



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

Legal Action Report & Draft Meeting Minutes Design Review Board (DRB)

Members of the Design Review Board (DRB) held a meeting, which was open to the public on:

Date and Time: Friday, September 20, 2024, 7:30 a.m.

Location: Meeting was held virtually using Microsoft Teams

- | | |
|-------------------------------------|----------------|
| 1. Call to Order / Roll Call | 7:30 AM |
| Paige Anthony | Present |
| Rosemary Bright, Vice Chair | Absent |
| Caryl Clement | Present |
| Cade Hayes | Present |
| Grace Schau | Present |
| Chris Stebe, Chair | Present |

A quorum was established.

- 2. Review and Approval of the 9/6/2024 LAR and Meeting Minutes** **Action Taken**

The motion was made by DRB Member Clement to approve the LAR and draft minutes of September 6, 2024. The motion was duly seconded by DRB Member Schau. All in favor. Motion passed 5-0.

- 3. Call to the Audience**

No speakers present.

- 4. [SD-0524-00050](#) – BATA New Patio**

Related Activity # [TD-DEV-0724-00207](#), [TC-COM-0524-01017](#)

[35 E TOOLE AV \(Parcel # 117160130\)](#)

I-1 Zoning

RNA Review

Action Taken

The applicant provided the following clarifications in response to DRB questions:

- The solid roof structure is for the kitchen portion of the patio, to comply with Pima County's Health Department's requirements; the structure with the trellis with vines roof is for serving area; both structures will include fire sprinklers to meet fire and building code;
- Proposed Pistache trees will be planted on the ground, with bottomless 4X4-foot planter boxes; will explore utilizing Sonoran Desert species that are appropriate for the scale, and provide the green and lushness being sought;

- c) Vertical garden will match the height of the existing fence;
- d) Proposed stage is just a space for outdoor music, not for any type of entertainment venue;
- e) Site is located within the Downtown Parking Zone as defined by the UDC. And parking is available within 250 feet radius;
- f) New short term bike parking is provided in the north side of the site; existing bike parking is located on the east sidewalk, and long-term parking for employees is provided inside the building;
- g) There is existing outdoor security lighting along the north side of the building, and under the roof of the two proposed structures in the courtyard; can explore integrating pedestrian-level lighting along the east fence;
- h) Existing fence is to stay, just modified and repainted;
- i) Will revise shade study for 12 Noon;
- j) The existing ramp in the north will be used for ADA access from the building into the courtyard, but users will need to go into the right-of-way first to access courtyard; ramp was not built per the previously approved plans, so current proposal shows what is in place on site;
- k) The Development Package shows the closure of the apron on the east side of the property, with modified sidewalk to show new surfacing and one spot for ADA access; looking for a variance from the building official to allow ADA launching into the right-of-way, considering the tightness of the site; will evaluate placing a pocket door in the electric equipment area, or a double fold so door is folded once for the ramp and twice to access electric equipment; and
- l) When the proposed folding doors are open, they will fold all the way and will not impede pedestrian flow along the sidewalk; they will remain open during business hours.

Motion was made by DRB Member Hayes to recommend to the PDSD Director approval, finding the project in compliance with the design standards in UDC Sections 5.12.7.C 1-15 and 5.12.7.D, subject to the following conditions: 1) Outdoor lighting to be provided at the pop up window on east façade of the fence; 2) Design Package to demonstrate there is a minimum of 6 feet clearance for pedestrians along the east sidewalk in the 7th Avenue right-of-way, when all doors are fully open; and 3) Shade study to be revised to demonstrate compliance with RNA shade requirements at 12:00 pm on June 21st. The motion was duly seconded by DRB Member Clement. Motion was passed by a roll call of 5 to 0.

5. Staff Announcements

Informational

Historic Preservation Officer resigned, so for projects in need of DRB review where historic preservation review is also required, staff will reach out to external consultants to assist, until a new HPO is hired. Staff has not heard back from City Clerk's Office to confirm if a motion, second and voting are needed to adjourn a DRB meeting.

6. Adjournment

Meeting adjourned at 9:14 AM.