



**Infill Incentive District – Design Review Committee**  
**\*\*\*Amended Legal Action Report\*\*\***  
**Monday, August 20, 2018 at or after 3:30 PM**  
 First Floor Meeting Room, City Hall  
 255 West Alameda  
 Tucson, Arizona 85701

**1. Roll Call : 3:35 PM**

Those present and absent were:

**Present:**

Chris Gans, Chair  
 Lori Woods  
 Bill Viner

John Burr  
 Robin Shambach  
 Fred Ronstadt

**Absent:**

All present

**Design Professional:**

Corky Poster

**Staff Members Present:**

Koren Manning, Planning & Development Services  
 Carolyn Laurie, Planning & Development Services  
 María Gayosso, Planning & Development Services  
 Alexandra Hines, Planning & Development Services  
 Daniel Bursuck, Planning & Development Services

**Agenda Items taken out of sequence:**

Chair Gans made a motion to make two amendments to agenda:

1. Review and approve previous LAR at end of agenda.
2. Allow for public comment to be three minutes per speaker.

Bill Viner 2<sup>nd</sup>, DRC Voted 6-0 to relocate Agenda Item 2 to the end of the Agenda.

**2. Approval of Legal Action Report - Move to the end of the agenda**

**3. IID-17-06, The Union on 6th. 340 East 6th Street ( T17SA00486 & DP18-0067).**

Staff provided purview of review, background of Unified Development Code section 5.12, and purpose of IID. Staff Introduced members of the IID-DRC for the Union on 6th project, clarified roles of each member.

Staff Stated the five action options for IID-DRC: approve as is; approve with recommendations; continue for 10 days; remand and request updated design; not recommend approval.

Staff specified that staff will review and the Director will make decision based on advisory recommendations provided by the IID-DRC, the TPCHC Plans Review Subcommittee, and the City's Design Professional. Staff also clarified that she will redirect the conversation if it strays from purview of DRC review.

Chair Gans opened the floor to the applicant, Rory Juneman. Rory then formally introduced the other members of the consulting team: Keri Silvyn, Lazarus, Silvyn & Bangs PC, Eric Barrett, Arc Studios, Burak Bekat and Benjamin Cole, A23 Studios, Kevin Hall and Matt Stuart, Cypress Civil Development, Marco Esparza, M Esparza Engineering, and, Josh Wilson, EdR TruStreet

Rory then presented the Union on 6th project: scope, site analysis, subarea and standard compliance, requested modifications, site plan, landscape plan, circulation. He then outlined the renderings as a walk around the site. Noted protection of adjacent building, multifamily lease, and outreach conducted.

Carolyn Laurie, presented staff report. She noted that the applicants had attended three pre-submittal meetings and received more than 80 public comments surrounding the project's design, location and adjacency to the historic 4<sup>th</sup> Avenue Sub district.

Staff then introduced Corky Poster, City Design Professional resent design professional recommendation letter from July 17<sup>th</sup> noting possible development by right and development opting into overlay. Received commercial space on 5<sup>th</sup> Avenue but did not gain commercial space on Northeastern corner of Herbert Avenue and 6<sup>th</sup> Street. Also noted that single family residential is subject to screening as pointed out and addressed by letter from Rory Junemen. Outlined parking and traffic comments.

The meeting was then opened to the DRC Members for discussion.

John Burr, questioned the design professional on the revised elevations and if the consultant had addressed the design professional comments. Mr. Poster relied yes, he felt they had made a good faith effort to update the design per his recommendations.

Chair Gans, asked about the traffic impact analysis was and if it was performed during the high season or off season, when the students and out of town visitors where away?

Marco Esparz replied traffic data at peak times was obtained from TDOT.

Chair Gans, asked how people would cross 6<sup>th</sup> Street in safe manner and expressed delight for mural suggestion. He also asked on the propose for commercial and residential in North Eastern corner of Herbert Avenue and 6<sup>th</sup> Street.

Corky Poster responded that the answer relies on the design by the applicant.

Lori Woods inquired about the roof terrace landscape.

Eric Barrett, presented landscape on terraces and ground.

Bill Viner, inquired and received response from Matt Stuart that the minimum sidewalk width is 7 feet for the area per the interim streetscape manual.

Chair Gans, inquired and received response from Matt Stuart that the trash is a compactor. He also asked and received response from Rory Juneman that a vibration study and monitoring will occur.

Bill Viner requested a five-minute break.

Meet was paused at 5:35pm.

Hearing was reinstated at 5:45, and a Voice Roll Call was completed, all members present.

