



Preliminary Report

August 27, 2020

**CITY OF
TUCSON**

Office of the
Zoning Examiner

Paul Oland
Paradigm Land Design LLC
7900 N. Oracle Road #178-193
Tucson, AZ 85704

SUBJECT: C9-20-07 Dorsett – Ajo Way, R-1 to C-2 (Ward 5)
Public Hearing: August 20, 2020

Dear Mr. Oland:

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case C9-20-07 Dorsett – Ajo Way, R-1 to C-2 (Ward 5).

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing. The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This is a request by Paul Oland of Paradigm Land Design LLC, on behalf of the property owner, John Dorsett of W. M. Grace Company, to rezone two parcels comprising approximately 8.5 acres from R-1 to C-2 zoning. The rezoning site is located on the south side of Ajo Way, approximately 1,000 feet east of Kino Parkway, just west of Kino Sports Complex, and just north of Interstate 10 (see Case Location Map). The preliminary development plan (PDP) proposes a retail commercial subdivision comprised of six parcels, with four restaurant pad spaces, and two retail pad spaces, including a fueling station at the northwest corner of the rezoning site. The proposal includes

landscaping, parking, pedestrian circulation, stormwater basins, and cross access within the site, with three of the six commercial pads having drive-through lanes. Maximum proposed building heights are 40 feet as allowed in the C-2 zone.

Background Information

Existing Land Use: Undeveloped

Zoning Descriptions:

Existing: Residence Zone (R-1) – This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment. Certain other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

Proposed: Commercial Zone (C-2) – This zone provides for general commercial uses that serve the community and region. Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned R-1 & I-1; Pima County Juvenile Court, fuel station and retail uses across Ajo Way

South: Zoned PAD-18; Interstate 10, undeveloped land (future Kino Campus PAD)

East: Zoned PAD-18; Tucson Diversion Channel tributary to Julian Wash, Kino Sports Complex

West: Zoned R-1 and R-2; Interstate 10 offramp, undeveloped land

Planning Considerations

Land use policy direction for this area is provided by the *Kino Area Plan* and *Plan Tucson*. *Plan Tucson* guidelines support the location of employment, retail and services in proximity to each other to allow easy access and reduce dependence on car travel, and support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines. *Plan Tucson* also supports strategically located mixed-use activity centers and activity nodes in order to increase transit use, reduce air pollution, improve delivery of services, and create inviting places to live, work, and play, while protecting established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate non-residential land uses. *Plan Tucson* policies also promote quality and safety in design, compatibility with and adequate buffering of surrounding development, the planting and management of healthy, attractive urban vegetation, and the conservation and enhancement of environmentally sensitive habitat. Urban heat island effects should be mitigated by expanding and maintaining a healthy drought-tolerant low-water use urban forest. New development

should utilize solutions and strategies included in the Design Guidelines Manual to provide an improved level of community design.

The proposed site is within an area identified in *Plan Tucson* as “Existing Neighborhood”, which are primarily developed, largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to protect and maintain the character of the neighborhood by accommodating new, compatible development, and encouraging reinvestment and new services as area amenities. *Plan Tucson* also encourages context-sensitive community design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of adjacent streets.

The rezoning site is located within *Kino Area Plan*. A sub-goal of commercial policies with *Kino Area Plan* is to provide for an adequate amount and appropriate arrangement of commercial development. Commercial Policy 1 states that the City should promote a variety of commercial activity centers within *Kino Area Plan* to accommodate future regional, community, and neighborhood commercial needs. Policies generally support a mix of commercial, office, and residential uses along Ajo Way, and along Kino Parkway near I-10. The *Kino Area Plan* also calls for treatment along the Julian Wash to incorporate recreation facilities, including a shared-use trail to provide connectivity with the recreation facilities located at Ajo Way and Country Club Road, and to maintain and improve access for users west of Kino Parkway, and reinforces and supports the regional trail network along the Julian Wash. This rezoning is consistent with those policies.

Design Considerations

Land Use Compatibility

Plan Tucson emphasizes design compatibility of new projects with adjacent land uses. The applicant is proposing a commercial center with retail and food service land uses. This type of development on existing vacant land meets the infill and mixed-used goals outlined in *Plan Tucson*. Proposed uses include restaurants and retail shops, including a fueling station, with building heights up to 40 feet.

