftop mechanical space, and therefore has removed the roof from the Red Accent. This change can only be seen from above, and does not affect the appearance of the Red Accent from any side of the Project. This change is a reasonable response to an unforeseen circumstance, and is a minor change that has no impact on the Project's visible design. *See Submission, p. 14, 26, 30.*
5. West Buffer Area Increased (C5): The west Amenity Area buffer has been increased to eight feet wide to provide a launch area for window cleaning stages. Another benefit of this increased buffer is that it increases the safety of residents and pedestrians below. This change is not visible from the Project's exterior, and therefore is a minor change. *See Submission, p. 14.*
6. Recessed Corners Shown at Roof (C6): The Project's recessed corners were approved with the Design Package, except they were not depicted on the Approval's rooftop views. The Submission now correctly shows the previously approved feature on the rooftop views. *See Submission, p. 14.*
7. Planting Area Added (C7): Additional planter buffers have been added on the south end of the Amenity Area. This is simply an extension of previously approved planter areas and is a minor design change. *See Submission, p. 14.*

#### ***D. Materials Board Change***

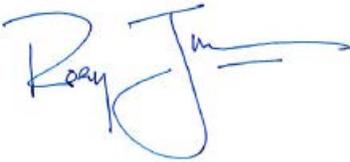
Din/Cal has changed the manufacturer of the Project's window/glazing material ("Glass"). The proposed Glass has virtually the same look, reflectivity, and tint to the Approved Glass, while having a lower U-value (i.e., more energy efficient). The proposed Glass is currently being used on two adjacent projects: The Hub at Tucson I (1011 N. Tyndall) and Level (now Luna, 1020 N. Tyndall). This Glass change functionally improves the Project by providing increased energy efficiency, while resulting in no visible change to the exterior design. As a result this is a minor change. *See Submission, p. 41.*

The Materials Board slide has also been updated to show samples of the street-level glass (Sec. A.17) and the Spandrel (Sec. B.8), described above.

#### ***E. Conclusion***

The above changes are all insubstantial, and therefore we request the Design Professional recommend, and the Director approve these Design Package changes. Please let us know if you need any additional information. As always, thank you for your time and assistance with the Project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rory Juneman". The signature is stylized with a large "R" and "J".

Rory Juneman, Esq.

Enclosure

cc: Josh Vasbinder  
Michael Knight  
Alex Xu  
Keri Silvyn