Chair Gans, then took public comment. Nine members offered comments on the project including, 1. Expressed concern about trash pickup. 2. Letter from Regina Romero on density and transportation issues. 3. Considers Herbert to be a public street with more activity than applicant anticipates and that money is going to developer out of state. Discussed water fountain on 5<sup>th</sup> and expressed drinking fountain and bike repair station is appropriate. 4. Expressed that courtyard should be open to all. Understood design meets standards, but the design is lacking the spirit of the law. Expressed the visceral things are most important, where the design fails to capture warmth and eclectic nature of area. 5. Voiced the need for this class of housing to meet mandate from board of regents. Supported parking modification. 6. Expressed concern for loading zones and that all development should be retail since it's a business district. Voiced to applicant that they have a responsibility for a respectful design and development since gateway to 4<sup>th</sup>. 7. Noted overflow of 4<sup>th</sup> Avenue business to 6<sup>th</sup> Avenue and expressed that development should be a union of the two areas, instead of a barrier. Found that setback on Herbert Avenue provides human scale and should abide by design standard. 8. Expressed concern for timing of meeting notice. Felt loading might not be sufficient for volume of online orders. Expressed importance to unify businesses popping up. Voiced that winding route is better than straight. Requested to flip the front entry of the 1<sup>st</sup> floor residences along 6<sup>th</sup> Street.

Chair Gans: Stated end of public comment and turned the conversation back to IID-DRC for comments and questions.

John Burr expressed concern for permeability of site, commercial connectivity, and that the courtyard is not handicap accessible. Acknowledged that his comments over time have been addressed. Inquired if EdR Trust can commit to a percentage off transit passes.

Lori Woods expressed appreciation for comments and concerns. Concerned about Herbert traffic, pickup, loading, and narrow walkways.

Bill Viner inquired and received response that the bicycle parking is on 5<sup>th</sup> Avenue, garage, and courtyard. Inquired and received response that dog relief is on terrace and plaza.

Inquired and received response that Uber pick up is on 5<sup>th</sup> Avenue.

Fred Ronstadt, leased to hear architects of IID code are present in meeting. Interested in public art.

Robin Shambach, noted the building articulation has improved. Noted that Herbert Avenue is currently developed edge to edge. Noted discrepancy in development package calculation. Revisited downtown projects and seen their trash is successful and worked. Agreed that accessibility from parking garage to east building is a good point.

Chris Gans, inquired about 50% discounts on transit passes, group dwelling definition, murals, south elevation, fragility of adjacent buildings, and zip cars across 6<sup>th</sup> Street.

Matt Stuart responded that 1<sup>st</sup> submittal waste calculation was wrong, commented by environmental services, and addressed in the 2<sup>nd</sup> submittal. Noted the design does not accommodate for restaurant or bar and retail and office require less loading. Noted the design will maintain Herbert Avenue as low intensity with one-way sign.

Rory Juneman, responded that EdR Trust is agreeable to a 50% reduction in transit pass. Addressed restriction of group dwelling.

Rory addressed accessibility and flipping residential units, noting 2 foot grade difference along 6<sup>th</sup> Street. Considered unit on NE corner on Herbert Avenue & 6<sup>th</sup> St as live-work space, but build in timeline to lease as residential if live-work space does not lease.

John Burr, inquired if there is a threshold of project viability based on the number of conditions imposed. Inquired if to continue meeting?

Josh Wilson, pointed to copy of proforma and addressed financial return that residential is viable and retail is not leasing out as fast.

Bill Viner inquired and received response from Matt Stuart that there is neither structure nor hoods for restaurant space. Inquired and received response that space on NE corner on Herbert Avenue & 6<sup>th</sup> St is 800 SF.

Rory Juneman, noted the visibility of proposing a mural on 4<sup>th</sup> Avenue.

John Burr requested commitment to murals and work-live space.

Berak Bekat, agreed to improve south elevation.

Bill Viner, inquired and received response from Berak Bekat that live-work space can have storefront.

John Burr inquired and received response form Berak Bekat that the access point can be more attractive, but studies have been conducted to show a new access point is not feasible.

Lori Woods expressed discomfort with taking action today. Noted deliveries for residences on east do not seem to be addressed.

Bill Viner moved to approve, subject to:

1. Commercial uses such as live work space (commercial on the ground floor and residential on the upper floor), retail or office space shall be located on the southeastern corner of Herbert Avenue and 6<sup>th</sup> Street (Exhibit D);
2. Coordinate with Park Tucson to explore additional pick-up and drop off areas for share ride vehicles along 5<sup>th</sup> Avenue;
3. Include two murals on the structures, at least one to be located along Herbert Avenue;
4. Through the development plan process (DP18-0067) improve pedestrian safety and accessibility between 6<sup>th</sup> Street and the Herbert Avenue;
5. Conduct a vibration study and take appropriate measures to minimize the impact on surrounding structures; and,
6. Any substantial changes to the proposed project design should be brought to the IID-DRC for review.

Fred Ronstadt Seconded motion.

Motion passed (4-1, 1 abstention).

Chair Gans moved that future Major IID project be placed on an Agenda as Study Session Item first, then return as an Action item.

## **2. Approval of Legal Action Report - Move to the end of the agenda**

Minor comments addressed by staff. The committee unanimously agreed to approve the legal action report, 6-0.

4. **Future Agenda Items**

None.

5. **Call to the Audience**

No one spoke.

6. **Adjournment**

The meeting was adjourned at 7:25 p.m.