



# MEMORANDUM

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DATE: December 31, 2013  
For January 16, 2014 Hearing

TO: Linus Kafka  
Zoning Examiner

FROM: Ernie Duarte *Ernie Duarte*  
Planning & Development Services  
Director

SUBJECT: REZONING – PLANNING & DEVELOPMENT SERVICES REPORT  
C9-13-11 Atlas Copco – Campbell Avenue, P-I Park Industrial to I-1 Light  
Industrial (Ward 5)

**Issue** – This is a request by Michael Steele of Tierra Right of Way Services Ltd, on behalf of the property owner, South Central Industrial Properties XIII, LP, to rezone approximately 6.46 acres from P-I to I-1 zoning. The rezoning site is bordered by Campbell Avenue on the west and Sears Boulevard on the east and is located approximately 550 feet north of Valencia Road (see Case Location Map). The preliminary development plan depicts a parts and materials storage yard with offices for Atlas Copco Industries, an international industrial corporation. The rezoning application lists several current and proposed uses for the site, including sales, repair, service and storage of mining equipment, paving equipment and compressors, with related administrative offices. The overall industrial site was recently combined into one parcel (the submitted application materials show nine parcels). The administrative offices are located within a 19,736 square foot, 26-foot high steel building, constructed in the early 1990's and located in the southern one-third of the rezoning site. The remaining northern portion of the rezoning site is being used for outdoor storage of mining equipment, paving equipment and compressors. Per *Unified Development Code (UDC)* Sec. 4.8.7, uses such as trade service and repair, heavy equipment sales, and construction service are not allowed in the P-I zone, and a change of zoning to I-1 is required.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of I-1 zoning, subject to the attached preliminary conditions.

## **Background Information**

**Existing Land Use:** The sale, service and storage of mining and paving equipment with related administrative offices.

## **Surrounding Zones and Land Uses:**

North: Zoned P-I; Industrial  
South: Zoned P-I; Undeveloped vacant land  
East: Zoned R-2; School site, vacant land  
West: Zoned P-I, I-1, C-2, R-2, R-3; Industrial, residential subdivision, undeveloped vacant land

Previous Cases on the Property:

C9-82-64 New Spain Management – Campbell Avenue, R-2 to I-1 (P-I Authorized) This was a rezoning request from R-2 to I-1 to allow a commercial/industrial park on approximately 32 acres of vacant land at the northeast corner of Campbell Avenue and Valencia Road, including the subject property. The proposal was for an industrial subdivision with uses allowed in P-I zone, including office, warehouse, and light manufacturing. Planning Department staff recommended P-I in lieu of I-1 zoning. A Zoning Examiner public hearing was held on March 24, 1983. The zoning examiner recommended approval of I-1 zoning but with P-I setbacks for buffering to adjacent properties. On March 6, 1989, Mayor and Council adopted Ordinance No. 7149 and on April 6, 1989, a subdivision plat was recorded, effectuating P-I zoning.

Plan Amendment to the Kino Area Plan This was a request to amend the *Kino Area Plan (KAP)* to promote industrial development and discourage additional residential uses on the land immediately north and east of the Tucson International Airport, including the subject site. Park industrial development was recommended to a depth of 300 feet along Campbell Avenue. Mayor and Council approved the plan amendment request on February 22, 1983 with the adoption of Resolution number 12158.

T12TUP0021 Atlas Copco – Campbell Avenue This was a Temporary Use Permit (TUP) to allow temporary outdoor storage, setup, and repair of mining equipment. The TUP was approved on October 11, 2012 with the standard 1-year time limit. Pending the current rezoning request, on October 14, 2013 the TUP was granted a 6-month time extension through April 14, 2014. The TUP includes land use conditions requiring temporary fencing and dust control surfacing for outdoor storage areas.

Related Cases:

C9-96-14 Tucson Rubber Company – Ganley Road, R-2 to P-I This was a rezoning request to allow the development of a warehouse facility on the north side of Ganley Road, approximately 700 feet east of Sears Boulevard. On April 6, 1998, Mayor and Council adopted Ordinance No. 9040 and on June 10, 1998, a building permit was issued, effectuating the requested zoning.

