



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

September 15, 2017
(Revised)

C9-17-09 El Rio Health Center – 22nd Street
R-2, C-3 & I-1 to C-2

BACKGROUND

This is a request by Matt Stuart of Cypress Civil Development, on behalf of the property owner, El Rio Neighborhood Health Center, Inc., to rezone approximately 7.58 acres from R-2, C-3 and I-1 to C-2 zoning to accommodate the relocation of a medical outpatient facility and a residential care facility.

Land use policy direction for this area is provided by the *Greater South Park Area Plan (GSPP)* and *Plan Tucson (PT)*. The rezoning site is located within a Mixed-Use Center as identified on the Future Growth Scenario Map of *Plan Tucson*.

PUBLIC HEARING SUMMARY (Minutes Attached)

At the Zoning Examiner’s Public Hearing held on August 31, 2017, Staff reported that they had received two (2) written approvals (off site) and no written protests. Mr. Matt Stuart, the Applicant, made a presentation which included a brief history of the project, a description of the neighboring properties and then gave a presented on the proposed project with a breakdown of the three (3) proposed phases. He concluded his presentation by stating that they agreed to the proposed preliminary conditions.

I asked the Applicant if they would be willing to accept an additional special condition proposed by Staff to provide additional canopy trees placed along the length of the sidewalk connecting the Phase 1 building and 22nd Street as well as moving the trees shown on the PDP closer to the sidewalk portions located between the two buildings proposed in Phases 1 and 2 as recommended in the PDS Staff Report. The Applicant agreed.

Furthermore, the Applicant agreed to an additional special condition which will require that all roof mounted mechanical equipment be adequately screened so that such equipment is not visible from the elevated Kino Blvd. roadway.

The Applicant also answered Staff’s question as to why the proposed Phase 1 two- story building was to be 40’ high as well as confirming that there would be no traffic allowed to exit the site on to the Kino Blvd. off ramp as originally proposed. Based on this, Staff agreed during prior meetings that the “No Vehicular Access Easement” originally required would no longer be required.

C9-17-09 El Rio Health Center – 22nd Street

Rezoning: R-2, C-3 & I-1 to C-2

One other person spoke in opposition to this case, Mr. Glenn Davis. He owns a house at 1432 S. Curtis Avenue which is located within the 300 foot notification area and appears to have been notified per the Applicants mailing list which was included with their application. During the hearing, Mr. Davis submitted 10 letters of protest along with his own documentation stating the nature of his protest. He also requested that I sign his copy of the document in order to confirm his submittal.

After reading all of the items submitted by Mr. Davis, the Zoning Examiner and Staff have determined that only 3 out of the 10 letters of protest were bonafide letters of protest. (Six of the submitted letters where not signed by the legal owner of the referenced properties, one did not include a legal address some appear to be duplicates with the same address.)

FINDINGS OF FACT

Existing and Surrounding Land Uses

Existing Land Use:

Vacant

The rezoning site is located at the southwest corner of 22nd Street and Cherrybell Stravenue Avenue, just east of the Kino Parkway overpass (see Case Location Map). The site is comprised of two vacant parcels bounded by the northbound Kino Boulevard off-ramp to the west, 22nd Street to the north, and Cherrybell Stravenue to the east. Surrounding development consists of a mix of industrial, commercial and residential land uses. Nearly the entire site is zoned R-2, with a very small portion in the northeast corner near the intersection of 22nd Street and Cherrybell Avenue zoned C-3, and another very small portion near the intersection of Cherry Avenue and Cherrybell Avenue zoned I-1.

The existing surrounding zoning and land uses are:

North: Zoned I-1; R-2, C-3, and I-1; various commercial and industrial uses

South: Zoned R-2; Residential single-family homes and duplexes

East: Zoned C-1 and I-1; various commercial and industrial uses, United States Post Office

West: Zoned R-2; Kino Parkway, vacant land

Land Use Plans

Land use policy direction for this area is provided by the *Greater South Park Area Plan (GSPP)* and *Plan Tucson (PT)*. The rezoning site is located within a Mixed-Use Center as identified on the Future Growth Scenario Map of *Plan Tucson*. Mixed-Use Centers combine a variety of housing options, retail, services, office, and public gathering places, located close to each other, providing occupants of the center and residents and workers in the surrounding neighborhoods with local access to goods and services. Public transit, bicycling, and walking will get priority in these areas, although cars will still play an important role. In this context, the proposed and existing industrial uses accommodate employment and support the mix of uses envisioned for the general area by *PT* on the Future Growth Scenario Map. *PT* policies support environmentally sensitive design that protects the integrity of existing

C9-17-09 El Rio Health Center – 22nd Street

Rezoning: R-2, C-3 & I-1 to C-2

neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. *PT* guidelines support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to the relevant site and architectural design guidelines. *PT* supports the retention and expansion of existing businesses and convenient public transit to serve employees.

