



MEMORANDUM

DATE: May 1, 2020
For May 28, 2020 Hearing

TO: John Iurino
Zoning Examiner

FROM: Scott Clark, Director
Planning & Development Services

SUBJECT: REZONING: PLANNING & DEVELOPMENT SERVICES REPORT
ESTABLISHMENT OF ORIGINAL CITY ZONING
C15-20-02 Lucky Levin I, II, & III Annexation District, Kolb & Valencia
County SP to City PAD-26 (Ward 4)

Issue – This is a request by the City of Tucson to establish Original City Zoning on approximately 204.7 acres of land, consisting of twelve parcels, recently annexed by the City of Tucson. Establishment of Original City Zoning requires that the property be rezoned. The rezoning site is located on the east side of Kolb Road, south of Valencia Road, and north of the Union Pacific Railroad tracks (see Case Location Map). The property is mostly undeveloped other than a commercial warehousing use located near the southwest corner of the annexation district adjacent to the Union Pacific Railroad tracks.

ARS Title 9-471.L: “A city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.”

UDC 4.6: “The applicable zoning standards on land annexed into the City, unless otherwise stipulated in the annexation ordinance, shall continue to be the Pima County zoning standards applicable to the property prior to annexation until such time they are replaced by City standards. City zoning standards shall be placed on annexed land within six months of the date of annexation. Zoning standards, zones, overlay zones, and City Zoning Maps are extended to the annexed land in accordance with Section 3.4.4, Mayor and Council Special Exception Procedure.”

The established procedure is to “translate” the County Zoning in place before annexation, into the most appropriate City zoning classification. Lawful existing development will be allowed to continue. Property status regarding non-conforming uses and structures will be determined as needed on a case-by-case basis.

Applicant’s Request – Establish Original City Zoning for annexed parcels.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of PAD-26 zoning as the Original City Zoning, extension of the *Airport Environs Zone (AEZ)* overlay for Davis-Monthan Air Force Base, and designation of Kolb Road as an Arterial Gateway Route on the City of Tucson *Major Streets and Routes Plan*.

Background Information

Existing Land Use: Vacant undeveloped land and a warehousing facility.

Surrounding Zones and Land Uses:

North: Zoned PAD-26 (City); Vacant undeveloped land

South: Zoned RH and I-2 (City) and RH (Pima County); Vacant undeveloped land

West: Zoned PAD-26 (City); Vacant undeveloped land and warehousing/industrial storage

East: Zoned SR (City) and CI-2 (Pima County); Vacant undeveloped land and warehousing/industrial storage

Annexation History for PAD-26 – There have been three previous Original City Zoning cases on property located wholly or partially within Century Park Marketplace, PAD-26 (see attached Plan Area map showing cases):

C15-14-01 Century Park Marketplace Annexation District: County CI-1 and SP to City I-1 and PAD-26 for approximately 118 acres. Mayor and Council adopted Ordinance No. 11191, annexing the Century Park Marketplace Annexation District on August 5, 2014. The annexation became effective on September 4, 2014.

C15-18-07 Kolb and Valencia Annexation District: County SR, CB-1, CB-2, CI-1 and SP to City SR, C-1, C-2, I-1 and PAD-26 for approximately 53 acres. Mayor and Council adopted Ordinance No. 11593, annexing the Kolb and Valencia Annexation District on October 23, 2018. The annexation became effective on November 22, 2018.

C15-19-01 South Kolb Annexation District: County SP to City PAD-26 for approximately 91 acres. Mayor and Council adopted Ordinance No. 11666, annexing the South Kolb Valencia Annexation District on July 9, 2019. The annexation became effective on August 8, 2019.

