



Design Review Board
P.O. Box 27210
Tucson, Arizona 85726-7210
Phone: (520) 791-4213
TDD: (520) 791-2639
Fax: (520) 791-4017

*****DESIGN REVIEW BOARD (DRB)*****
MEETING NOTICE AND AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Design Review Board (DRB)** and to the general public that the Board will hold the following meeting which will be open to the public on:

Friday, November 5, 2021, 7:30 AM

Pursuant to safe practices during the COVID 19 pandemic, all in-person public meetings are cancelled until further notice. This meeting will be held virtually to allow for healthy practices and social distancing. All materials related to the agenda items noted below can be accessed at: www.tucsonaz.gov/pdsd/design-review-board-agenda-materials. Meeting materials will also be presented as part of the virtual meeting.

Join on your computer or mobile app: [Click here to join the meeting](#)

Or call in (audio only): [+1 213-293-2303,147004915#](tel:+12132932303147004915) United States, Los Angeles

Phone Conference ID: 147 004 915#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

For materials in accessible formats, and/or materials in a language other than English, please contact María Gayosso at (520) 837-6972, maria.gayosso@tucsonaz.gov, or (520) 791-2639 for TDD, no later than Monday November 1, 2021.

Para solicitar materiales es formatos accesibles, y/o materiales en español, por favor comuníquese con María Gayosso al (520) 837-6972, maria.gayosso@tucsonaz.gov, a más tardar el Lunes 1 de Noviembre de 2021.

AGENDA

1. Call to Order / Roll Call

Rosemary Bright
Susannah Dickinson
Caryl Clement
Nathan Kappler (Chair)
Chris Stebe (Vice Chair)

2. Review and Approval of the 10/22/2021 Legal Action Report & Meeting Minutes

Action

3. Call to the Audience

4. Case # DRB-21-15 ([T21SA00389](#)) – Wells Fargo's Parking Garage - Rooftop Solar Carport

[35 E ALAMEDA ST](#), Parcel # [11711096C](#)

Associated Development Package and Construction Documents: [DP21-0187](#) and [T21CM07464](#)

OCR-2

Rio Nuevo Area (RNA) Review

Action

The Applicant's Request:

The applicant is proposing a new 4,956 square-foot solar carport on top of the existing Wells Fargo's parking garage. The solar carport will be tilted, with a height of 8'6" on the western end and 11'0" on the eastern end.

Since the structure is listed as eligible contributor to the Downtown Tucson Historic National Register, the project was reviewed by the Tucson-Pima Historical Commission Plans Review Subcommittee (PRS) on October 28, 2021, per UDC 5.12.7.F.4. The PRS recommended approval of the proposal as presented by the applicant.

The DRB's Purview:

In accordance with UDC Section 2.2.6.C.14 and 5.12.7.F.3, the DRB reviews and forwards a recommendation all requests in the Rio Nuevo Area (RNA) to the Planning & Development Services (PDSD) Director, as provided in UDC Sections 5.12.2.C.1 and 5.12.4.D. In formulating its recommendation, the DRB shall apply the design standards in UDC Sections 5.12.7.C. and 5.1.7.D (see Attachment A).

5. Case # DRB-21-17 ([T21SA00375](#)) – Façade Modifications for New Bar

[128 E CONGRESS ST](#), Parcel # [117150030](#)

Associated Construction Documents: [T21CM06854](#)

OCR-2

Rio Nuevo Area (RNA) Review

Action

The Applicant's Request:

The applicant is proposing a change of use from retail to alcoholic beverage service on 3,267 square feet of the ground floor of an existing historic building, with exterior modifications to the north and south façades, below the second-floor level. The modifications include:

- 1) North façade, ground floor: Storefront made of glass, exposed grey concrete, and exposed dark gray steel, placed at the sidewalk edge, with entry through a recessed door in a reduced alcove; and
- 2) South façade, ground floor: Reopening of previously filled openings for better access to electrical room for the existing buildings on the block, and for exiting the building;

Since the structure is listed as eligible contributor to the Downtown Tucson Historic National Register, the project was reviewed by the Tucson-Pima Historical Commission Plans Review Subcommittee (PRS) on October 14, 2021, per UDC 5.12.7.F.4. The PRS recommended approval of the proposal as presented by the applicant.

The DRB's Purview:

In accordance with UDC Section 2.2.6.C.14 and 5.12.7.F.3, the DRB reviews and forwards a recommendation all requests in the Rio Nuevo Area (RNA) to the Planning & Development Services (PDSD) Director, as provided in UDC Sections 5.12.2.C.1 and 5.12.4.D. In formulating its recommendation, the DRB shall apply the design standards in UDC Sections 5.12.7.C. and 5.1.7.D (see Attachment A).