The site is within Subarea 4 of the *Greater South Park Area Plan*. Subarea 4 contains a mixture of uses and zones and is located south of 22nd Street, east of Kino Boulevard alignment, north of Silverlake Road, and west of Campbell Avenue. Although the majority of land uses are commercial and industrial, there is also a small pocket of residential uses and zones in this subarea. Considering impacts of the Kino Boulevard alignment and previous rezoning approvals, this subarea appears to be transitioning to more commercial and industrial uses. The policy section of the *Greater South Park Area Plan*, Subarea 4 supports additional commercial and light industrial uses. Compatibility of industrial and commercial uses with existing uses, specifically residential uses, should be ensured by utilizing such elements as restricted hours of operation, screened or covered storage, noise buffers, and enhanced landscaping. The goal of the *GSPP* is to guide future development while protecting and improving existing neighborhoods. It calls for reducing the travel time and distance between home and work, reducing transportation costs and energy consumption. Commercial uses should be located in close proximity to major streets and transportation corridors, with adequate buffer areas to protect adjacent uses, prohibition of industrial traffic through residential areas, and access to existing or planned public transit routes. The *GSPP* promotes the availability of employment to people who are not able to expend the time or money necessary for a lengthy home-to-work trip. The proposed rezoning request to C-2 is supported by *PT* and *GSPP*.

DESIGN CONSIDERATIONS

Land Use Compatibility

Because of high visibility of the site and the proposed 40-foot tall buildings from the elevated Kino Parkway overpass, and the designation of Kino Parkway as a Gateway Route, Staff recommends that any rooftop mechanical equipment should be screened from view. Proposed view shed drawings provided in the Design Compatibility Report show a variety of architectural features and materials, with rooflines that include various angles, lines, and planes which provide visual interest.

Any perimeter masonry screen walls should incorporate a design treatment with two or more materials like stucco, tile, brick, or similar material, in a visually interesting pattern.

All development must be in substantial conformance with the Preliminary Development Plan. Minor changes may be considered. Major changes require an amendment approved by Mayor and Council.

Road Improvements, Vehicular & Pedestrian Traffic Circulation

On the Major Streets and Routes Plan map, Kino Parkway is identified as a Gateway arterial street with a 150-foot right-of-way and 22nd Street is designated a major arterial street with a

C9-17-09 El Rio Health Center – 22nd Street

Rezoning: R-2, C-3 & I-1 to C-2

120-foot cross section. Cherrybell Stravenue is classified as a collector street providing access to industrial and residential uses to the south, and 25th Street is a local street, which dead ends at Kino Parkway.

The project will have direct vehicular access at two points from Cherrybell Stravenue along the east side of the rezoning site, with the access drives being approximately 100 feet and 500 feet south of 22nd Street. There is no direct access from 22nd Street or from the Kino Boulevard off ramp.

Tucson Department of Transportation (TDOT) states that a bus pullout has already been provided in front of the parcel on 22nd Street and that a new bus shelter will be provided by TDOT as the project nears completion. The PDP depicts a pedestrian sidewalk of between 6 and 10 feet in width extending from the right-of-way along 22nd Street near the bus pullout towards the buildings. Staff recommends that canopy trees be planted near the sidewalks and along their length as shown on the PDP to provide shade for pedestrians and reduce the heat island effect.

CONCLUSION

The proposed rezoning is consistent with, and supported by the *Greater South Park Area Plan* and *Plan Tucson*, which support commercial development at this location. Subject to compliance with the attached preliminary conditions, approval of the requested C-2 zoning is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of the C-2 rezoning subject to the attached conditions.

Respectfully Submitted,



Steven C. Shell, Architect
Zoning Examiner

ATTACHMENTS:

Zoning Examiner Conditions
Public Hearing Minutes