Zoning Translations with Descriptions

County Zone	Zone Description	City Translation	Zone Description
SP	South Kolb Road Specific Plan	PAD-26	Planned Area Development
Airport Environs Zone	Noise Overlay Zone	Airport Environs Zone	AE Noise (NCD A & B)
Airport	Airport Height Overlay Zone	Airport	Airport Hazard District

Environs Zone		Environs Zone	
Airport Environs Zone	Approach Departure Corridor-2	Airport Environs Zone	ADC-2
Major Streets and Routes	Kolb Road: Medium Volume Arterial, 150' ROW	Major Streets and Routes	Kolb Road: Arterial Gateway, 150' ROW

Planning Considerations

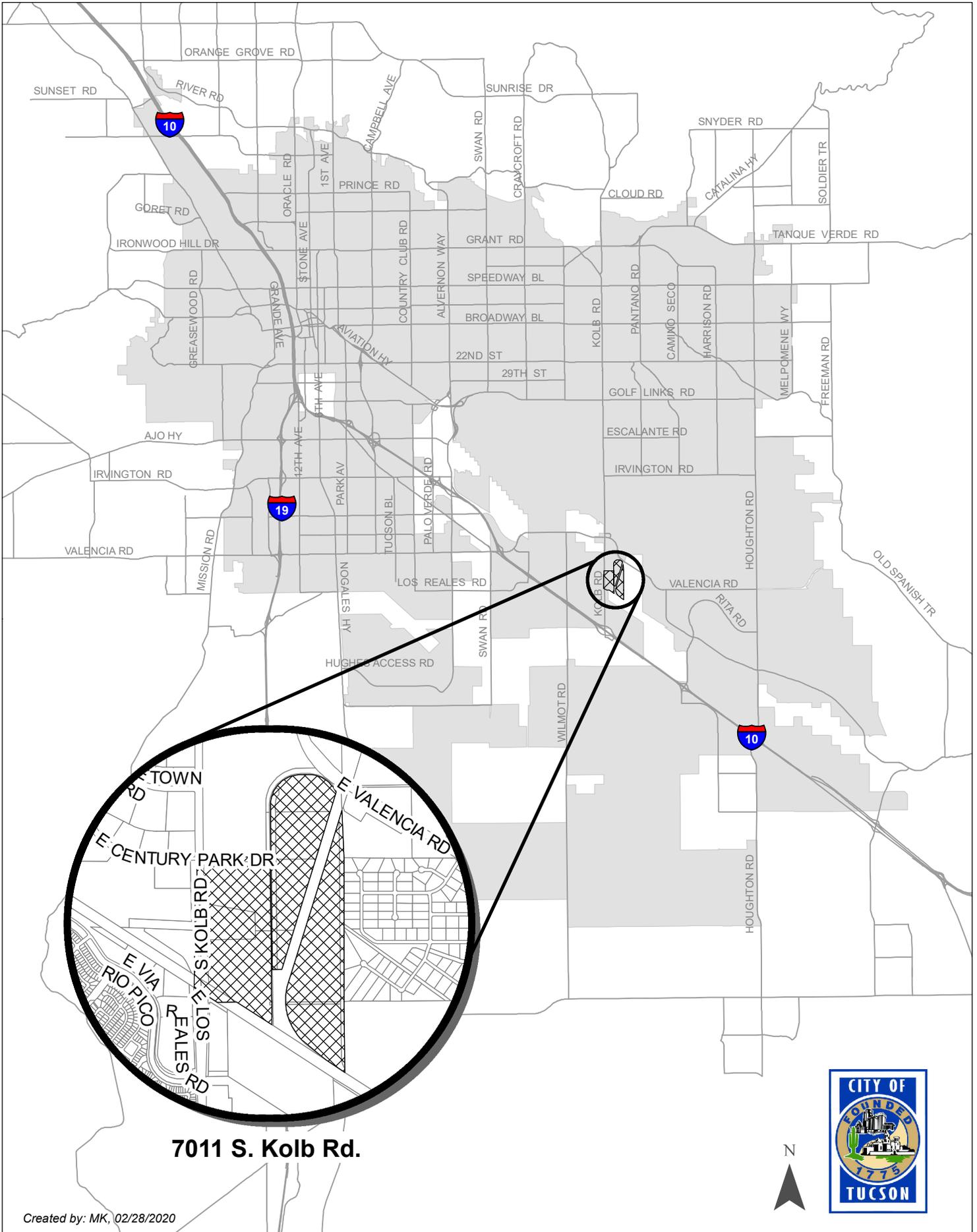
The proposed annexation district is located on the east side of Kolb Road approximately one mile south of the intersection of Kolb Road and Valencia Road, and 1-1/4 miles north of Interstate 10. Kolb Road is designated as an arterial Gateway Route on the City of Tucson *Major Streets and Routes Plan*, with a 150-foot right-of-way per the translation table above. The annexation district consists of twelve parcels, eleven of which are undeveloped. The most southwesterly parcel within the annexation district is partially developed with a warehousing facility. The request is the establishment of original city zoning from Pima County SP (South Kolb Road Specific Plan) to City of Tucson PAD-26 (Century Park Marketplace Planned Area Development).