C9-97-06 Caid - Ganley Road, R-2 to I-1 This was a rezoning request to rezone property located at the northeast corner of Ganley Road and Sears Boulevard for a 25,000 square foot storage building. On May 12, 1997, Mayor and Council adopted Ordinance No. 8870 and on August 12, 1997, a building permit was issued, effectuating the requested zoning.

C9-04-05 WRA Investments – Bilby Road, R-2 to I-1 This was a rezoning request to rezone property located on the east side of Sears Boulevard between Bilby Road and Ganley Road to allow a 32,000 square foot building expansion of the existing manufacturing use established in the C9-97-06 rezoning case. On November 9, 2011, Mayor and Council adopted Ordinance No. 10942 and on December 22, 2011, a building permit was issued, effectuating the requested zoning.

C9-12-16 Caid Industries – Ganley Road, R-2 to I-1 This was a rezoning request to rezone property located between Bilby Road and Ganley Road approximately 300 feet east of Sears Boulevard for a parts and materials storage area for a manufacturing company. On March 5, 2013, Mayor and Council adopted Ordinance No. 11049.

**Applicant's Request** – Rezone to I-1 to allow an open storage yard for an existing industrial use.

### **Planning Considerations**

Land use policy direction for this area is provided by the *Kino Area Plan (KAP)* and *Plan Tucson*. The *KAP* supports industrial development on land immediately north and east of the Tucson International Airport and encourages clean and attractive industrial developments. Industrial development should be compatible with airport operations and should not present a hazard to aircraft. Uses should be compatible with the noise impacts of the airport, and should not interfere with navigation aids, produce smoke emissions or excessive illumination, allow above ground petroleum storage or explosives manufacturing, or attract birds or other hazards to aircraft. The existing/proposed use conforms to the policies of the *KAP*.

*Plan Tucson* policies support industrial development and redevelopment that will contribute to Tucson's overall economic vitality. The *Plan* supports activity nodes to increase transit use, reduce air pollution, improve delivery of public and private services and support the retention and expansion of existing businesses.

*Plan Tucson* guidelines for development review applying to industrial areas, new proposals are to be evaluated on a case-by-case basis according to the following criteria:

- a.) Convenient access to highway, rail, or air services and routes;
- b.) Nearby public transit to serve employees, especially for proposed large industrial facilities with high numbers of employees;
- c.) Pedestrian access and facilities between bus stops and employment centers;
- d.) Parking, loading, and maneuvering requirements are met on-site; and,
- e.) Architectural detailing provided on all sides of structures and the landscaped setbacks from the front and the rear property lines.

The 6.46-acre rezoning site is a rectangular-shaped parcel located between Campbell Avenue and Sears Boulevard approximately 550 feet north of Valencia Road, with convenient access to transportation routes, especially air and highway. The site is within one mile of Tucson International Airport and within three miles of both Interstates 10 and 19. Transit is available on Campbell Avenue. All parking and loading are provided on site. Landscaping and screening are provided along Campbell Avenue and Sears Boulevard, and the existing administrative office building is designed with similar features on all sides.

The site is within the Airport Environs Zone (AEZ) and the Airport Hazard District for Tucson International Airport. The maximum allowable height varies from between 55 and 75 feet above the elevation at the northeast end of runway 21, which is 2,567 feet above mean sea level.

The southern one-third of the site has site improvements, including a 26-foot tall steel building, a landscape border along Campbell Avenue, and on-site paved parking fronting Campbell Avenue, approved under a development plan on December 5, 1990. This southern portion was developed prior to adoption of the *Land Use Code (LUC)* in 1995. However, any request for expansion of the permitted uses, either by size or intensity would require to site to be brought into full compliance with the current *Unified Development Code (UDC)*.

A one-year Temporary Use Permit (TUP) under permit T12TUP0021 to allow a temporary outdoor storage, setup, and repair of mining equipment was approved on October 11, 2012. Pending the current rezoning request the TUP has been granted an extension through April 14, 2014. The TUP includes land use conditions that require fencing, and the outdoor storage area to be graveled as a dust-control measure. The northern two-thirds of the site have been graveled for dust control and chain link fencing with brown plastic slats for screening has been installed around the west, north, and east perimeters.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate no additional vehicle trips per day, and offered no adverse comments. Field inspection by staff indicates there are currently no billboards on the rezoning site.

