MEMORANDUM

DATE: February 14, 2018
For March 1, 2018 Hearing

TO: Steven Shell
Zoning Examiner

FROM: Scott Clark
Planning & Development Services
Director

SUBJECT: REZONING: PLANNING & DEVELOPMENT SERVICES REPORT
C9-18-01 Partners on Fourth PAD – 4th Avenue and 8th Street
I-1 and C-3 to PAD zone (Ward 6)

Issue – This is a request by Thomas W. Warne, on behalf of the property owner, Partners on Fourth Investments, LLC, to rezone approximately 1.68 acres from I-1 and C-3 to Planned Area Development (PAD) zoning. The rezoning site is located in proximity to the southwest corner of 4th Avenue and 8th Street within the National Register Warehouse Historic District and the Infill Incentive District, Downtown Links Subdistrict; Warehouse Triangle Area and 4th Avenue Sub-Area (see Case Location Map). The proposed use includes market rate multi-story housing as well as commercial uses. The PAD concept plan proposes a development with building heights ranging from 30 feet adjacent to the 4th Avenue street frontage to 160 feet on the west half of the PAD.

The request to rezone to PAD, in lieu of utilizing the Infill Incentive District (IID) zoning option, is because:

- The IID zoning option specifically prohibits the demolition of contributing structures. The project includes the demolition of a substandard, contributing structure to the Warehouse Historic District.

- The maximum height allowed in the IID Fourth Avenue Sub-Area is 60 feet. The east half of the PAD located in the IID Fourth Avenue Sub-Area proposes maximum building heights of 30, 50 and 110 feet, to provide a consistent pedestrian environment along 4th Avenue and step back to greater heights away from the road frontage.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of Planned Area Development PAD zoning, subject to the attached Partners on Fourth PAD document.

Project

Project Description This is a redevelopment of a site consisting of a former warehouse constructed in 1917, which is a contributing building in the National Register District: Warehouse Historic District, with an adjacent non-contributing accessory structure and a surface parking lot. The proposed project includes the demolition of contributing and non-contributing structures, the vacation of a portion of Herbert Avenue and the consolidation of four parcels (including the vacated portion of Herbert Avenue) to create a single parcel that will incentivize mixed-use development. The contributing structure, the warehouse, is dilapidated, largely unsafe and vastly underutilized. It is not listed on National or Arizona Register of Historic places, nor is it designated as a City Historic Landmark. The City of Tucson Historic

Preservation Office has granted permission to demolish the structures, pending full, photographic documentation of the contributing warehouse. The documentation shall be reviewed and approved by the Historic Preservation Office prior to demolition.

The proposed buildings range in height from a maximum of 30 feet along the 4th Avenue street frontage, to 160 feet west of the Herbert Avenue alignment, on the west half of the PAD district. The PAD district is divided into four sections; A, B, C, and D. Each section provides development standards for heights, setbacks and uses for ground and upper floors of the buildings. The floor uses for buildings in Section A (west half of the PAD) will support commercial, retail and parking on the ground floor, while the upper floors will allow for residential or commercial uses. Section A allows for balconies above the fourth floor on the east facade of the building only. Sections B and C (center of the PAD) have maximum building heights of 110 feet and 50 feet respectively, and similarly allow for commercial, retail and parking on the ground floor with residential or commercial on the upper floors. Section D (4th Avenue street frontage) allows a maximum building height of 30 feet and supports commercial and retail services on the ground floor that encourage street level activity, with upper floors allowing for residential or commercial uses.

Parking will be single or multi-story level depending on geometry of the parking. Access is provided from Stevens Avenue which is a right-in, right-out only given it is a one-way (northbound) street. Full access is provided north of the site along 8th Street and to the east along 4th Avenue. A drop-off/pick-up area is also provided at the north portion of Section A to help encourage residents and visitors to utilize ride-share services.

Project Site Characteristics The PAD is a combination of four parcels including a vacated portion of Herbert Avenue (in progress) totaling approximately 1.68 acres. The site consists of a former warehouse constructed in 1917, which is a contributing building in the National Register District: Warehouse Historic District, with an adjacent non-contributing accessory structure and a surface parking lot. Both 4th Avenue and 8th Street are identified as local streets on the *Major Streets & Routes Plan*. The rezoning site has approximately 165 feet of frontage on 4th Avenue and approximately 190 feet of frontage along 8th Street. The Modern Street Car (MSC) route runs along 4th Avenue with a stop located just to the east of the site on 4th Avenue.