The annexation site is within the boundaries of *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The request to establish original City zoning from Pima County zoning is consistent with *Plan Tucson* direction, which recognizes that the long-term prosperity and vitality of the city is focused on positive infrastructure expansion, and providing for a rational pattern of land development. *Plan Tucson* identifies the area as potential annexation land and supports the existing industrial zoning pattern and nearby industrial uses. *Plan Tucson* supports future development of the area that will contribute to Tucson’s overall economic vitality and community character. The *Rincon/Southeast Subregional Plan* reflects that industrial and park industrial planned land uses respond to existing development patterns within or adjacent to the I-10 corridor, including Davis-Monthan Air Force Base. The request provides an opportunity to annex to the City of Tucson an area that will contribute to the City’s future economic growth and job base.

The South Kolb Road Specific Plan calls for light industrial/warehouse uses within the annexation district, and translation to City Planned Area Development (Century Park Marketplace, PAD-26) is appropriate for the PAD, which allows industrial uses.

Conclusion – The establishment of original City zoning within the annexation district by translating from County SP to City PAD-26 zoning, is supported by the policies in *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The request will also classify Kolb Road as an arterial Gateway Route on the City of Tucson’s *Major Streets and Routes Plan* and extend those portions of the *Airport Environ Zone* lying within the annexation district. Approval of the proposed translation to establish Original City Zoning (OCZ) is appropriate.

