



## **Infill Incentive District – Design Review Committee**

Thursday, February 23, 2017 – 3:30 p.m.

Public Works Building – 3<sup>rd</sup> Floor Large Conference Room

201 North Stone Avenue – Tucson, AZ 85701

### **Legal Action Report**

#### **1. Roll Call**

Those present and absent were:

##### **Present:**

Michael Keith  
Chris Gans  
John Burr  
Lori Woods  
Robin Shambach

##### **Absent:**

William Viner

##### **Design Professional:**

Rick Gonzalez

##### **Staff Members Present:**

Carolyn Laurie, Planning & Development Services  
Michael Moreno, Planning & Development Services

#### **2. Election of the Chair and Vice-Chair**

Committee moved election item No. 2 to before agenda item No. 5

#### **3. Approval of Legal Action Report - December 20<sup>th</sup>, 2016**

The committee voted 6 to 0 to approve the legal action report.

#### **4. IID 16-02-City Park located at 56 E. Congress (T17SA00003)**

Presentation: Don Bourn and Matt Dickey, Bourn Partners Developers, Steve Seacrest Architect/Designer, and Matt Stuart, Planner.

Don Bourn outlined the proposed project which would be a five (5) story building with an overall estimated square footage of about 94 to 95 thousand square feet. The project would be a mix-use, transit oriented development consisting of Tucson dining, entertainment, office and retail space with a roof top patio. Mr. Bourn presented the scope of work and stated that the purpose of the project was to make it feel like an urban park. The first floor would be a food hall with entertainment spaces, retail spaces and a bar. It will have a total of 14 available vendor spaces, and will serve as a strong gourmet destination with a quick serve format. It will have outside courtyard seating, as well as available seating on the second; floor working in unison together.

The second (2<sup>nd</sup>) floor of the building will consist of a bowling alley, a bar area, which is intended to be a fun family friendly environment for adults and children. It will be an upscale fun environment for people to come and enjoy,  
DRC/Legal Action Report

which will serve Tucson locals and out of town guests. The second floor will also have available rooms for meetings and conferences and can also serve as party space. The third (3<sup>rd</sup>) and fourth (4<sup>th</sup>) floor will be used as office space which will attract tech companies and hopes to see an out of state employment drive. The fifth (5<sup>th</sup>) floor will have no internal columns which make it extra-spacious and flexible for events, performances and/or conferences. The 5<sup>th</sup> floor will be able to hold from 300 to 400 people. He also mentioned that they are leaving the 5<sup>th</sup> floor flexible at the moment with the possibility of it being designed for office space. Mr. Bourn stated that the Rooftop patio will have space for 50 to 60 people and will consist of fixed seating.

Matt Stuart stated it was a mid-rise building and at 76 feet in height they were creating a transition from building to building as the city moved higher. Mr. Stuart informed the committee that they were asking for relief of a 0 setback for the perimeter of the building. He mentioned there would be short-term bike parking outside of the building and long-term bike parking inside the structure. Matt has had conversations with Park Tucson and that they would utilize the City of Tucson parking garages. He also mentioned that there would be no on street loading due to the streetcar tracks. One of the original concerns associated with the agency to the Federal Court House was the roof deck patio. Both the Federal building and the adjacent property owners were interested in how they planned to mitigate the possible noise. The applicant moved the patio towards the front or north of the building so that most of the noise goes out onto Congress Street. One of management responsibilities would be to take out the trash on a daily basis for pick-up. Mr. Stuart stated they were hoping to create an urban oasis with this project.

Mr. Seacrest, designer stated that he believed that the project and the building would help add much more excitement and activity to Congress Street. He mentioned that 35% of the entire building would be glass and mentioned it was one of the most transparent glasses they could pick. Mr. Seacrest also mentioned that much of the concrete and steel throughout the building would be exposed and that they would be using Palo Verde trees for vegetation in the courtyard and imagined the courtyard becoming a miniature city park. Mr. Keith asked the applicant why they chose Palo Verde stating they were messy; the applicant stated that he liked the color. Mr. Seacrest also stated that the main entrance of the lobby would be all concrete and that they would be using corrugated metal along congress

Mr. Dickey stated that the federal government building to the south had given them a verbal approval and said they were ok with all the changes they had done to the building. He also mentioned there would be retaining walls that would help buffer the amount of noise to the adjacent buildings while the construction was taking place, and that he was currently in contact with Park Tucson relating to the parking issues.

