



PLANNING COMMISSION
INFILL INCENTIVE DISTRICT SUBCOMMITTEE
Monday July 1, 2013, 6:00 P.M.
Main Library Basement Lower Level Conference Room
101 N. Stone Ave
Tucson, Arizona 85701

Legal Action Report

1. Roll Call

Meeting was called to order by Chairman Rex at 6:00 p.m.

Present:

Catherine Rex, Chairman	PC, Ward 5
Thomas Saylor-Brown	PC, Mayor's Office
Ruth Beeker	PC, Ward 6

Staff Members Present:

Jim Mazzocco, PDSD, Planning Administrator
Russlyn Wells, PDSD, Principal Planner
Mark Castro, PDSD, Lead Planner
Joanne Hershenhorn, PDSD, Lead Planner
Belinda Flores-McCleese, PDSD, Administrative Assistant
Kristina Medina, PDSD, Administrative Assistant

2. Approval of Meeting Summaries, May 28, 2013 and June 17, 2013

It was moved by Commissioner Beeker, duly seconded, and carried by a voice vote of 3-0 to approve the meeting summaries with the following modification: amend page 3, second paragraph in item number 7 of the June 17, 2013 summary, replacing "design review group" with "design development committee".

3. Greater Infill Incentive Subdistrict (GIIS) Case Study Information

Commissioner Beeker requested that the overview of the Infill Incentive District (IID) be revisited at a later date, when more time can be allotted for questions and discussion.

Joanne Hershenhorn provided background information on The District student housing project, including the discussion of the impact of split zones of R-3 and C-3 on the property. Chair Rex requested documentation regarding parking on the R-3 portion of the property.

Jim Mazzocco said he is aware of traffic concerns related to The District, and showed a photo of recently installed bollards on Arizona Avenue closing off traffic northward to 5th Street. Commissioner Beeker asked why traffic mitigation wasn't part of the original plan approval, and why Arizona Avenue wasn't closed off at the beginning, when The District was completed. She said neighborhood concerns about traffic were not addressed. Mr. Mazzocco said the Planning and Development Services Department (PDSD) typically relies on the expertise of Tucson Department of Transportation (TDOT) for traffic matters, as was the case for this project.

Chair Rex requested to have, as a future agenda item, an understanding of how the hierarchy works when certain aspects of projects are reviewed by TDOT. She asked why the main entrance to the project was on 5th Street instead of 6th Street. Mr. Mazzocco said he would ask TDOT to address that. Chair Rex requested to have someone from TDOT attend a future meeting to address traffic questions.

Chris Gans (West University Neighborhood Association) spoke about The District from a neighborhood perspective. He noted that a project called "The Lofts on 5th Avenue" was previously approved for that site. The developers wanted the main access off of 5th Avenue, but the City would not allow it, so the project was approved with 6th Street as the main access point. The project wasn't built due to the economic downturn that started in 2008.

Mr. Gans said that the neighbors' concerns were safety, ingress/egress, traffic in the neighborhood, building heights, and setbacks. The meeting held between the developer and the neighbors did not result in any changes to the project. He said none of the neighbors' concerns were addressed, and the neighbors remained concerned about these issues throughout the process. He asked what the incentives are for neighborhoods, and why traffic mitigation was not addressed. He said discussions with neighbors need to start earlier; and asked how this revised process (i.e., IID revisions) can create something beneficial. He suggested that zero setbacks should not be an option in residential areas; there should be more mechanisms to encourage developers to work with the neighborhoods; and neighborhood development and design input should begin early in the process. He added that from an historic/architectural perspective, The District lacks relevance to anything in the area. The project doesn't bring anything to the neighborhood except traffic.

Commissioner Beeker asked if the City can request the developer to fund offsite improvements. Mr. Mazzocco said the City can require offsite improvements as part of a mitigation plan, if the site development clearly causes the problem and the mitigation addresses it (i.e., there is a clear and reasonable connection between the two).

Keri Silvyn (Larzarus, Silvyn and Bangs) gave a brief presentation on The Junction at Iron Horse, another student housing project that was recently approved. Construction has not yet begun. She said they learned a lot from the District. The Junction was originally a 3 and 4-story project that only needed an Individual Parking Plan (IPP). At the neighbors' request, the developer agreed to make improvements to the nearby park and refurbish the historical signs at the Empire Market building.

Around the time Ms. Silvyn got involved, the project was being redesigned, due mostly to drainage issues. The proposal changed to a 5-story layout, the IPP needed to be revised, and Modifications of Development Regulations (MDRs) were needed for building height, and setbacks on 3-sides. The neighbors' concerns about the Junction were generally the same as the neighbors' concerns about The District.

Ms. Silvyn said City staff told the developers to work with the neighbors and address their concerns. The developers held several meetings with the neighbors, maybe up to a dozen meetings, and a 4-story design emerged. Ms. Silvyn pointed out that the developer could have built a parking garage onsite, which would have eliminated the need for an IPP, met all Land Use Code (LUC) requirements, and supported around 300 students. However, the developer decided to work with the neighbors to build a better project.

Regarding traffic issues, a Traffic Mitigation Plan was required as a condition of approval of the IPP. When the Traffic Mitigation plan is approved, the developer pays for traffic mitigation measures.

The Iron Horse Neighborhood Association (IHNA) requested that the developer agree to a list of "conditions of approval". Several of the conditions related to the management and operation of the site. The IHNA requested that certain items be put in the tenants' leases. Ms. Silvyn said the City will not implement the "agreement" with the neighbors. Commissioner Beeker requested that staff provide a copy of the agreement, as well as information about the Junction, including neighborhood meeting summaries.

Chair Rex requested additional information about behavioral management plans for student housing, and wondered if the City can put any "teeth" into these.

Ms. Hershenhorn briefly discussed other approved GIIS projects, which were comparatively small. Only one, a 1200-square foot patio addition to a bar on 4th Avenue, has been built. The MDR applicant protested the conditions of approval, and the City Attorney's Office advised staff that there was no provision in the Land Use Code (or Unified Development Code) that allows staff to place conditions on an MDR approval. A revised approval decision was issued without conditions.

No formal action was taken.

4. General Discussion and Call to the Audience

Diana Lett (Feldman's NA) had two concerns: 1) Make certain that IID revisions require consideration of the historic and other resource values of a proposed project site; and 2) provide more emphasis on graceful transitions at the project edges. Building profiles should step down to heights compatible with adjacent areas, especially when there are adjacent single-story buildings.

Referring to The District and the Junction at Iron Horse, Richard Mayer (West University Neighborhood Association) pointed out what a difference it makes in project outcomes, when you have a developer who didn't work with the neighborhood association and a developer who did.

John Burr (Armory Park Neighborhood Association) said the neighborhoods were not being properly noticed. Also, one neighborhood meeting is not enough, While the boundaries of the IID generally include areas with commercial but not residential zoning, there are commercially-zoned areas in the IID that are developed with residential uses. This results in a disconnect between the historic value of neighborhoods and the purpose of the IID.

Bill Ford requested that incentives be looked at more carefully; and that the City do an in-depth study of transition and edge stabilization practices relative to high-impact infill projects.

No action was taken.

5. Future Agenda Items and Meeting Dates

It was moved by Commissioner Saylor-Brown and duly seconded and carried by a voice vote of 3-0 to move to tri-weekly meetings, have the first meeting on July 22nd, and to have one or two field trips between the July 22 and September 9 meetings. There will be no meetings in August. Commissioner Beeker requested to have one future meeting focused on incentives.

6. Adjournment

Meeting adjourned at 7:37 PM.