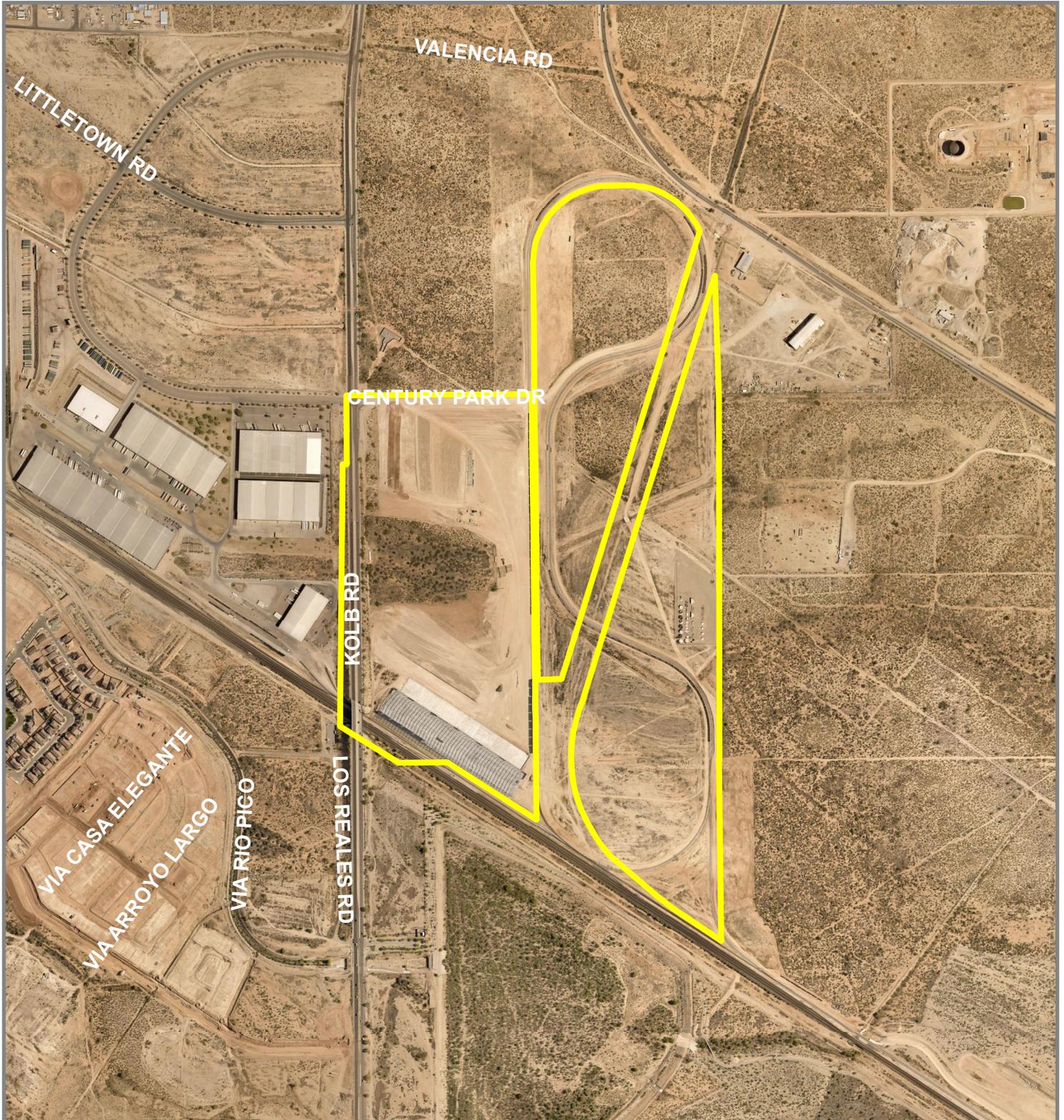
C15-20-02 - Original City Zoning Lucky Levin I, II, and III Annexation Districts