To the north of the site, across Ajo Way, is the Pima County Juvenile Court, zoned R-1, and to the northwest are retail commercial uses, zoned I-1. Immediately to the east of the site is the Tucson Diversion Channel, which flows into the nearby Julian Wash corridor, and the Kino Sport Complex, zoned PAD-18. A 12-foot wide landscaped area along the east property line, adjacent to the Tucson Diversion Channel, is requested by Tucson Parks and Recreation to provide a buffer for the Tucson Loop recreational trail, in compliance with *Kino Area Plan* and *Plan Tucson* policies. Adjacent to the south of the rezoning site is Interstate 10 with vacant land just beyond, which is part of the future Kino Campus PAD, zoned PAD-18. Immediately west of the site is the Interstate 10 eastbound offramp, with undeveloped land beyond, zoned R-1 and R-2 up to Kino Parkway.

Road Improvements/Vehicular Access/Pedestrian Circulation

The site is immediately adjacent to Ajo Way and in very close proximity to Kino Parkway and Interstate 10, with easy access to the nearby Kino Sports Complex, downtown Tucson, the University of Arizona, the Tucson International Airport, and Davis Monthan Air Force Base. Ajo Way is designated as an arterial street with a planned right-of-way of 120 feet and Kino Parkway, located approximately 1,000 feet to the west of the site, is classified as arterial Gateway Route on the *Major Streets and Routes Plan (MS&RP)*.

According to the PDP, dated August 17, 2020, direct vehicular ingress/egress to the rezoning site will be by way of two points along Ajo Way. The westernmost access point is limited to right-in/right-out only due to the existing median within Ajo Way. The main vehicle access point, located near the northeast corner of the site will have access to and from both directions along Ajo Way due to an existing median opening at this location.

A traffic impact statement was concluded on May 28, 2020. Suggested improvements included reconstruction of the raised median between the Ajo Way/Kino connection/Interstate 10 ramps intersection to maximize the storage lengths for the left turn lanes on each side of the raised median island, and extension of the westbound left turn lane on Ajo Way on the approach to the east driveway. In addition, The City of Tucson Department of Transportation (TDOT) Traffic Engineering Division Extend will require extension of the existing bus bay located at the west driveway entrance as depicted in the bus bay standard detail within the City of Tucson Transportation's access management guidelines. The applicant shall coordinate any required bus stop improvements with TDOT.

The traffic impact statement states that the proposed commercial development is anticipated to generate approximately 7,329 average new daily vehicle trips. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 8,754 vehicle trips per day.

There is a 10-foot wide paved multi-use path located along the Tucson Diversion Channel adjacent to the southeast property boundary of the project. This path is part of the Tucson Loop trail and connects the Ed Pastor Environmental Restoration Project and the Kino Sports Complex to the Julian Wash Greenway just to the south of Interstate-10. Pima County Parks and Recreation recommends a 12-foot on-site buffer area with landscaping along this southeast edge of the rezoning site adjacent to the Loop Trail as shown on the preliminary development plan, dated August 17, 2020. The applicant has agreed to do this.

August 20, 2020 Zoning Examiner Hearing

The Applicant's representative spoke in support of the proposed rezoning at the August 20, 2020 public hearing. No other person spoke.

As of the date of the public hearing, there were no (0) written approvals and no (0) written protests.

Conclusion

The proposed rezoning of the site from R-1 to C-2 is appropriate for this location, is compatible with both existing and future surrounding land uses and is in compliance with the *Kino Area Plan* and *Plan Tucson*. Subject to compliance with the preliminary conditions proposed by PDSD, approval of the requested C-2 zoning is recommended.

Recommendation

The Zoning Examiner recommends approval of the C-2 zoning, subject to the preliminary conditions proposed by PDSD.