Existing Land Use: Bar and restaurant with parking

Surrounding Zones and Land Uses:

North: Zoned I-1 and C-3: Commercial
South: Zoned I-1 and C-3: Commercial
East: Zoned I-1 and C-3: Commercial and Residential
West: Zoned I-1: Commercial

Related Cases:

C9-16-13 Trinity Presbyterian Church PAD (H) – University Boulevard and 4th Avenue, C-3 to R-3 to PAD (H) zone This was a rezoning request for approximately 2.79 acres located at the southeast corner of University Boulevard and 4th Avenue within the West University National Register Historic District and the West University Historic Preservation Zone to allow for an adaptive re-use of the Trinity site with the renovation of the church and a new mixed-use project that will include market rate housing, office, and retail uses in two new buildings. The request to rezone to a PAD zone was appropriate given that the IID

required new buildings to maintain existing heights in the HPZ development zone. On February 22, 2017, Mayor and Council adopted Ordinance 11437, and this rezoning was effectuated on March 22, 2017.

Zoning Descriptions:

Existing
Light Industrial Zone (I-1) – This zone provides for industrial uses that do not have offensive characteristics in addition to land uses permitted in more restrictive nonresidential zones. Select other agriculture, civic, commercial, industrial, retail, storage, utility, and wholesaling uses may also be permitted.

Commercial Zone (C-3) – This zone provides for mid-rise development of general commercial uses that serve the community and region, located downtown or in other major activity center areas. Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

Proposed
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 polices. The PAD is a zoning classification which provides for the establishment of zoning districts with distinct standards to provide regulatory clarity for future development.

Planned Area Development Zone
The PAD consists of a single zoning district based on modified provisions of OCR-2 zoning and the Infill Incentive District Overlay. The land uses listed are those permitted within the OCR-2 zone with the following exceptions: (Not Permitted) Restricted Adult Activities, Medical Marijuana Uses, Gun Shop, Pawn Shop, Trade Service and Repair, Manufacturing, Primary Manufacturing, Residential Care Services, Group Dwelling (See Part III, 2.B). The PAD provides maximum and minimum building heights for specific sections and identifies uses appropriate for ground and upper floors of the buildings (See Part III, 3.B.). The PAD's parking strategy is based on Urban Land Institute (ULI) best practices and strategies which encourages bicycle and mass transit use. A reduction in parking from UDC requirements is allowed in the PAD given its proximity to the MSC and as a mixed-use project consisting of residential, commercial and retail uses. Parking reductions are considered minor amendments to the PAD (See Part III, 1.1).

Signage and wayfinding will conform to the Unified Development Code as indicated in the PAD document and shall be compatible with signage along 4th Avenue. The document also encourages signage to visually enhance the streetscape and improve wayfinding for pedestrian connections on and off the site.

The PAD document provides a design review process for compliance with the PAD's development standards that is conducted by the Infill Incentive District (IID) Design Review Committee (DRC). Prior to proceeding with the design review process, the project, including building facades will be reviewed by the Tucson-Pima County Historical Commission Plans Review Subcommittee to ensure the development is compatible with the National Register listed and eligible buildings in the area. Minor amendments that include exterior modifications to any building are also subject to review by the Tucson-Pima County Historical Commission Plans Review Subcommittee. Prior to the submittal of a development package, the applicant is required to work with the City of Tucson Historic Preservation Office in assisting eligible properties currently listed as non-contributors in the Warehouse Historic District to qualify as contributors and/or finance the relocation of historic streetlights from along 6th Street to locations on 6th Avenue.

Transportation and Circulation - The site is located within the boundary of a Pima Association of Governments (PAG) downtown study which found that upon completion of the Downtown Links project it would not be necessary, nor feasible to increase road capacity (widen roads or intersections) in the downtown area because of impacts to existing property/land uses and the unreasonable costs involved. As a result, the LOS (Level of Service) analysis along with a formal Traffic Impact Analysis (TIA) is not required. However, the TIA provided includes important data that focuses on access, modes of transportation and neighborhood circulation. It also includes the combined trip generations not only from this project, but a similar project planned in the area as well (see attached Traffic Impact Analysis).

