

September 5 2013

Planning Commission IID Sub-Committee

c/o Jim Mazzacco PDS

Dear Planning Commission IID Sub-Committee Members,

Mayor and Council have given you the task to review the IID (with the primary focus on the GIID)and recommend changes to them. The key issues from the Mayor and Council study session directive are:

Give more prominence to neighborhood protection in the IID

Clarify the role of a development's formal commitments that run with the land

Ensure the IID remains an incentive

Provide for enhanced design review element

Work with the Streetcar Land Use Plan consultant to ensure consistency with streetcar corridor planning

In the 1970's-1980's the Tucson Mayor and Council were concerned about flight from the downtown area, both business and residential. Mayor and Council asked neighborhoods to organize, create plans for preservation and bring back investment into the downtown area neighborhoods. Master plans for historic neighborhoods were developed with much public participation and thousands of hours of volunteer work. The HPZ's were approved by Mayor and Council and subsequently several hundred millions of dollars of investment were made in these neighborhoods and the downtown area they are located in. The foundation for a revitalized downtown was laid by these actions. The neighborhood plans created by the HPZ neighborhoods remain vibrant and successful.

Below are suggestions for changes to the GIID

- 1) **Remove the GIID from HPZ and NPZ neighborhoods.** Much public effort has gone into creating neighborhood preservation zones only to have the GIID imposed over parts of our neighborhoods. Home owners count on the HPZ to help protect their investment. West University has seen the impact of the District—loss of several homeowners, an incompatible development in a historic residential neighborhood, loss of quality of life for remaining residents, traffic safety issues etc

- 2) **No zero setbacks next to primarily single family residences. Setbacks should reflect what is common in the residential neighborhood and adjoining properties.**
- 3) **Step backs should relate to the height of adjoining properties. Height increases should start at the end of neighboring structures.**
- 4) **No reduction in landscaping requirements should be allowed in residential neighborhoods**
- 5) **No group dwelling development in residential neighborhoods**
- 6) **All car traffic ingress/egress to be on collector/ arterial streets.** Neighborhood streets are not built for the traffic volume and disruption that a large development such as the District creates.
- 7) **Development and Design guidelines.** A Development review process should start at the beginning of a development to determine if a proposed project is appropriate for the location. Design Review guidelines should be established and include public, design professional and developer input. Neighborhood representatives and architects need to be included in any review board process.
- 8) **All public areas in developments including pool, parking structures etc. need to be screened from adjoining residential properties to reduce noise, lighting and noise impacts. Privacy to adjoining properties must be mitigated concerning balconies, setbacks, lights and noise.**
- 9) **Require developments to fund neighborhood reinvestment near their project including traffic safety mitigation, streetscape, lighting etc. Any agreements by the developer should be legally bound to the property.**
- 10) **Include incentives for development in residential neighborhoods that encourage a variety of uses that enhance the quality of life for residents. This could include retail, workspace, adult living space, office space.**
- 11) **A public participation process should be required in the early stages of a development .** The District project had one required meeting which occurred at about 80% plans with no discernible changes from public comment. There is not a process where public input can inform the final plan.
- 12) **No property owner can opt into the GIID/ IID if the development plan results in the alteration of a historic property that would cause it to be delisted or make it ineligible to become historically listed.**
- 13) **Revise the Mayor and Council IID appeal process. Currently the Mayor and Council can support an appeal only if the developer has not met the requirements of the MDR's they have applied for.**
- 14) **Ensure the MDR for parking reduction does not have an adverse long term impact on the area nearby.**
- 15) **Ensure that any portion of the GIID that would be replaced by the Downtown Links Overlay has a vigorous and deliberate public planning process to engage stakeholders.**

The Mayor and Council's direction to review the IID is an encouraging start toward fixing problems with the GIID. The M & C's direction to both "give more prominence to neighborhood protection" and "ensuring that the IID remains an incentive", is a conflicting directive that can't be achieved with the current version of the GIID. The GIID seems to have been created in a vacuum with no master plan

guiding it, no real public participation, without respect to existing neighborhood plans and with incentives directly and solely for developers. The GIID seems to be a great ordinance from a developer's viewpoint but is a flawed ordinance from neighborhoods perspective. The GIID has the potential to negate much of the work neighborhoods have accomplished over the decades to ensure preservation and vitality of their neighborhoods. The Master Plans (Neighborhood Plans) that neighborhoods created with much public participation have worked well encouraging people to live and invest in our neighborhoods. Any property owner has the option to apply for a rezoning/PAD if they want to make changes to their land use. This is a very public process that usually ensures that all parties are heard and the resulting project plan can be a blend of input and thoughtful decisions.

The GIID is the opposite process to a PAD. It is essentially a rezoning/variance process without the public process. Heights, increased density, zero setbacks, parking, reduced landscaping requirements are MDR's that are available without any meaningful public participation.

Our neighborhood overlays can and do work well for development. If the City is intent on creating overlays they shouldn't just be incentives for developers to build fast and easy but also incentives for public engagement in creating development that supports healthy neighborhoods and respects the neighborhood plans already in place.

Sincerely,

Chris Gans

West University Neighborhood Association