### **Design Considerations**

The area has a mix of park industrial, industrial and residential zones. Land north of the rezoning site is developed with metal buildings and industrial uses in the P-I zone. To the west across Campbell Avenue is a two-story single family residential development zoned R-2, a two-story multifamily development in the R-3 zone, and undeveloped parcels in the P-I Park Industrial zone. The nearest home is located in the single-family residential subdivision to the west approximately 130 feet from the rezoning site. To the south of this residential subdivision is a vacant, platted industrial subdivision in the P-I and I-1 zones. To the east across Sears Boulevard is Los Ranchitos Elementary School in the R-2 zone. The school has recently been proposed for closure by Sunnyside School District. To the south of the site is vacant land in the P-I zone.

If the rezoning is successful, permanent improvements such as landscaping, fencing, walls, access points, and surfacing of parking areas, storage areas, and Parking Area Access Lanes (PAALs) must be shown in the development package to be reviewed by Planning and Development Services staff to determine compliance with the *Unified Development Code (UDC)*. An all-weather surface is the standard when proposing to construct parking areas, storage areas, and PAALs. The current temporary use permit allows gravel as a means for dust control, which does not meet *UDC* requirements for surfacing. The applicant has expressed concerns with the use of standard acceptable surface materials such as concrete or asphalt because the heavy equipment may cause

damage. Heavy mining vehicles will carry materials and equipment out onto Sears Boulevard and Campbell Avenue. In this case, other all-weather surface materials that may be more compatible with the needs of the proposed use may be considered.

Based on current residential uses and zones across both Campbell Avenue and Sears Boulevard, it is recommended that outdoor activities which generate noise, smoke, fumes, and glare, such as generators, compressors, and power tools be used within enclosures or a minimum of fifty feet from the east and west property lines. Staff also recommends that activities which generate noise, such as vehicles with back-up safety beepers, generators, loading/unloading heavy equipment, compressors, cranes, and gantries, not occur between the hours of 10:00 p.m. and 6:00 a.m. In addition, to minimize view impacts from adjacent streets and residences, staff recommends that all large stored or parked vehicles and equipment be kept at their lowest possible height level.

Drainage/Grading/Vegetation/Screening – Staff recommends that the required on-site landscape borders fronting Campbell Avenue and Sears Boulevard include drought tolerant native canopy trees, placed every twenty feet on-center and staggered to break up a linear design, and on permanent drip irrigation systems.

Road Improvements/Vehicular Access – Primary access to the rezoning site is from Campbell Avenue, with secondary access from Sears Boulevard. The *Major Streets and Routes Plan (MS&RP)* designates Campbell Avenue as an arterial street with a future right-of way of 120 feet. Sears Boulevard is designated as a local street.

No changes are proposed to adjacent roadways or access points. However, it is anticipated that Atlas Copco employees will use Sun Tran bus service. Tucson Department of Transportation (TDOT) Transit recommends a concrete bus shelter pad and bus stop be provided at the north end of the property adjacent to Campbell Avenue. TDOT or its contractor will provide a shelter. The developer should consult with TDOT for more details on location and dimensions of the bus shelter pad.

**Conclusion** – The rezoning site is within an area that has been transitioning from vacant residential zoning to developed industrial-zoned properties. The rezoning allows for the expansion of a successful business, and the proposal provides enhanced streetscapes, screening and landscaping at the perimeter of the site. Subject to compliance with the attached preliminary conditions, approval of the requested I-1 zoning is appropriate.

## Preliminary Conditions

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated October 18, 2013, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning. The rezoning will be effectuated when a site inspection certifies all rezoning conditions and Code requirements have been met.