Sincerely,



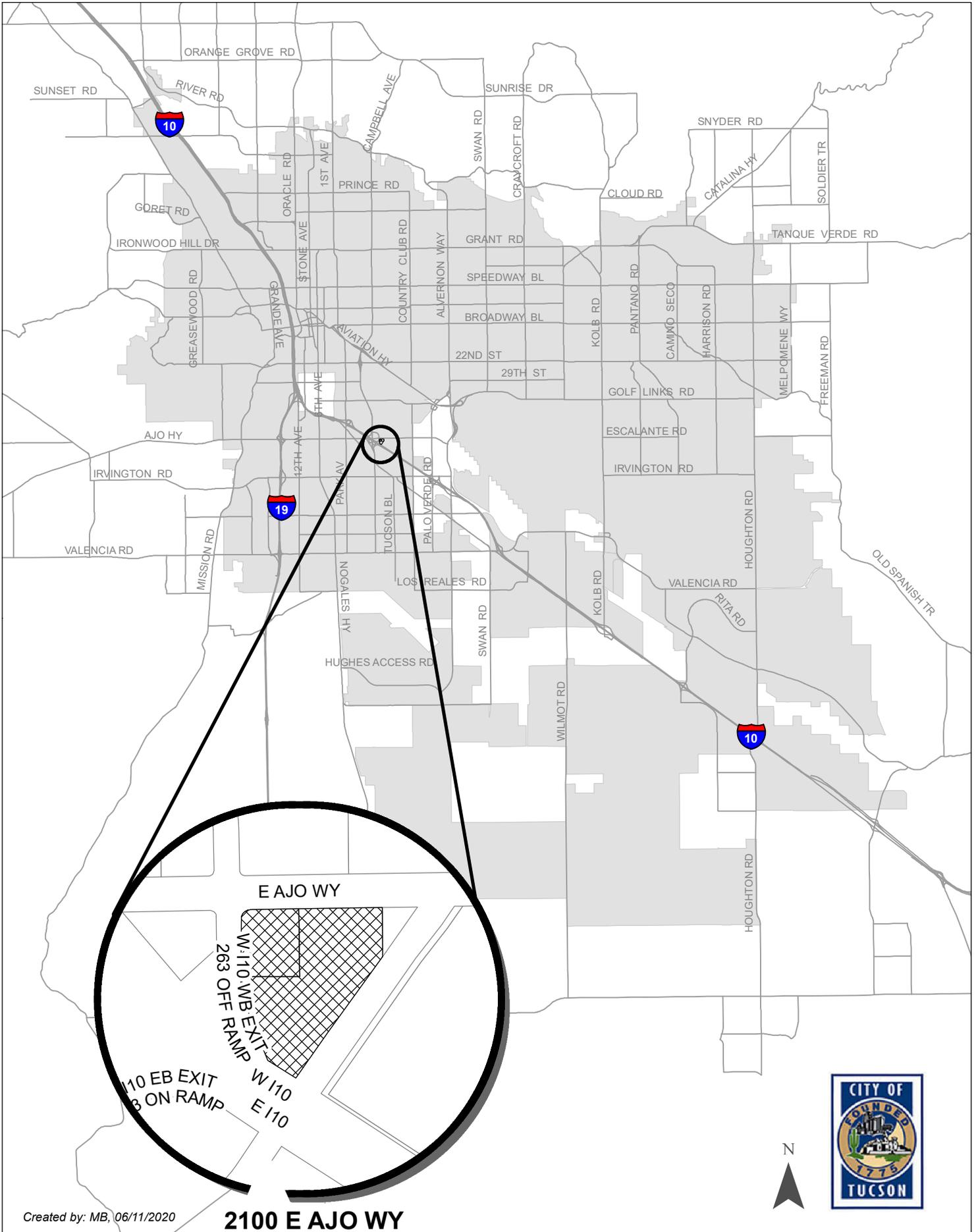
John Iurino
Zoning Examiner

ATTACHMENTS:

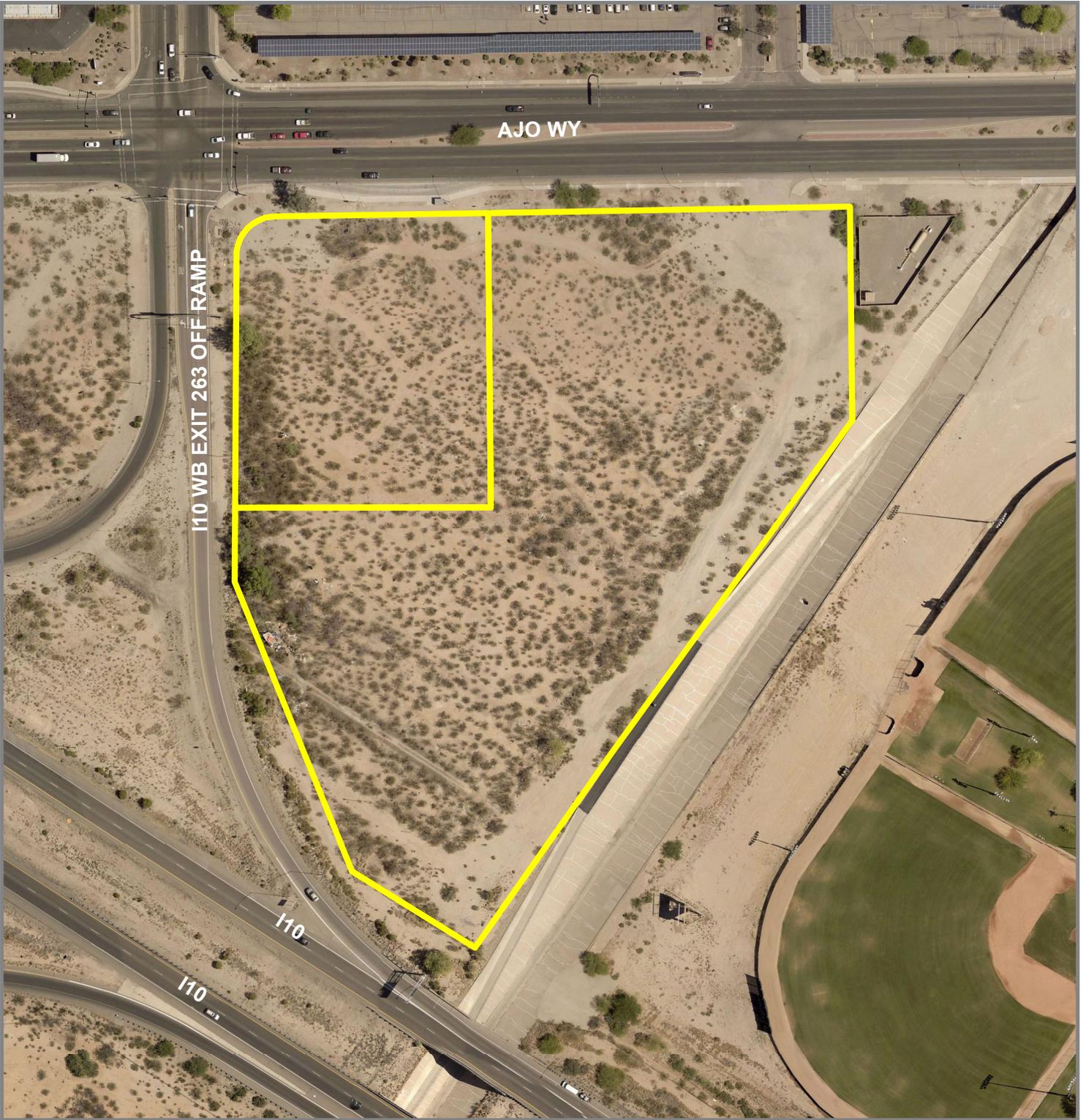
Case Location Map
Rezoning Case Map

Cc: Mayor and Council

C9-20-07 Dorsett - Ajo Way Rezoning Request: From R-1 to C-2



C9-20-07 Dorsett - Ajo Way
Rezoning Request: From R-1 to C-2



 Area of Rezoning (R-1 to C-2)