The study provides a comparison between existing and proposed uses. It is estimated that the proposed uses of the site are more likely to generate fewer trips than the existing bar uses. The project is expected to generate between 83 and 118 new weekday AM peak hour trips, between 2 and 62 new weekday PM peak hour trips, and between 105 and 171 Saturday peak hour trips. The majority of the traffic is expected to travel north, either along 6th Street or along the new Downtown Links corridor which is expected to be completed before this project is developed. However, some may travel south to the downtown area or to 9th Street to connect to Euclid Avenue. Based on the trip distribution in the study, this could result in 9 new weekday peak hour trips and up to 8 Saturday peak hour trips along 9th Street in the Iron Horse neighborhood. As a result of the potential increase in traffic through the neighborhood from the PAD district, the owner/developer agree to provide a study of the neighborhood by conducting counts at the same locations upon completion of the project. Due to the PAG study findings, the study will not include LOS evaluations, however, owner/developer has committed to providing $25,000 to the Ironhorse Neighborhood and/or the City of Tucson to use at their discretion to invest in addressing any neighborhood traffic issues.

The PAD district is located in both a pedestrian and transit oriented area. Access to the streetcar and Tugo bicycles (City of Tucson Bike Share Program) adjacent to the site will minimize the use of single-occupant vehicle trips. The study also recommends the PAD district provide pick-up/drop-off areas to encourage the use of ride-share programs as well.

Plan Compliance – Land use policy direction for this area is provided by *Plan Tucson* and *University Area Plan.*

Plan Tucson - The proposed rezoning site is identified in *Plan Tucson* (*PT*) as being within the "Downtown" category, which is a vital pedestrian-oriented urban area that provides higher-density housing, retail, art and culture, and entertainment for its residents and those of greater Tucson. The goal is to develop a node that will contribute to downtown as a regional employment and administrative center. *PT* supports redevelopment downtown, including the demolition of substandard structures, which allows for the assemblage of parcels for activity center or node development. It encourages special zoning districts, such as Planned Area Developments (PAD) or overlay districts, as a way to foster mixed-use activity nodes, pedestrian and multi-modal oriented development areas, and pedestrian-oriented districts in areas suitable for redevelopment or enhancement.

University Area Plan - The *University Area Plan (UAP)* recognizes the nature and potential of the University and its immediate surroundings as a relatively compact, pedestrian-oriented, regional activity center, and works to strengthen the identity and quality of this area consistent with city-wide and

neighborhood goals. *UAP* supports carefully designed and located mixed use developments as a viable means to integrate housing, employment, shopping, and related activities in a relatively compact pedestrian-oriented area, consistent with regional activity center policy.

The *UAP* policy supports projects that design and locate public and private parking facilities so as to mitigate traffic and visual impacts; and encourages the continued development of the Modern Street Car (MSC) connections between activity centers.

UAP mixed use development policies support development in relatively compact pedestrian-oriented areas, adjacent to regional activity centers such as Downtown. Traffic should be directed away from interior of residential neighborhoods. New development should demonstrate sensitivity to surrounding uses and compatible in massing / scale of projects utilizing building materials, architectural style and ornamentation, setbacks, step-backs, and variation in building height or mass to complement the scale and character of surrounding development and reduce the appearance of excessive height and bulk.

Public Participation A neighborhood meeting was held on January 3, 2018 with twenty attendees present. Concerns that were discussed included bulk reduction of buildings, traffic, parking and ingress/egress, building heights, street level uses, building facades and balconies (see attached Neighborhood Concessions Summary). In response, the PAD addresses the following:

- The PAD provides "Building Articulation" standards to address bulk reduction.
- Parking is provided with access to and from 8th Street and Stevens Avenue as suggested.
- Setbacks along 4th Avenue will retain the same standard of 0 feet or the prevailing historic setback as provided in the IID 4th Avenue Sub-Area.
- The PAD provides the requested maximum building heights of 30 and 50 feet stepped back from 4th Avenue and minimum buildings heights to encourage other than frame construction for larger buildings.
- The TIA provided for this project estimates the amount of trips the project will generate and how much is expected to travel through the neighborhood. The PAD provides a promise to calm traffic where needed and if appropriate.
- The PAD provides language regarding the curb line and width of the sidewalk to help maintain the historic appearance on the PAD's west façade along Stevens Avenue
- The PAD provides language to ensure the new building façade along Stevens Avenue maintains an appearance similar to that of the original building
- Opportunities for open space and landscaped "indents" for permeability in the building masses is provided in the PAD.
- The east façade of Section A will prohibit balconies below the fifth floor.
- The PAD identifies the appropriate "Floor Uses" for each building section.