LAND USE COMPATIBILITY

7. Any equipment and vehicles with booms, mechanical lifts, gantries, etc. within the outdoor open storage area shall be stored in a position of minimum possible height to reduce visual impact of industrial equipment on adjacent non-industrial land uses.
8. Outdoor activities which generate noise, smoke, fumes, glare, etc. such as but not limited to generators, compressors, and power tools, shall be used within enclosures or a minimum of fifty feet from the east and west property lines.
9. Outdoor activities which generate noise, such as but not limited to vehicles with back-up safety beepers, generators, loading/unloading heavy equipment, compressors, cranes, and gantries, shall not be conducted between the hours of 10:00 p.m. and 6:00 a.m.

## Preliminary Conditions

10. The owner/developer shall record the an Airport Disclosure Statement prior to the City's approval of the development plan or building permit. The Airport Disclosure Statement discloses the existence, and operational characteristics of the Tucson International Airport, to future owners or tenants of the property and further conveys the right to the public to lawfully use the airspace above the property. The owner/developer shall send one executed form set of FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office. Copies of the form and electronic submittal are available on the internet at: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp/>

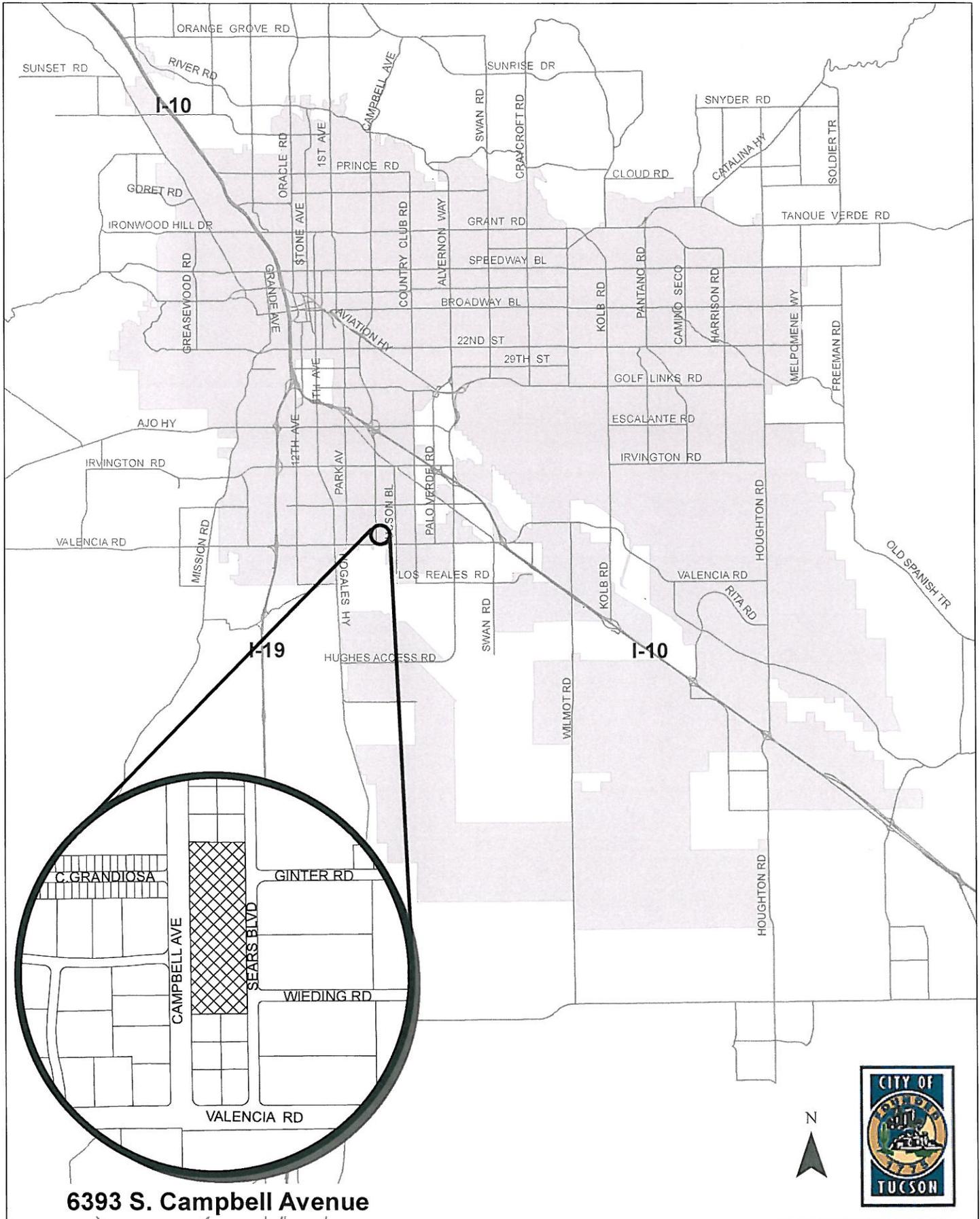
## DRAINAGE/GRADING/VEGETATION

11. The on-site landscape borders fronting Campbell Avenue and Sears Boulevard shall include drought tolerant native canopy trees, placed every twenty feet on-center, yet staggered to break up a linear design. Landscape areas shall be on permanent drip irrigation systems.

## ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

12. The owner/developer shall provide a concrete bus shelter pad and bus stop, constructed to TDOT's specifications, at the north end of the property adjacent to Campbell Avenue. TDOT or its contractor will provide a shelter.
13. Ground surface material for that portion of the site to be used for the maneuvering and parking of heavy equipment vehicles, shall meet minimum standards as may be determined by Planning and Development Service Department at the time of development package review. Staff may consider alternative all-weather surfacing that is suited for use by heavy vehicles, equipment, and machinery.

# C9-13-11 Atlas Copco - Campbell Avenue





CALLE GRANDIOSA

CAMPBELL AVENUE

GINTER ROAD

WIEDING ROAD

SEARS BOULEVARD

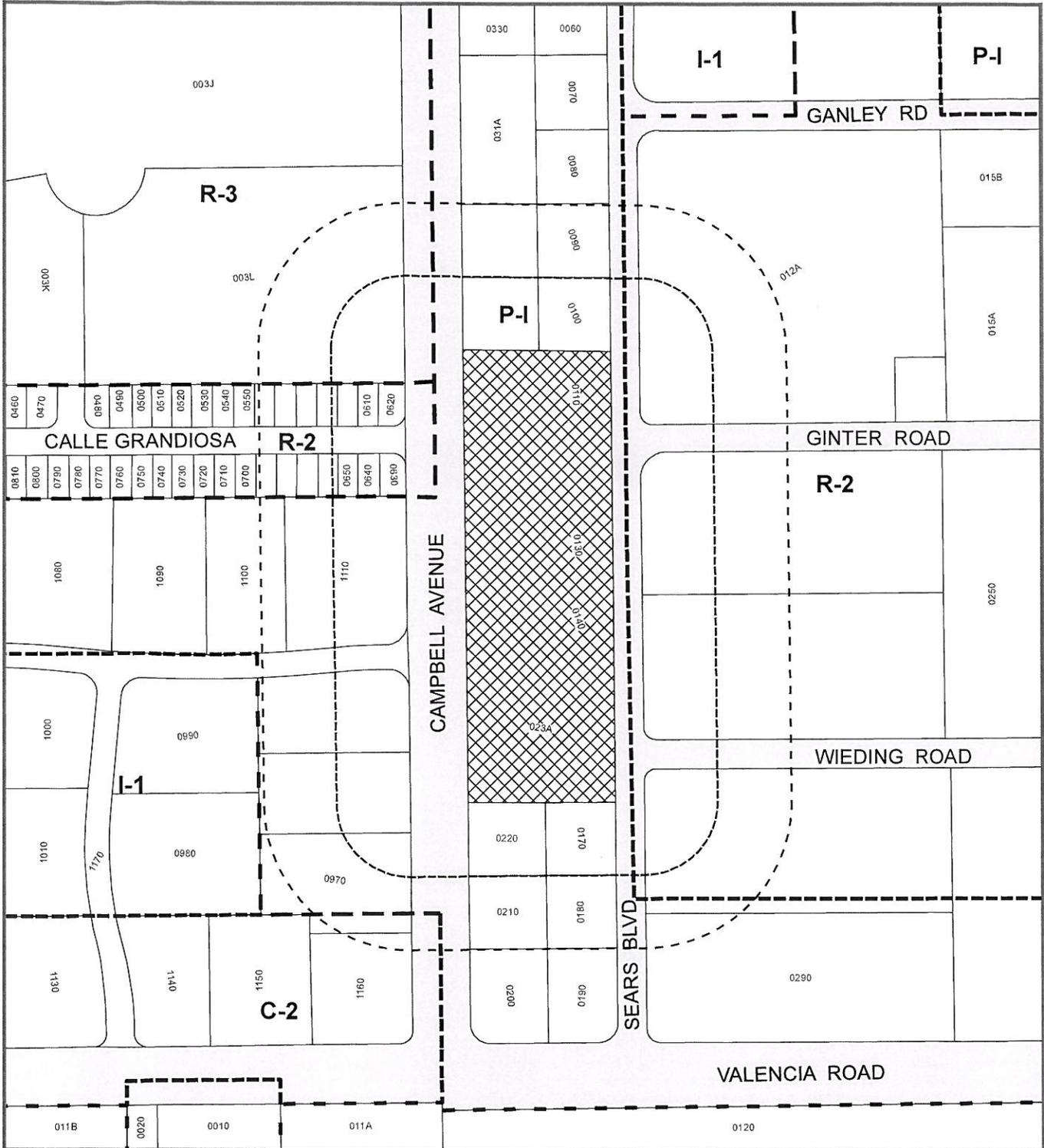
C9-13-11 Atlas Copco - Campbell Avenue  
2010 Aerial