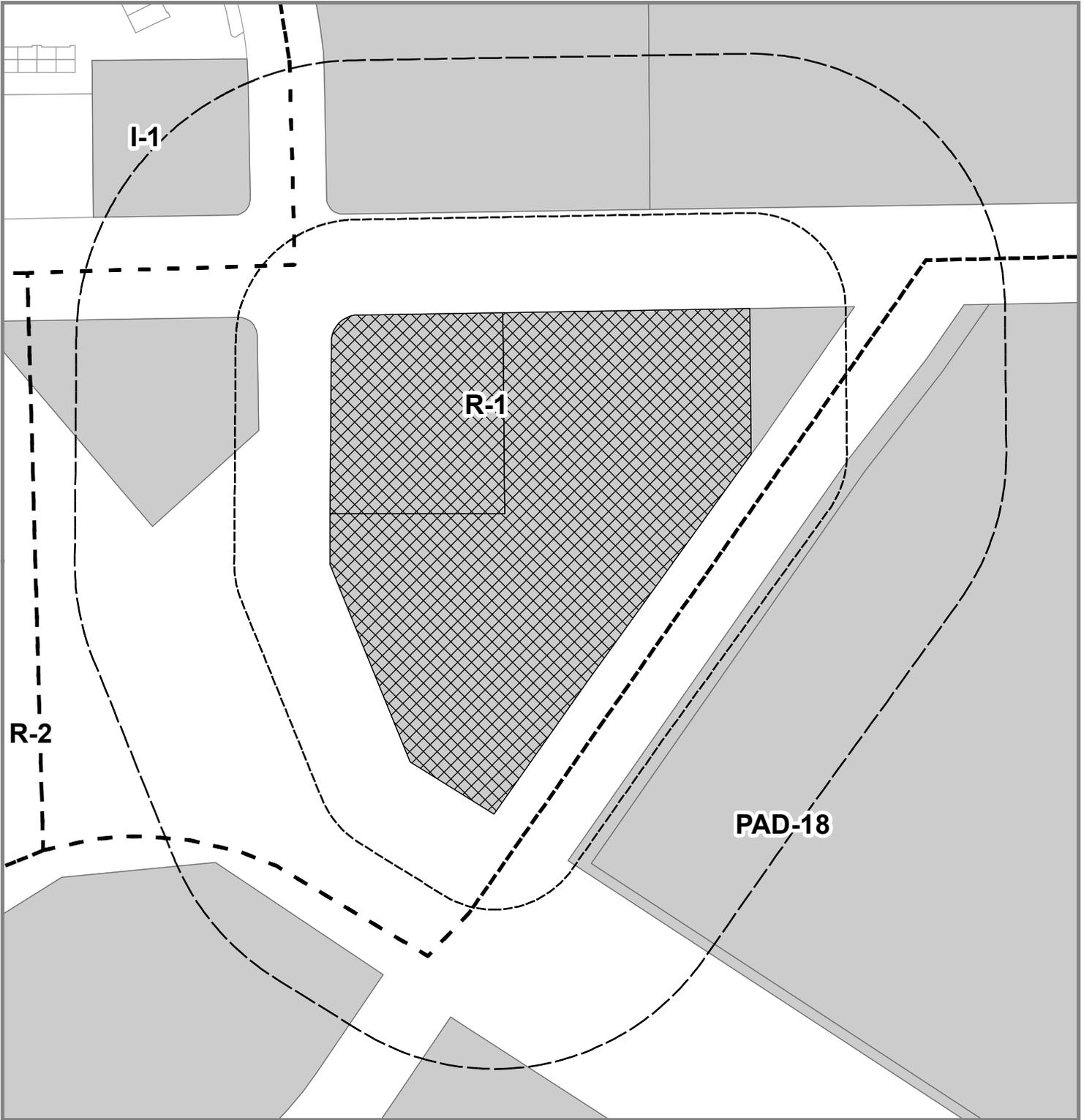
Address: 2100 E AJO WY
Base Maps: Twp.14S Range 14E Sec. 32
Ward: 5

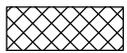
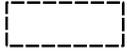
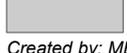


