



Design Review Board
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*****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 DRB will hold the following meeting which will be open to the public on:

Friday, May 19, 2022, 7:30 AM

Pursuant to safe practices during the COVID-19 pandemic, all in-person public meetings are canceled 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: <https://www.tucsonaz.gov/pdsd/design-review-board-agenda-materials>. Meeting materials will also be presented as part of the virtual meeting.

To join the DRB virtual meeting from your computer, tablet or smartphone:

[Click here to join the meeting](#)

Meeting ID: 242 070 344 086

Passcode: 6pKTiF

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 213-293-2303,,860357657#](tel:+12132932303860357657) United States, Los Angeles

Phone Conference ID: 860 357 657#

For materials in accessible formats, and/or materials in a language other than English, please contact María Gayosso at (520) 837-6972, María.Gayosso@tucsonaz.gov, or (520) 791-2639 for TDD, no later than Monday, May 15, 2023.

Para solicitar materiales es formatos accesibles, y/o materiales en español, por favor comuníquese con María Gayosso al (520) 837-6972, María.Gayosso@tucsonaz.gov, a más tardar el Lunes 15 de Mayo de 2023.

AGENDA

1. Call to Order / Roll Call

Paige Anthony
Rosemary Bright
Susannah Dickinson
Caryl Clement
Nathan Kappler (Chair)
Grace Schau
Chris Stebe (Vice Chair)

2. Review and Approval of 2/24/2022 Draft LAR and Meeting Minutes

Action

3. Call to the Audience

4. Activity # [SD-0423-00042](#) –

Related Activity # [TD-DEV-0423-00221](#)

Modification to Previously Approved Design Package – Façade Modifications

[130 E Congress St](#) (Parcel # [117150010](#))

C-1 Zoning

Rio Nuevo (RNA) Review

The Applicant's Request:

This is a [revision to the previous design package](#) approved under Activity # [T19SA00500](#), which was reviewed by the DRB on December 20, 2019, [recommending approval to the PDS Director](#) as presented by the applicant, for exterior façade changes to the north, east, and south elevations. The applicant is now requesting the following revisions to the original plans:

- a) The removal of the façade on a portion of the east elevation and the entire removal of the façade on the north elevation, to be replaced with an aluminum storefront system; and
- b) The storefront along the north façade to be placed at the property line, capturing the existing exterior ground floor and recessed alcove.

The structure is an individually listed property with the National Register of Historic Places, and it was reviewed by the Tucson-Pima County Historic Commission Plans Review Subcommittee (PRS) on May 11, 2023, who recommended approval as presented by the applicant. The complete [proposed revision to the design package](#) can be found under Activity # [SD-0423-00042](#)

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 (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 Sections 5.12.7.C. and 5.1.7.D (See Attachment A)

MOTION: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE APPLICANT'S PROJECT FOR COMPLIANCE WITH RIO NUEVO AREA DESIGN CRITERIA AND RECOMMENDS TO THE PLANNING & DEVELOPMENT SERVICES DIRECTOR (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE BUILDING DESIGN STANDARDS SET FORTH IN UDC SECTION 5.12.7.C 1-15 AND 5.12.7.D (SEE ATTACHMENT A) (SUBJECT TO THE FOLLOWING CONDITIONS).

5. Activity # [SD-0523-00050](#)
Related Activity # [TC-COM-0423-01158](#)
Façade Modifications for Chase Bank
[1 E Congress St \(Parcel # 117120310\)](#)
OCR-2 Zoning
RNA Review

The Applicant's Request:

This is a request to modify the south and west façades of the building on site to accommodate a new ATM and after-hour deposit box in the former US Bank space, now to be occupied by the Chase Bank. The proposal includes:

- a) The removal of a ground-floor window on the west elevation, to be filled with materials matching in color and texture to the surrounding wall;
- b) The removal of a ground-floor window on the south elevation, to be filled with new ATM equipment; and
- c) The installation of new after-hour deposit equipment on the south elevation.

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 (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 Sections 5.12.7.C. and 5.1.7.D (See Attachment A).

MOTION: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE APPLICANT'S PROJECT FOR COMPLIANCE WITH RIO NUEVO AREA DESIGN CRITERIA AND RECOMMENDS TO THE PLANNING & DEVELOPMENT SERVICES DIRECTOR (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE BUILDING DESIGN STANDARDS SET FORTH IN UDC SECTION 5.12.7.C 1-15 AND 5.12.7.D (SEE ATTACHMENT A) (SUBJECT TO THE FOLLOWING CONDITIONS).

**6. Activity # [TP-DDO-0323-00001](#)
Related Activity #s [DDO-23-08](#), [DP22-0276](#)
Agave Sun LLC New Multifamily Development
4441-4459 E Bellevue St
R-2 Zoning
Development Design Option (DDO) Appeal**

The appellant, Lois Pawlak, is appealing the [Planning and Development Services Director's \(PDS\) decision](#) to approve Design Development Option (DDO) Case DDO-23-08. Case DDO-23-08 is a request by property owners, Agave Sun LLC, to construct a new, two-story multifamily development with reduced front street and side perimeter yard setbacks; the development package is currently in review under Activity # [DP22-0276](#). The property owners filed a [Design Development Option \(DDO\) application](#) with PDS requesting the zoning approval necessary to allow the project be constructed with reduced building setbacks, as measured from the south, west, and east property lines. The DDO application was approved by the PDS Director on February 23, 2023, finding the project in compliance with all required DDO General and Specific Findings of the Tucson Unified Development Code (UDC) Section 3.11.1.D.1&2. The appellant is requesting a reversal of the Planning and Development Services Director's decision to approve DDO-23-08.