6. Case # DRB-21-18 – TEP Power Poles on Silverbell Road – Variance Request – **CONTINUED**

Associated Board of Adjustment Case # C10-21-08 ([T21SA00376](#))

Associated Construction Documents: [T21CM05552](#)

[3800 N SILVERBELL RD](#), Parcel # [10310001C](#)

Scenic Corridor Overlay Zone (SCZ)

Action

This project was reviewed by the DRB on October 1 and October 22, 2021. At the October 1, 2021 meeting, the DRB requested the applicant to return to the DRB with the following: a) Landscape plan; b) Archeological report with a summary; c) Flood control report with a summary; and d) Exhibit showing what other utilities (for example wastewater, storm water, gas) are doing in the project area with the same restraints and challenges, so DRB can evaluate if this variance request will constitute or not a grant of special privileges (UDC Section 3.10.3.K.3).

At the end of the second meeting of October 22, 2021 a motion was made to recommend to the Board of Adjustment approval of the requested variance, finding the project in compliance with the criteria established in UDC Section 3.10.3.K, subject to the following conditions: 1) As the height of the new power poles is related to height of the adjacent City’s street light poles, the applicant must demonstrate that the City of Tucson street lights are the absolute minimum required for public safety; 2) The applicant must demonstrate that the heights of the new power poles are the absolute minimum allowed for public safety; and 3) Landscape improvements (i.e. trees) within the scenic corridor are to be strategically positioned to provide visual relief from the power poles’ locations for all users of the scenic corridor. The motion failed by a voice vote of 2 to 2 (members Clement and Dickinson abstaining). DRB member Clement indicated she abstained since all possible options for installing the powerlines underground have not been explored by the applicant. DRB member Dickinson stated she abstained because she needed to see in advance if the conditions of approval were going to be resolved by the applicant and presented back to the DRB.

At the [Board of Adjustment’s meeting](#) of October 27, 2021, the Board of Adjustment offered the applicant an automatic continuance, since the Board had only the minimum necessary to constitute a quorum. The applicant accepted the continuance and requested staff to return to the DRB to focus the discussion on the pole heights and landscaping/native plant preservation.

The Applicant’s Request:

The applicant is proposing to relocate and modify existing power poles and add new poles and service lines above ground in the right of way, along both sides of Silverbell Road, a designated Scenic Route in the Major Streets and Routes (MS&R) Plan, to accommodate road widening associated with regional transportation improvement project. The project area starts approximately at the intersection of Goret Road, continuing north approximately to the intersection of El Camino del Cerro. Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Section 5.3.9, which regulates location of power lines along designated Scenic Routes.

The applicant is requesting a variance to the following section of the UDC:

5.3.9, Scenic Corridor Zone (SCZ), Utilities: All new utilities for development on private property and on public right-of-way along Scenic Routes shall be underground.

The DRB’s Purview:

Variations from the Scenic Corridor Overlay Zone (SCZ) standards are processed in accordance with Sections [3.10.1](#) and [3.10.3](#), *Board of Adjustment Variance Procedure*. In accordance with UDC Sections [2.2.6.C.2](#) and

[5.3.14](#), the DRB reviews, for recommendation to the Board of Adjustment, all requests for variances from SCZ provisions and shall forward its recommendations in accordance with Subsection [2.2.6.B.6](#). The DRB recommendation shall apply the same findings required in Section [3.10.3.K](#) (see Attachment A) for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

Motion: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED SCENIC CORRIDOR ZONE (SCZ) MODIFICATIONS, REDUCTIONS, AND DELETIONS AND RECOMMENDS TO THE BOARD OF ADJUSTMENT (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN UDC SECTION 3.10.3.K (SEE ATTACHMENT B) (SUBJECT TO THE FOLLOWING CONDITIONS).

7. Staff Announcements

Informational

8. Adjournment

ATTACHMENT A:
RIO NUEVO AREA (RNA) DESIGN CRITERIA

In accordance with UDC Section 2.2.6.C.14 and 5.12.7.F.3, the DRB reviews and forwards a recommendation all requests in the Rio Nuevo Area (RNA) to the Planning & Development Services (PDS) Director, as provided in UDC Sections 5.12.2.C.1 and 5.12.4.D. In formulating its recommendation, the DRB shall apply the design standards in UDC Section 5.12.7.C and UDC Section 5.1.7.D.

