

# STAFF REPORT

**DATE:** April 27, 2022

**TO:** Board of Adjustment

**FROM:** Zoning Administration  
Planning & Development  
Services Department

**ACTIVITY NO. T22SA00153**

**C10-22-04 ALPHA CHI OMEGA SORORITY HOUSE / ALPHA CHI OMEGA NATIONAL HOUSING CORP / 1775 EAST 1<sup>ST</sup> STREET, R-3**

The applicant's property is an approximately 0.5 acre lot zoned R-3 "Residential" and is developed with a sorority house. The applicant is proposing to construct a two-story addition to the existing sorority house which includes demolishing a portion of the existing one-story building. The applicant is requesting variances to reduce the side street perimeter yard setback, reduce the required number of vehicle parking spaces and allow the use of the alley for maneuvering directly into or from any parking space, all as shown on the submitted plans.

## **THE APPLICANTS' REQUEST TO THE BOARD**

The applicant is requesting the following variances:

- 1) Allow a reduced side street perimeter yard setback from 10' to 3.04', as measured from the proposed building addition to the east property line;
- 2) Allow the number of required vehicle parking spaces to be reduced from 36 spaces to 25 spaces (11 on-site, 14 in the right-of-way); and
- 3) Allow maneuvering directly into the alley and street for the 14 parking spaces located in the right-of-way along the north alley and Martin Avenue, all as shown on the submitted plans.

## **APPLICABLE TUCSON ZONING CODE SECTIONS**

The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to the following:

Section 4.7.8 *Residence Zone (R-3)* and Table 4.8-2, *Permitted Uses –Urban Residential Zones* which provide the use criteria applicable in the R-3 zone,

6.4.5 *Perimeter Yards*, and Table 6.3-2 *Dimensional Standards for the R-1, R-2, R-3, MH-1, and MH-2 Zones*, which provides the dimensional standards applicable to principal and accessory structures, and,

Section 7.4 *Motor Vehicle and Bicycle Parking* and Table 7.4.4-1 which provide the required vehicle parking and maneuvering standards.

## **GENERAL DEVELOPMENT INFORMATION**

### **Zoning and Land Use**

**SITE: ZONED R-3; (Sorority)**

North: Zoned C-1; (Convenience Store and Parking Lot)

South: Zoned R-3; (Private Parking Lot)

East: Zoned R-3; (Fraternity)

West: Zoned R-3; (Fraternity)

## **RELATED PLAN REVIEWS**

### **Engineering**

The Engineering Section of Planning and Development Services Department has no objection or adverse comments.

## **RELATED CASES**

**Case # C10-02-15** - This was a proposal that included demolishing the existing building located at 1801 East 1<sup>st</sup> Street and replacing it with a new fraternity house. On March 27, 2002, the requested variances to delete the required off-street parking and loading spaces, reduce the minimum street perimeter yard requirements for west property line, and allow an increase in the required floor area ratio, were approved with conditions.

**Case # C10-19-06** – This was a proposal to add a two-story addition to the existing sorority house located at 1035 North Mountain Avenue. On February 27, 2019, the requested variances to reduce the required number of vehicle parking spaces, allow the use of the alley for maneuvering directly into or from any parking space, and allow the existing asphalt to serve as the pedestrian refuge, were approved.

## **BOARD OF ADJUSTMENT FINDINGS**

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

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 will 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 will 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.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

### **ZONING ADMINISTRATION CONSIDERATIONS**

The applicant's property is an approximately 0.5 acre lot zoned R-3 "Residential" and is developed with a sorority house. The applicant is proposing to construct a two-story addition to the existing sorority house which includes demolishing a portion of the existing one-story building. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction.

### **Building setback**

*UDC* Section 6.4.5 and Table 6.3-2.A, require a minimum side street setback of 10'. The addition on the east side of the building will result in a proposed building setback of 3.04' as measured to the east lot line.

### **Parking, Maneuvering**

*UDC* Section 7.4 and Table 7.4.4-1 require parking for a sorority to be provided at a ratio of 0.7 spaces per resident with maneuvering into and from each parking space to be wholly outside the public right-of-way.

Based on 55 residents, 39 parking spaces are required. The additional bicycle parking provided allows a further reduction to 36 parking spaces required. 11 parking spaces are proposed on-site with an additional 14 spaces located in the right-of-way.

The 14 existing spaces that are located in the right-of-way are accessed via the private alley along the north boundary and on the east side along Martin Avenue. The applicant is proposing the sorority will continue the use of these 14 spaces via direct access from the alley and street.

### **Discussion**

The existing sorority house is located within the boundaries of the University of Arizona campus and was constructed sometime in the early 1960's when the need for a personal vehicle on campus was atypical. The purpose for the proposed 2,914 square foot addition is to accommodate the growing needs of the sorority. The addition will expand the kitchen, serving, and dining services. Interior renovations will include new conference room, study, and social spaces. The second-floor addition will include restrooms with showers, displaced beds from the renovations and four

new beds. The kitchen and food serving areas are located on the east side of the building. The addition of the dining and serving rooms on the east side of the building is the most logical location as it results in a more cohesive floor plan.

Most of the existing sorority/fraternity houses provide minimal on-site parking. The expansion results in the requirement to modify the existing on-site parking area to meet current regulations. The 14 existing spaces located in the right-of-way have historically been used by the sorority and will continue to be utilized by the house in the same manner as it exists. The university encourages students, whether living on or off campus, to use alternate modes of transportation such as walking, bicycles, mass transit, shuttles or ride services. For those that choose to drive, there are numerous parking garages and surface parking lots with spaces available to lease long term or hourly.

**Conclusion**

Given that the expansion is necessary to meet the needs of the sorority it serves and that the location of the expansion and reduced setback is the most logical choice; and that there are special circumstances such as existing site conditions that result in the inability to provide additional parking and that existing access, maneuvering and circulation will continue to function for the spaces in the right-of-way; and that the expansion is not out of character with other houses in the area, and does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone, staff does not object to the requested variances.

**NEIGHBORHOOD CONTACT (BY APPLICANT)**

See the attached neighborhood notification dated March 11, 2022 and the meeting sign-in and summary sheet dated March 21, 2022.

**PLANNING & DEVELOPMENT SERVICES RECOMMENDATION**

PDSD staff recommends approval of the applicant's requested variances.

It is the opinion of staff there are special circumstances applicable to the property; that granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and that the variances requested are the minimum needed to afford relief and the least modification possible of those *UDC* provisions which are in question.

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for  
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Zoning Administrator

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