0 75 150 Feet
1 inch = 149.619391 feet



C9-20-07 Dorsett - Ajo Way
Rezoning Request: From R-1 to C-2

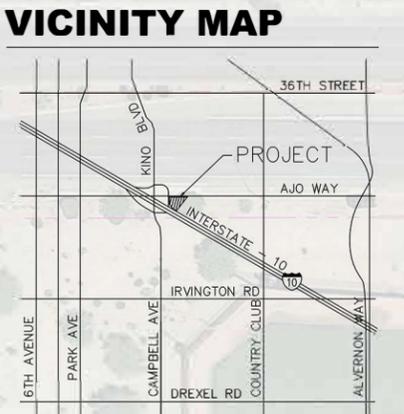
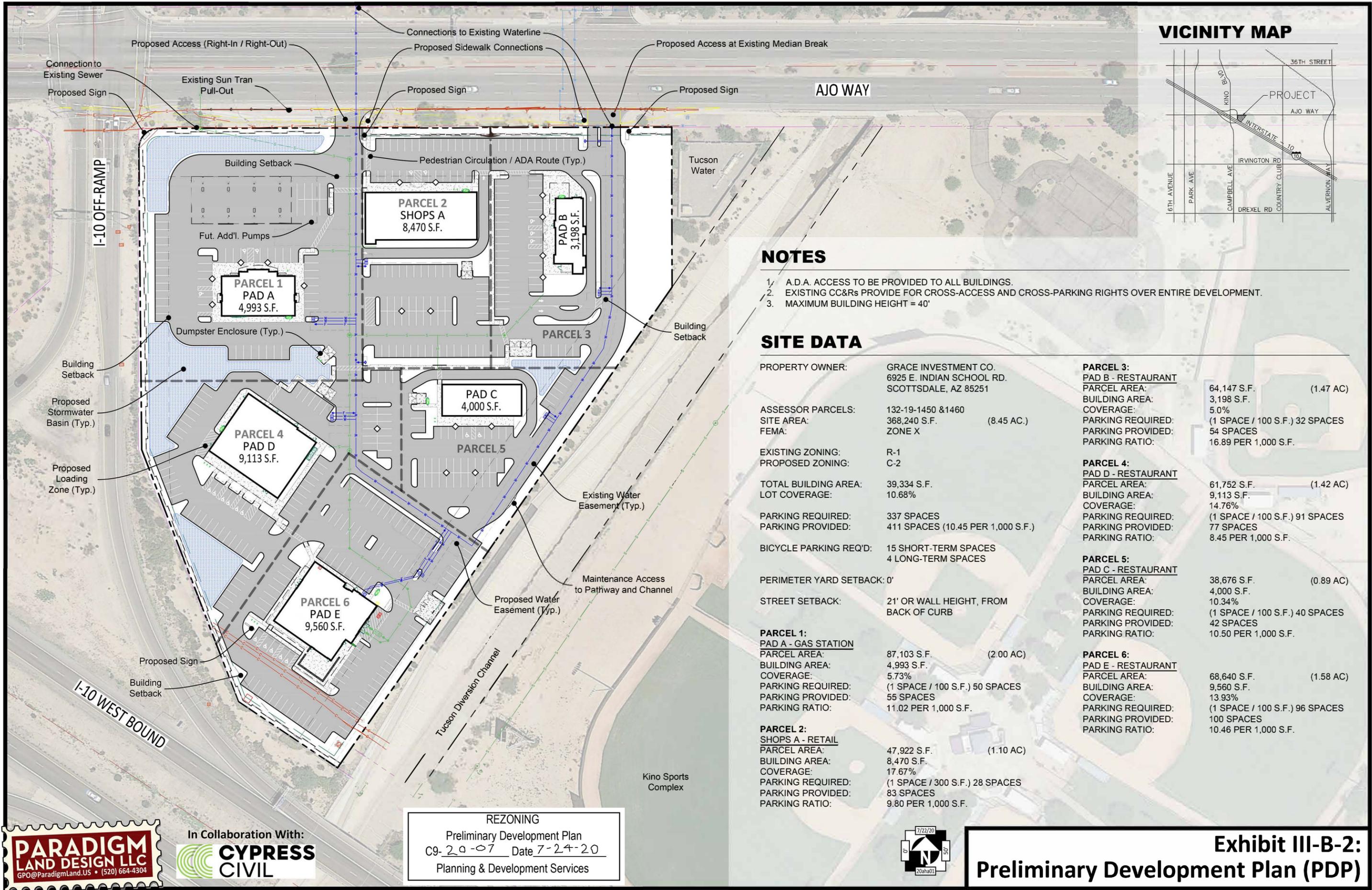