UDC Section 5.12.7.C Rio Nuevo Area - Building Design Standards

Development within the RNA is required to comply with the following building design standards:

1. The proposed buildings shall respect the scale of those buildings located in the development zone and serve as an orderly transition to a different scale pursuant to Section 5.12.8.B, *Development Transition Standards*. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long range plans should be consulted for guidance as to appropriate heights;
2. All new construction must be consistent with the prevailing setback existing within its development zone except that the PDS Director may approve a different setback than the prevailing setback upon a written finding during the review process that a different setback is warranted by site conditions or applicable development design goals consistent with Section 5.12.1, *Purpose*, and the proposed setback will not be incompatible with adjacent properties, as defined in Section 11.4.2.A;
3. All new construction shall provide scale defining architectural elements or details at the first two floor levels, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies;
4. Every commercial building frontage shall provide windows, window displays, or visible activity within and adjacent to the building at the ground floor level, with a minimum of 50 percent of the building frontage providing such features;
5. A single plane of a façade at the street level may not be longer than 50 feet without architectural relief or articulation by features such as windows, trellises, and arcades;
6. Building façade design shall include pedestrian-scaled, down-shielded, and glare controlled exterior building and window lighting;
7. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies;
8. Modifications to the exterior of historic buildings shall complement the overall historic context of the Downtown and respect the architectural integrity of the historic façade;
9. Buildings shall be designed to shield adjacent buildings and public rights-of-way from reflected heat and glare;
10. Safe and adequate vehicular parking areas designed to minimize conflicts with pedestrians and bicycles shall be provided;
11. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structure or vegetation, where permitted by the City;
12. Colors may conform to the overall color palette and context of the Downtown area or may be used expressively to create visual interest, variety, and street rhythms. The rationale for an expressive or idiosyncratic use of color shall be described in the site plan submittal;
13. New buildings shall use materials, patterns, and elements that relate to the traditional context of the Downtown area;
14. Twenty-four-hour, street-level activity is encouraged by providing a mixture of retail, office, and residential uses within each building; and,

ATTACHMENT A:
RIO NUEVO AREA (RNA) DESIGN CRITERIA (Continued)

15. Primary public entries shall be directly accessed from a sidewalk along a street rather than from a parking lot. Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of, and access to, residential structures may be elevated. Secondary access may be provided from off-street parking areas.

UDC Section 5.12.7.D Rio Nuevo Area – Site Design Standards

Development within the RNA is required to comply with the following site design standards:

1. Vehicular Circulation

- a. All parking area access lanes (PAALs) adjacent to buildings shall have pedestrian circulation paths between the PAAL and the building, with a minimum width of six feet.
- b. The locations of all points of vehicular ingress and egress shall be perpendicular to the intersecting street. Points of ingress and egress points shall be designed to minimize vehicular/pedestrian and vehicular/bicycle conflicts. Adequate storage for vehicular queuing at parking facilities shall be contained on site. Right turn bays are strongly discouraged. Points of ingress and egress shall be minimized wherever possible. Additional temporary ingress and egress locations may be permitted for parking structures when occasional high peak period traffic flows (i.e., parking facilities for event venues) are anticipated.

2. Parking

- a. General Parking standards are listed in Section 7.4. Some properties in the RNA may also be located in the Downtown Parking District, which allows a reduction in the number of parking spaces as provided in Section 7.4.5.B.
- b. Screening of Parking All new parking shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of pedestrian arcades, occupied space, or display space.
- c. Employee Parking Employee parking for all uses should be provided at remote locations in order to maximize the availability of space for development.

3. Plazas and Open Space

The fundamental objective of the design standards in this Section 5.12.7.D.3 is to encourage public and private investments to enhance the character and function of Downtown's pedestrian environment.

a. Plazas and Pedestrian Nodes

Five percent of the gross floor area of new construction shall be provided in public plazas or courtyards. Open space plazas, courtyards, and patios are landscaped outdoor areas designed to accommodate multiple uses, from large gatherings of the people for performing arts to smaller gatherings. The plazas and courtyards will be one of the ways that spaces and uses can be linked. The requirement of this section may be waived or reduced by the PDSO Director upon a written finding during the review process that the development enhances the downtown pedestrian environment even with a smaller percent or elimination of the requirement.

ATTACHMENT B:
**VARIANCE FOR SCENIC CORRIDOR ZONE (SCZ) MODIFICATIONS,
REDUCTIONS, AND DELETIONS**

Variations from the Scenic Corridor Overlay Zone (SCZ) standards are processed in accordance with Sections [3.10.1](#) and [3.10.3](#), *Board of Adjustment Variance Procedure*. In accordance with UDC Sections [2.2.6.C.2](#) and [5.3.14](#), the DRB reviews, for recommendation to the Board of Adjustment, all requests for variances from SCZ provisions and shall forward its recommendations in accordance with Subsection [2.2.6.B.6](#). The DRB recommendation shall apply the same findings required in Section [3.10.3.K](#) for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

UDC Section [3.10.3.K](#) Findings for Approval

The Board of Adjustment may approve a variance only if it finds:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;
5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6. That the proposed variance shall not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.