7011 S. Kolb Rd.



C15-20-02 - Original City Zoning
Lucky Levin I, II, and III Annexation Districts



 Area of Original City Zoning: SH to SH

Address: 7011 S. Kolb Rd.
Base Maps: Twp.15S Range 15E Sec. 17
Ward: 4



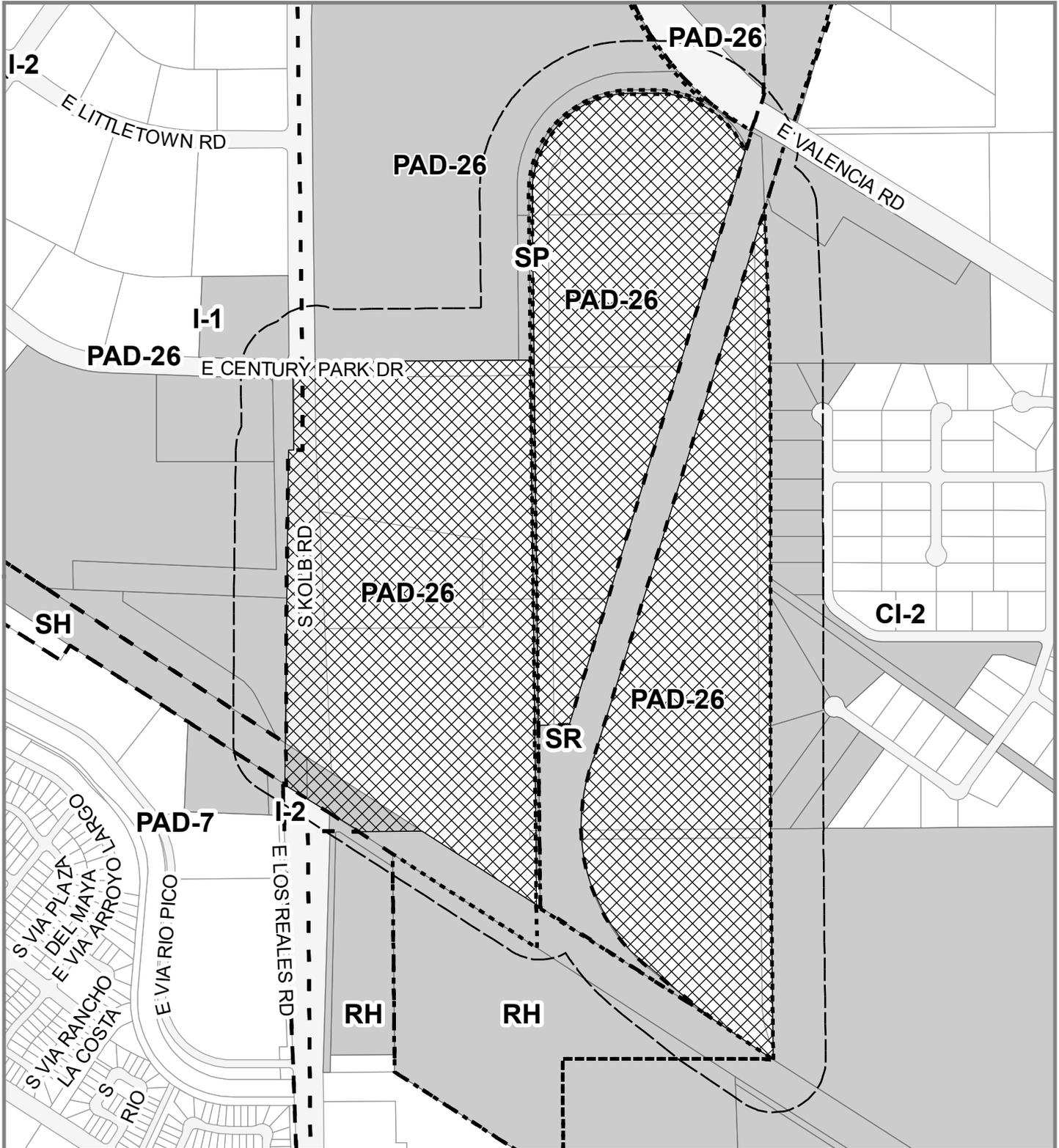
0 500 1,000 Feet

1 inch = 1,000 feet



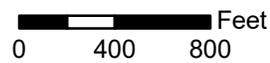
C15-20-02 - Original City Zoning

Lucky Levin I, II, and III Annexation Districts



- Area of Original City Zoning: SP to PAD-26
- Notification Area (300 ft. Radius)
- City of Tucson Zoning
- Pima County Zoning
- Properties Notified

Address: 7011 S. Kolb Rd.
 Base Maps: Twp. 15S Range 15E Sec. 17
 Ward: 4



1 inch = 800 feet



CITY OF TUCSON PUBLIC HEARING NOTICE

County Assessor records indicate that you are an owner of property located within, 300 feet of a parcel(s) that is being considered for a rezoning.

MEETING NOTE: Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at the local, state and federal levels, this meeting will be conducted using measures to protect public health. This meeting will be held remotely through technological means, as permitted under Arizona law. These measures are in place to limit the need for members of the public to participate in large public gatherings, while ensuring that the discussions, deliberations and actions of the Zoning Examiner are transparent and conducted openly.

IN-PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC WILL BE PROHIBITED.

The Zoning Examiner, on behalf of the Mayor and Council, conducts a public hearing and considers testimony for each rezoning in the City of Tucson. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

After the Public Hearing, the Zoning Examiner issues written reports with findings of fact and a recommendation. A preliminary report is issued five working days after the close of the public hearing. A final report is issued 14 days after the close of the public hearing and transmitted to the Mayor and Council. Any person may request a public hearing before Mayor and Council provided the written appeal is filed with the City Clerk within 14 days after the close of the Zoning Examiner's public hearing. The Mayor and Council make the final decision on all rezoning requests.