Summary The proposed rezoning site is located at the southern end of 4th Avenue, within the Warehouse Historic District and just before entering Downtown. The MSC route runs adjacent to the proposed rezoning site. Both *Plan Tucson* and the *University Area Plan* support carefully designed mixed use development with density in appropriate locations that will support the MSC and enhance the Fourth Avenue district, and Downtown.

PT supports redevelopment downtown and encourages special zoning districts, such as Planned Area Developments (PAD) as a way to foster mixed-use activity nodes, pedestrian and multi-modal oriented

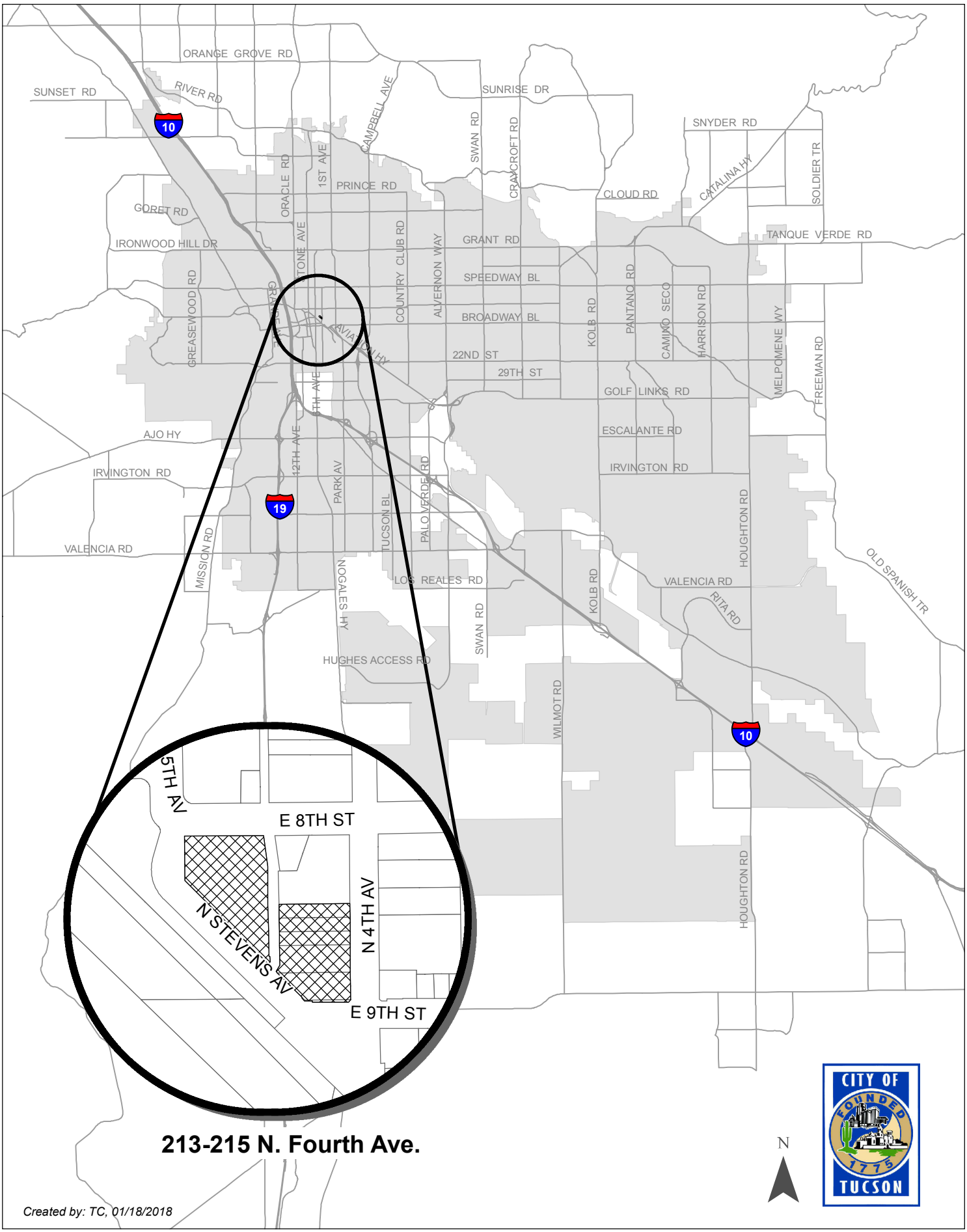
development areas, and pedestrian-oriented districts in areas suitable for redevelopment or enhancement. The purpose of the Planned Area Development (PAD) zone is to enable and encourage comprehensively planned development in accordance with adopted plans and polices. The PAD document is written in a manner that incorporates standards from the Infill Incentive District Overlay and OCR-2 zoning to create a single document to provide regulatory clarity and flexibility for future development. The PAD provides a mix of land uses, massing and density that is needed to meet to these policies; a pedestrian system linked to public sidewalk system; and encourages alternate modes of transportation.