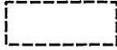
0 50 100 200 Feet  
1 inch = 200 feet



# C9-13-11 Atlas Copco - Campbell Avenue

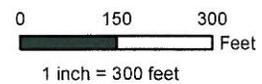
Rezoning Request: from P-I to I-1



-  Area of Rezoning Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: 6393 S. Campbell Avenue  
 Base Maps: Sec.08 T.15 R.14  
 Ward: 5



**PUBLIC FACILITIES AND SERVICES REPORT FOR SEPTEMBER 19, 2013**  
(as of December 27, 2013)

**C9-13-11 Atlas Copco – Campbell Avenue, P-I to I-1**

**CITY AGENCIES**

**Planning & Development Services – Community Design:** See attached comments dated November 25, 2013.  
**Transportation – Engineering:** See attached comments dated November 27, 2013.

**No Objections Noted**

**Transportation – Traffic Engineering**  
**Planning & Development Services – Engineering**  
**Planning & Development Services – Zoning Review**  
**Planning & Development Services – Sign Code**  
**Office of Conservation & Sustainable Development**  
**Tucson Fire Department**  
**Tucson Water Department**  
**Planning & Development Services – Zoning Enforcement**  
**Community Services – Historic Preservation Officer**  
**Environmental Services**  
**Tucson Parks and Recreation**  
**Tucson Police Department**  
**Planning & Development Services – Landscape**

**NON-CITY AGENCIES**

**No Objections Noted**

**PAG-TPD**  
**Pima County Wastewater**  
**Arizona Department of Transportation**  
**Pima County Transportation and Flood Control**  
**Pima County Parks and Recreation**  
**Davis-Monthan Air Force Base**  
**Tucson Electric Power**  
**Tucson Unified School District**

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, January 2, 2013 at [http://cms3.tucsonaz.gov/planning/prog\\_proj/projects/rezoning/index.html](http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html)



## Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing.

**Approvals and protests must have an owner’s signature to be recorded.**

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of ¾ of the Mayor and Council will be required to approve the rezoning ordinance.

**Case: C9-13-11 Atlas Copco – Campbell Avenue, P-I to I-1 zoning Ward #5**

\_\_\_\_\_  APPROVE the proposed rezoning.  
 I/We the undersigned property owners, wish to  PROTEST the proposed rezoning.

**Reason:**

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PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner’s Signature: \_\_\_\_\_ Date \_\_\_\_\_

Place  
Stamp  
Here

City of Tucson  
**Planning and Development Services Department**  
Rezoning Section  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

C9-13-11

Expose this flap - Affix stamp and return

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City of Tucson PMc  
Planning and Development Services  
Department -Rezoning Section  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210

C9-13-11  
IMPORTANT REZONING NOTICE ENCLOSED