Please join the Zoning Examiner hearing from your computer, tablet, or smartphone. Members of the public may view, listen to, and participate in the hearing online at this location: <https://global.gotomeeting.com/join/827842853>

You can also dial in using your phone.

United States: +1 (872) 240-3212 Access Code: 827-842-853

If you encounter difficulty accessing the hearing please contact Dan Bursuck at 520-837-4984 or TucsonRezoning@tucsonaz.gov for technical assistance.

The public has the following options to provide comment to the Zoning Examiner:

- Members of the public may submit written comments prior to the hearing by sending an email to TucsonRezoning@tucsonaz.gov. The email should include the Zoning Examiner public hearing date, the case number or name, and your name. Written comments must be received no later than 5:00 pm Wednesday,

May 27, 2020.

- Individuals wishing to speak during the hearing may join the hearing via teleconference and should submit an email request to TucsonRezoning@tucsonaz.gov. Written requests should be received by no later than 5:00 pm Wednesday May 27, 2020. The email should include the Zoning Examiner public hearing date, your name, and the phone number you will use for the teleconference. The phone number provided will be used to identify the individual when/if being called upon to speak during the public hearing by the Zoning Examiner. Individuals wishing to speak but who did not submit a prior email request will be provided instructions by the Zoning Examiner at the time of the hearing on how to provide comments.

You may speak in favor or in opposition to the rezoning during the public hearing per the above. You may also submit a written approval or protest using the form which is attached for your convenience.

PUBLIC HEARING INFORMATION

Date: May 28, 2020

Time: 6:00 PM

Location: <https://global.gotomeeting.com/join/827842853> (online)
+1 (872) 240-3212 Access Code: 827-842-853 (teleconference)

APPLICANT

Mike Czechowski
Annexation Project Manager
City of Tucson
255 Alameda
Tucson, AZ 85701

PROPOSED REZONING

Case: C15-20-02-Lucky Levin I, II, and III Annexation District
Requested Zoning Change: Establish Original City Zoning Translate County SP to City PAD-26
Location: East side of Kolb Road, south of Valencia Road, and north of the Union Pacific Railroad tracks.
Proposed Development: : Future industrial, commercial and warehouse uses.

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Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: C15-20-02 – Lucky Levin I, II, and III Annexation District, translation of zoning from County SP to City PAD-26. (Ward 4).

Cambio de Zonificación Solicitada: Establecimiento de la zonificación de la ciudad original por la traducción de la zonificación del condado de Pima SP a la zonificación de la ciudad de Tucson PAD-26 por aproximadamente 204.7 acres recientemente anexados por la ciudad de Tucson.

Ubicación: Al lado este de la calle Kolb, al sur de la calle Valencia, en el lado norte de las vías del ferrocarril Union Pacific.

Desarrollo Propuesto: Futuros usos industriales, comerciales y de almacén.

Si usted desea este documento escrito en Español, por favor llame al número de teléfono: 791-5550

For further information, please call Peter McLaughlin at (520) 837-4898 or write to Planning & Development Services Department – Rezoning Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, AZ 85726.

ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Unified Development Code, Article 4, which can be found at <http://www.ci.tucson.az.us>)