-  Area of Rezoning (R-1 to C-2)
-  Protest Area (150 ft. Radius)
-  Notification Area (400 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: 2100 E AJO WY
Base Maps: Twp. 14S R. 14E Sec. 32
Ward: 5

0 110 220 Feet
1 inch = 219 feet





NOTES

1. A.D.A. ACCESS TO BE PROVIDED TO ALL BUILDINGS.
2. EXISTING CC&RS PROVIDE FOR CROSS-ACCESS AND CROSS-PARKING RIGHTS OVER ENTIRE DEVELOPMENT.
3. MAXIMUM BUILDING HEIGHT = 40'

SITE DATA

PROPERTY OWNER:	GRACE INVESTMENT CO. 6925 E. INDIAN SCHOOL RD. SCOTTSDALE, AZ 85251	PARCEL 3: PAD B - RESTAURANT	64,147 S.F. (1.47 AC) 3,198 S.F. BUILDING AREA 5.0% COVERAGE (1 SPACE / 100 S.F.) 32 SPACES PARKING REQUIRED 54 SPACES PARKING PROVIDED 16.89 PER 1,000 S.F. PARKING RATIO
ASSESSOR PARCELS:	132-19-1450 & 1460	PARCEL 4: PAD D - RESTAURANT	61,752 S.F. (1.42 AC) 9,113 S.F. BUILDING AREA 14.76% COVERAGE (1 SPACE / 100 S.F.) 91 SPACES PARKING REQUIRED 77 SPACES PARKING PROVIDED 8.45 PER 1,000 S.F. PARKING RATIO
SITE AREA:	368,240 S.F. (8.45 AC.)	PARCEL 5: PAD C - RESTAURANT	38,676 S.F. (0.89 AC) 4,000 S.F. BUILDING AREA 10.34% COVERAGE (1 SPACE / 100 S.F.) 40 SPACES PARKING REQUIRED 42 SPACES PARKING PROVIDED 10.50 PER 1,000 S.F. PARKING RATIO
FEMA:	ZONE X	PARCEL 6: PAD E - RESTAURANT	68,640 S.F. (1.58 AC) 9,560 S.F. BUILDING AREA 13.93% COVERAGE (1 SPACE / 100 S.F.) 96 SPACES PARKING REQUIRED 100 SPACES PARKING PROVIDED 10.46 PER 1,000 S.F. PARKING RATIO
EXISTING ZONING:	R-1	PARCEL 1: PAD A - GAS STATION	87,103 S.F. (2.00 AC) 4,993 S.F. BUILDING AREA 5.73% COVERAGE (1 SPACE / 100 S.F.) 50 SPACES PARKING REQUIRED 55 SPACES PARKING PROVIDED 11.02 PER 1,000 S.F. PARKING RATIO
PROPOSED ZONING:	C-2	PARCEL 2: SHOPS A - RETAIL	47,922 S.F. (1.10 AC) 8,470 S.F. BUILDING AREA 17.67% COVERAGE (1 SPACE / 300 S.F.) 28 SPACES PARKING REQUIRED 83 SPACES PARKING PROVIDED 9.80 PER 1,000 S.F. PARKING RATIO
TOTAL BUILDING AREA:	39,334 S.F.		
LOT COVERAGE:	10.68%		
PARKING REQUIRED:	337 SPACES		
PARKING PROVIDED:	411 SPACES (10.45 PER 1,000 S.F.)		
BICYCLE PARKING REQ'D:	15 SHORT-TERM SPACES 4 LONG-TERM SPACES		
PERIMETER YARD SETBACK:	0'		
STREET SETBACK:	21' OR WALL HEIGHT, FROM BACK OF CURB		

REZONING
 Preliminary Development Plan
 C9-20-07 Date 7-24-20
 Planning & Development Services



**Exhibit III-B-2:
 Preliminary Development Plan (PDP)**

"G:\Projects\20ah 2100 E Ajo Way\A01\0230\Site Analysis\Exh III-B-2 PDP.dwg"