The PAD district is divided into four sections (A, B, C, and D) and provides standards for each section that address building heights, setbacks, stepbacks and pop-outs to ensure massing and scale are compatible with the Fourth Avenue district. Along 4th Avenue the height and massing is 30 feet with a more pedestrian-level façade and experience, with height extending to 160 feet along Stevens Avenue closer to the railroad and Downtown. The PAD document calls out for commercial activity to be located at street level and connected to the public sidewalk system.

The PAD document requires that the project's design is sensitive to the historic character of 4th Avenue through architecture, building articulations and pedestrian oriented streetscapes while providing for urban activation of street frontage along 4th Avenue with public open spaces onsite. Façade design is subject to review by the Tucson-Pima County Historical Commission Plans Review Subcommittee. The PAD document provides for mitigation efforts given the demolition and loss of the contributing warehouse by requiring the developer to assist in getting eligible properties currently listed as non-contributors to the Tucson Warehouse National Register District to qualify as contributors; and/or financing of the relocation of historic streetlights from locations along 6th Street where they will be displaced by the Downtown Links Project to locations along 6th Avenue.

Conclusion – The request to rezone the site to a PAD zoning is consistent with *Plan Tucson* and *University Area Plan* which recognize this site as appropriate for a mixed-use project consisting of residential and commercial/retail uses. A plan amendment is not required. No additional conditions are recommended for the Partners on Fourth PAD. Approval of the requested Partners on Fourth PAD is appropriate.