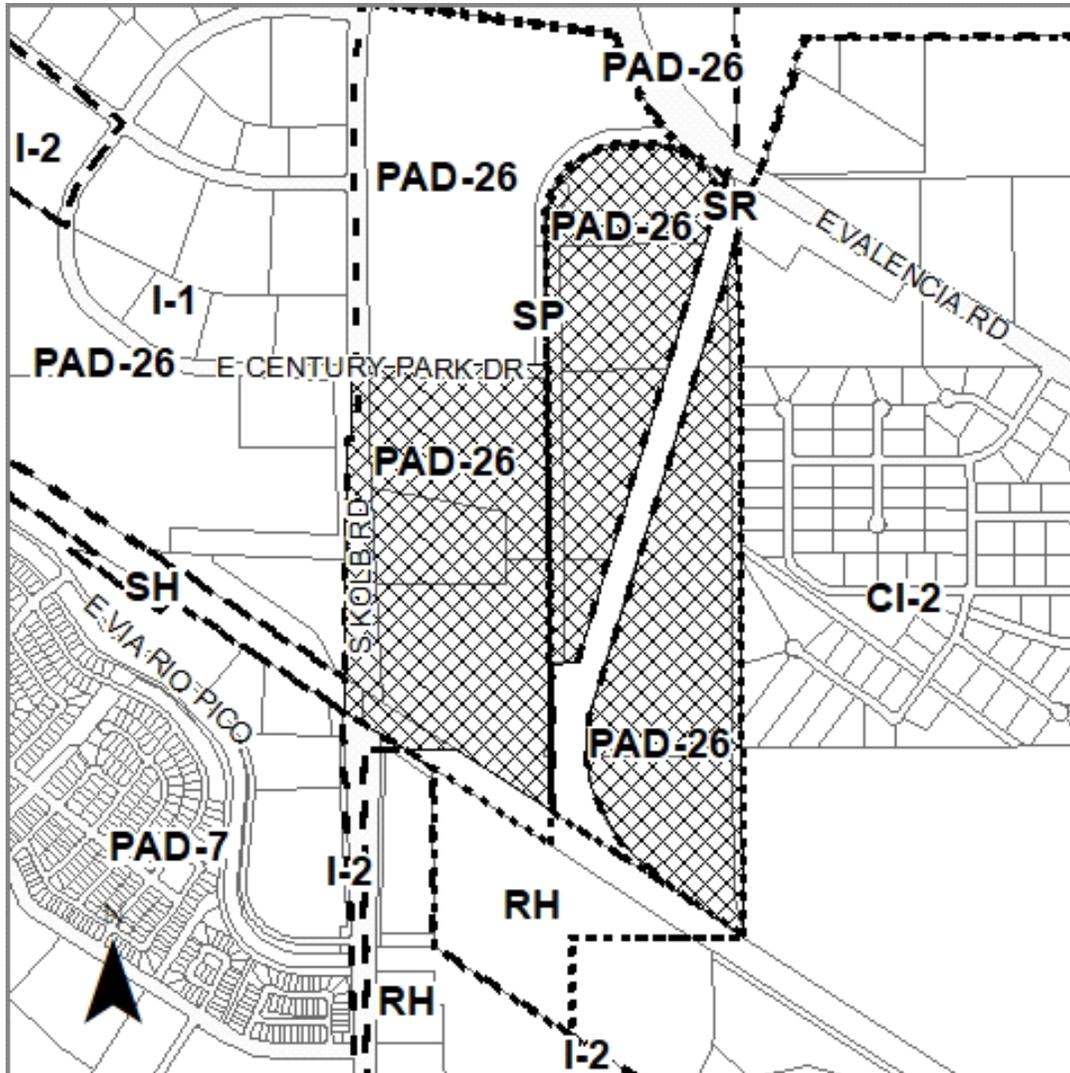
Current Zoning:

Pima County: Specific Plan (SP) A Specific Plan is a planning tool used to establish zoning regulations and uses on parcels of land providing versatile, orderly, cost effective, and environmentally sound land development regulations.

Proposed Zoning:

City of Tucson: Planned Area Development (PAD) The purpose of the Planned Area Development (PAD) [zone](#) is to enable and encourage comprehensively planned [development](#) in accordance with adopted plans and policies. The PAD is a zoning classification which provides for the establishment of [zoning districts](#) with distinct

standards. A PAD may have land use regulations different from the zoning regulations in the [UDC](#), any other PAD [District](#), or other [zoning districts](#).



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, May 13, 2020 at <https://www.tucsonaz.gov/pdsd/public-hearing-agenda-materials-rezoning-special-exceptions-original-city-zoning>

Place
Stamp
Here

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

C15-20-02

Expose this flap - Affix stamp and return



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

C15-20-02

IMPORTANT LAND USE CHANGE NOTICE ENCLOSED