Tucson UDC sections applicable to this project include Section 3.11.1.D (DDO Findings); Table 4.8-2 which provides the Use Specific Standards applicable to residential development in the R-2 zone; Sections 6.3, 6.4, 6.5 and 6.6 which provide the development standards for all principal and accessory structures; and, Section 3.10.2 which provides for the Board of Adjustment to hear and decide on appeals made to the Planning and Development Services Director's decision on DDO applications; and Section 2.2.6.C.3 which states that the DRB reviews, for recommendation to the Board of Adjustment, appeals of Planning and Development Services (PDS) Director decisions on DDO applications and shall in formulation of its recommendation utilize the same criteria, as provided in Section 3.11.1.D.1&2 (DDO General and Specific Findings) required of the PDS Director in making the decision.

The Appellant's Request:

The appellant is requesting reversal of the Planning and Development Services Director's decision to approve Case DDO-23-08, which is a request to allow the following Design Development Options (DDO):

- 1) DDO approval to allow the front street perimeter yard setback to be reduced from 31'-3" to (13'-0"), measured from the buildings to the south lot line;
- 2) DDO approval to allow the side perimeter yard setback to be reduced from (14'-9") to (5'-1"), measured from the buildings to the east lot line;
- 3) DDO approval to allow the side perimeter yard setback to be reduced from (14'-9") to (5'-1"), measured from the buildings to the west lot line;
- 4) DDO approval to allow the side perimeter yard setback to be reduced from (10'-0") to (1'-6"), measured from the porches to the east lot line;
- 5) DDO approval to allow the side perimeter yard setback to be reduced from (10'-0") to (1'-6"), measured from the porches to the west lot line, all as shown on the submitted plans.

The DRB's Purview:

Section 2.2.6.C.3 which states that the DRB reviews, for recommendation to the Board of Adjustment, appeals of Planning and Development Services (PDS) Director decisions on DDO applications and shall in formulation of its recommendation utilize the same criteria, as provided in Section 3.11.1.D.1&2 (DDO General and Specific Findings) required of the PDS Director in making the decision (see Attachment B).

THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED DESIGN DEVELOPMENT OPTION AND RECOMMENDS THAT THE BOARD OF ADJUSTMENT (UPHOLD) (MODIFY) (REVERSE) THE DIRECTOR'S DECISION TO APPROVE TP-DDO-0323-00001 FINDING THE APPLICATION (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN UDC SECTION 3.11.1.D.1&2 (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,

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

b. **Viewshed Corridors**

Views of all historic properties and all natural elements surrounding the Downtown should be considered during design. Plazas, courtyards, and open spaces shall be sited to include views to other public spaces, where feasible.

c. **Linkages (Physical and Visual)**

Neighborhood linkages shall be maintained throughout Downtown.

1. Streetscape

a. Streetscapes must be consistent with the Streetscape Design Policy. In streetscape design, priority is given to pedestrians.

b. **Shade**

Shade shall be provided for at least 50 percent of all sidewalks and pedestrian pathways as measured at 2:00 p.m. on June 21 when the sun is 82° above the horizon (based on 32°N Latitude). Shade may be provided by arcades, canopies, or shade structures, provided they and their location and design characteristics are compatible with the prevailing and design context of the street and the architectural integrity of the building. Deciduous trees, as proposed in the Downtown Comprehensive Street Tree Plan, are encouraged to supplement existing evergreen trees. The use of plantings and shade structures in the City right-of-way are permitted to meet this standard with the approval of the Department of Transportation. The shade provided by a building may serve to meet this standard.

ATTACHMENT B:

GENERAL FINDINGS FOR DESIGN DEVELOPMENT OPTION (DDO)

SECTION 3.11.1.D.1 “GENERAL FINDINGS FOR DDO”

For all modification requests, the PDSO Director may approve a DDO request only if the request meets all of the following findings:

- a. Is not a request previously denied as a variance;
- b. Does not modify a conditional requirement or finding to determine whether the use should be allowed in the zone;
- c. Is not to a condition of approval for a rezoning or Special Exception Land Use application;
- d. Does not modify a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs;
- e. Does not result in deletion or waiver of a UDC requirement;
- f. The modification applies to property that cannot be developed in conformity with the provisions of this Chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, exceptional topographic conditions, or location.
- g. Does not create a situation where proposed development substantially reduces the amount of privacy that would be enjoyed by nearby residents any more than would be available if the development was built without the modification;
- h. Does not create a situation where proposed development will block visibility within the required visibility triangle on adjoining streets for either vehicular or pedestrian traffic;
- i. Does not create a situation where the proposed development will cause objectionable noise, odors, trespass lighting, or similar adverse impacts adjacent properties or development; and
- j. Does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.

SECTION 3.11.1.D.2. “Specific Findings for Setback and Wall Height Modification Requests”

In addition to the findings in Section 3.11.1.D.1, the PDSO Director shall find, in the case of setback and wall height only, that the modification:

- a. Does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification;
- b. Provides design alternatives to better integrate the development into the design character of the immediate neighborhood;
- c. Does not apply to a setback requirement of a Flexible Lot Development (FLD);
- d. Does not create a situation where the proposed development will interfere with the optimum air temperature or solar radiation orientation of buildings on adjoining properties substantially more than would occur if the building or structures were built without the modification; and,
- e. Does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modifications.
- f. The modification is not for an increase in height of more than two feet to an accessory wall or fence, except that an increase of up to four feet may be considered for entry features on walls and fences.