Ms. Woods asked the applicant about the court yard and patio and wondered if it was fully open, the applicant informed her that it was. She also asked about the different color choices they had made on the outdoor seating area. She stated that the west side excess point was clear on the building. She asked the applicant what type of tree planter boxes they would have, the applicant informed her they would have raised steel planter boxes with oak trees. Ms. Woods said that she would have no objection if the applicants chose to use Palo Verde instead of Oak Trees. She also informed the applicant that it would be a good idea to put electrical outlets to steel planters in the courtyard for night time lighting. Ms. Woods informed the applicant that the rooftop was lacking plant material and suggested they make the courtyard more attractive and comfortable. She asked if there was any opportunity for a cable shade screening cover that they could build for the court yard, she was advised that they could not anchor the cable or the screening to the adjacent building even though they owned it. She then went on to say that they should consider umbrellas for the customers. Ms. Woods also asked the applicant if they had the capacity to put solar panels on the roof and was informed that the solar panels might bother the residents to the south. Ms. Woods asked why they decided not to put color onto the concrete, the applicant informed her that due to maintenance purposes it was really hard to rip up any concrete and recolor it.

Mr. Burr had a question as to if the applicant had conducted an archeological study of the site, the applicant informed him that they had not conducted one because there had previously been a basement on site. He asked the applicant if there would be any rooftop harvesting, the applicant informed him that there would not be because there was no space. One of the conditions was that they had to remove and drain the water out of the site as soon as possible because of the basements adjacent to the building. The applicant informed Mr. Burr that the water would run directly onto Congress Street. Mr. Burr stated that 1 East Broadway building had Federal rules on the back side and was wondering if they had approved this plan. The applicant informed him that the Federal building had accepted all of

the changes. Mr. Burr asked the applicant about the 18 foot streetscape for the first floor and asked if it was a measurement that was taken from the Indian Trade Post; he was wondering what established those lines and asked how they related. The applicant informed him that the floor height of the Post matches the floor height of City Park.

Ms. Laurie discussed UDC Section 5.12.7 of the IID and informed the committee of the Rio Nuevo Area review requirements and outlined that the project was in conformance with each building design standard. She also reviewed the site drainage which was designed to pull moisture away from the two historic buildings that are located along both ends of the building. There was additional discussion associated with the unreinforced red brick structures and the basement foundations made of rubble. Mr. Stuart discussed the structural engineering considerations that went into the design of the building and the safety protocols that would be in place.

Mr. Keith informed the applicant to continue the same streetscape between Congress Street and Pennington Avenue. He also had a question as to what paving pattern the applicant would be using. He set forth a condition stating that they continue the same pattern and continue the same streetscape all the way to Pennington Avenue. He also mentioned to the applicant that they should consider using some type of cloth or knitting with cables on the rooftop in order to provide extra shade for the patrons. He also informed the applicant that they should skirt and baffle the HVAC system in order to reduce and eliminate some of the noise to the south and the surrounding buildings. Mr. Keith also informed the applicant that they install a security key pad on the eastern steel stair case in order to secure the stairs from intruders. Mr. Keith appreciated the detail the applicant had done on the sand blasting, raking horizontally on the masonry in order to give it a horizontal feel.

Ms. Shambach asked the applicant if they would be conducting a vibration study as the construction was taking place and informed them it would be a good idea to do so because of the surrounding buildings. She also had a concern about the parking agreement and wondered if it would be tied to the Certificate of Occupancy and to the final lease.

Mr. Gonzalez stated that the pallet was much stronger than what they had conveyed in the renderings. He also agreed they monitor and keep an eye on what was occurring to the adjacent buildings during the construction period. He stated that the parking situation and the garbage disposal issue had been addressed. Mr. Gonzalez asked a question about the green accents and asked if they were in relation to the landscape. The applicant informed him that he had selected Palo Verde green to tie into some of the landscape features. Mr. Gonzalez stated that he was extremely happy with the glass façade and the amount of glass they were using. He stated that it was a wonderful design. The applicant said he wanted people from the outside to see what was going on inside the building.

Mr. Keith discussed sound baffling on the roof for the residential as a fair amount of noise maybe generated from the HVOC units.

Mr. Gans asked if anyone was ready to make a motion.

Ms. Shambach moved to recommend approval of the City Park project with the following conditions:

1. To substantiate and monitor the vibration control methodology during the construction phase.
2. To coordinate with the Scott Avenue streetscape project as it extends to Pennington.

Mr. Keith, seconded. Discussion held on the higher level of design presented on the project, both structurally and in the courtyard areas and the presentation made by the applicant, designer, developer and staff.

Motion passed (6-0)

## **5. Future Agenda Items**

Staff explained upcoming cases.

## **6. Call to the Audience**

No audience present.

7. **Adjournment**

The meeting was adjourned at 5:44 pm.