



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

December 15, 2016

**C9-16-10 Chamberlain – Tucson Boulevard
R-1 to I-1**

BACKGROUND

This rezoning is a request by Dan Castro of Rick Engineering Company, Inc. on behalf of property owners Palice Kino LLC and Fen-Conn Partners LLP, to rezone approximately 2.9 acres from R-1 Residential to I-1 Light Industrial zoning.

The rezoning site is located on the northeast corner of Tucson Boulevard and Bilby Road, approximately 1400 feet east of Tucson Boulevard right-of-way. According to the Major Streets and Routes Map, Bilby Road is an arterial street with a future right-of-way of 64 feet.

The preliminary development plan (PDP) proposes a two-phase development on 2.9 acres, which is a portion of a larger 39-acre parcel. At build out, the site is proposed to contain a parking lot and a 15,000 square-foot, two-story warehouse building.

Phase I proposes the parking lot with access to Bilby Road. The parking lot will have 177 spaces and serve employees of the Chamberlain facility located north across Rodeo Wash. The parking lot will have perimeter screen walls, landscaping, detention/retention basin, a ten-foot wide pedestrian path along the Rodeo Wash southern boundary, with a pedestrian bridge spanning the Rodeo Wash at the southeast corner of the rezoning site.

Phase II will modify the parking lot by changing 59 spaces into the 15,000 square foot, two-story warehouse building. The building will be fifty feet in height, contain two loading zones and an outdoor open storage area. The site will provide pedestrian connectivity from the building to a sidewalk along Bilby Road and to the pedestrian path and pedestrian bridge associated with the proposed Rodeo Wash improvements.

The site is within the Tucson International Airport (AEZ), CUZ 2 overlay zone, which addresses buildable heights.

Plan Tucson and the *Kino Area Plan* provide policy direction for the rezoning site.

PUBLIC HEARING SUMMARY (Minutes Attached)

Zoning Examiner Hearing December 1, 2016

There were no written approvals or protests at the December 1, 2016 Zoning Examiner's public hearing. Only the applicant's representative spoke. The hearing was closed with the understanding that the representative and staff would finalize an adjustment to the condition regarding a pedestrian bridge. The adjusted condition is included in the recommended rezoning conditions. The applicant agrees with the special conditions.

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FINDINGS OF FACT

Surrounding Land Uses –

The subject property is currently vacant and zoned R-1. To the north and east is a manufacturing use zoned I-1 and P-I, to the south is a manufacturing use, single family residences and vacant land zoned I-1 and P-I, and to the west is vacant land zoned R-1.

Land Use Plans-

Plan Tucson and the *Kino Area Plan (KAP)* provide policy direction for the rezoning site. *Plan Tucson* requires sensitivity to the adjacent residential zone land.

Plan Tucson (PT): The proposed development is consistent with the applicable Land Use, Transportation, and Urban Design Policies (LT) of *Plan Tucson*, and the supporting Guidelines for Development Review. This rezoning site is identified in the Future Growth Scenario, Building Block, being within an existing neighborhood, which is primarily developed and largely built-out with a mix of residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to maintain the character of these neighborhoods, while accommodating some new development and redevelopment and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability. It supports public transit to serve employees especially for proposed large industrial facilities with high numbers of employees.

PT supports the development of industrial facility by having convenient access to highway, rail, or air services and routes. It supports environmentally sensitive design that protects the integrity of existing neighborhoods. *Plan Tucson* Guidelines also protect residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate non-residential land uses.

Kino Area Plan –The *KAP* calls out for the integration of appropriate industrial sites. Park industrial uses are appropriate within or adjacent to high-noise level areas as identified in the *Airport Environs Plan*.

The rezoning site is on the edge of an existing residential neighborhood and the industrial land use area located immediately north and east of the Tucson International Airport, which *KAP* encourages clean and attractive industrial developments.

Industrial development should be compatible with the noise impacts of the airport, and should not interfere with navigation aids, produce smoke emissions or excessive illumination, or allow above ground petroleum storage or explosives manufacturing, or attract birds or other hazards to aircraft.

Land Use Compatibility

The area north of the Tucson International Airport has a mix of park industrial, industrial and residential zones. Land north and northeast of the rezoning site is developed with Park Industrial and Light Industrial zone land uses, with warehouse and manufacturing businesses.

To address and mitigate noise, light, and outdoor open storage yard activities and visual impacts on adjacent (future development) residential zoned land and the Rodeo Wash, policy supports a six-foot wall along with a landscape buffering barrier on the western and northwest

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sides of the rezoning site and screening along the northern edge of the outdoor storage yard area. Industrial type fencing comprised of barbed wire or razor ribbon is prohibited. Walls visible from the right of way must be graffiti resistant.

The special conditions include during Phase I development to include a dedication of a 50' Non-motorized Trail Easement and construction of Greenway improvements as described in the current *Pima Regional Trails System Master Plan (PRTSMP)* along the Rodeo Wash. Other dimensions of a paved multi-use path and soft path are included.

Drainage/Grading/Vegetation – The site must comply with the Rainwater Harvesting Ordinance (Ord. No. 10957). The design shall promote proper drainage over time to minimize mosquito population. A landscape concept plan was not submitted as part of the rezoning application. The landscape plan should be designed to minimize the Urban Heat Island Effect.

Heat Island Mitigation –The special conditions require tree root zone have a minimum of 300 cubic feet (no deeper than 3 feet) of uncompacted (less than 90%) soil. Standards for greater compaction are also included as an alternative method.

Road Improvements/Vehicular Access/Circulation – The PDP reflects that the proposed parking lot will be accessed from Bilby Road with no additional vehicular access onto adjacent lands. According to the Major Streets and Routes Map, Bilby Road is an arterial street with a future right-of-way of 64 feet.

CONCLUSION

The proposal is consistent with *Plan Tucson* and the *Kino Area Plan*. The proposal is within the vicinity of the Tucson International Airport where the common land use development is light industrial and park industrial land uses. The recommended special conditions including the screening and pedestrian improvements mitigate the impact of the proposal. The rezoning is a compatible addition to the surrounding land uses.

RECOMMENDATION

The Zoning Examiner recommends approval of the rezoning subject to the recommended Planning and Development Services Department conditions.

Respectfully Submitted,



Jim Mazzocco, AICP
Zoning Examiner

ATTACHMENTS:

Public Hearing Minutes