C9-18-01
Partners on Fourth - PAD-33

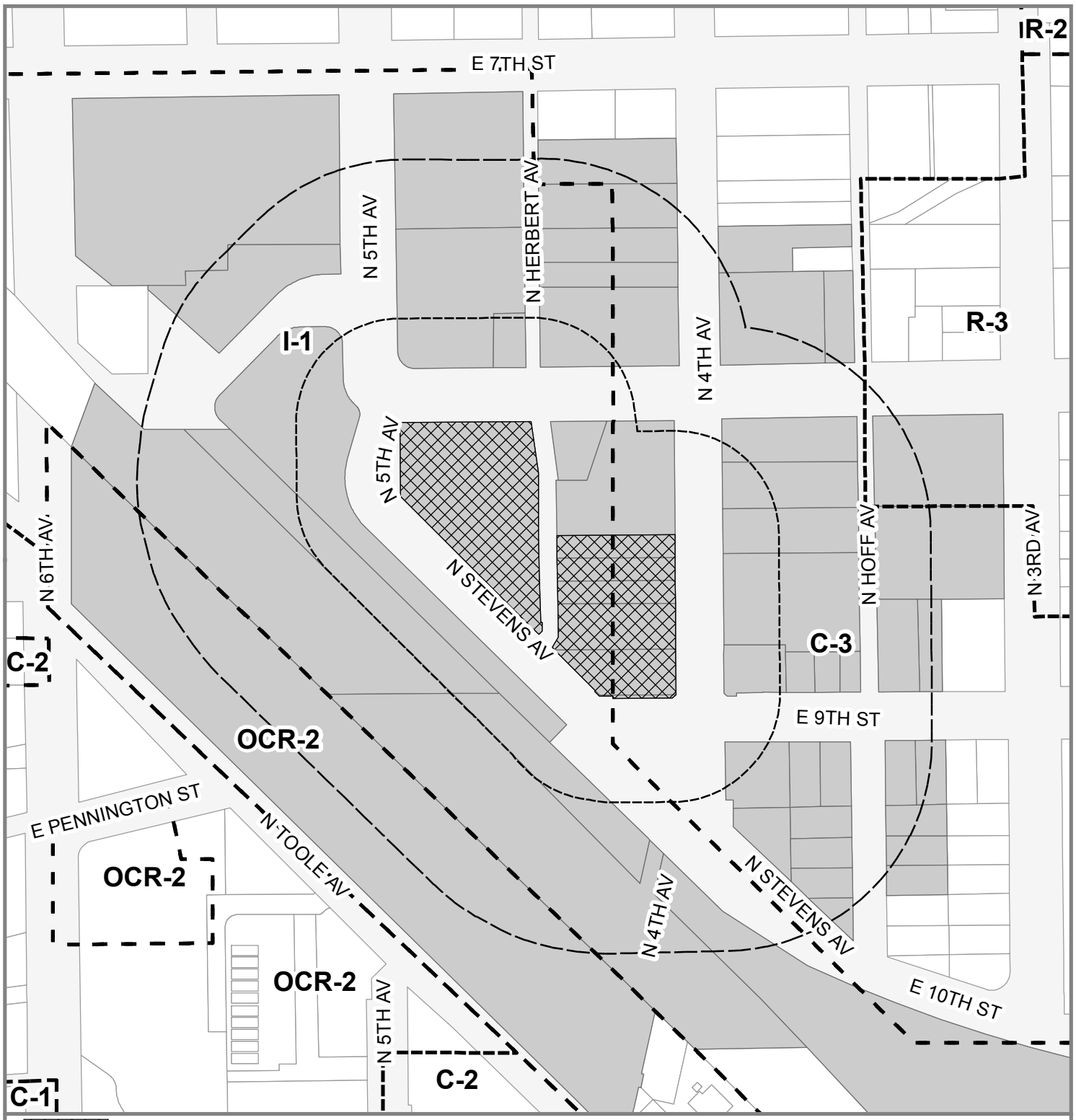


213-215 N. Fourth Ave.

Created by: TC, 01/18/2018

C9-18-01 - Partners on Fourth

Rezoning Request: from I-1 and C-3 to PAD-33



Area of Rezoning Request

Notification Area (300-foot Radius)

Protest Area (150-foot Radius)

Properties Notified

Zone Boundaries

Address: 213-215 N. 4th Ave
Base Maps: Twp. 14S R. 13E Sec. 12
Ward: 6

0 100 200 Feet

1 inch = 200 feet

N

Created by: TC, 01/18/2018

C9-18-01
Partners on Fourth - PAD-33

Area of Rezoning Request

Address: 213-215 N. 4th Ave.
Base Maps: Twp.14S Range13E Sec. 12
Ward: 6

0 100 200 Feet
1 inch = 200 feet

N

Created by: TC, 01/18/2018

C9-18-01 Partners on 4th Avenue – Planned Area Development (PAD) Zone

Planned Area Development rezoning cases do not have a separate Facilities report because all staff reviews and comments are incorporated into the PAD document submitted for the rezoning case.

To view the PAD document:

(1) Go to https://www.tucsonaz.gov/PRO/pdsd

(2) Click "Activity Search" in upper left corner.

(3) Enter C9-18-01 in Activity Number Box and click "Search"

(4) Select Partners on Fourth PAD 1-11-18. Pdf (Click blue eye to far right of screen)

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 <u>must</u> have an owner's signature to be recorded.

If there are protests from 20% of the property owners within 150' of the whole perimeter of the property being rezoned, including BOTH 20% of the property by area and 20% of the number of lots with 150', then an affirmative vote of ¾ of the Mayor and Council (5 of 7 council members) will be required to approve the rezoning ordinance or Mayor and Council Special Exception. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations

Case: C9-18-01 Partners on 4th Avenue PAD, C-3 & I-1 to PAD
Ward 6

_____
I/We the undersigned property owners, wish to

☐ APPROVE the proposed rezoning.
☐ PROTEST the proposed rezoning.

Reason:

_____

_____

_____

_____

_____

_____

_____

_____

_____

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

Owner's Signature: _____ Date _____

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Place
Stamp
Here

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

msp
C9-18-01

Expose this flap - Affix stamp and return

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

msp
C9-18-01
IMPORTANT REZONING NOTICE ENCLOSED

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