



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

May 31, 2018

C9-16-04 Irvington Commercial Center PAD-29, Major Change (Ward 1)

BACKGROUND

This is a request by Thomas Sayler-Brown, of SBBL Architecture and Planning, on behalf of the property owner, Irvington Interstate Partners, LLC, to change the PAD boundary and area by adding two new parcels which are currently owned by the City of Tucson, approximately 2 acres, into the Irvington Commercial Center PAD-29 District.

The applicant is proposing to utilize the additional parcels for parking or uses as currently permitted by the PAD.

This request is determined to be a major change and is processed in accordance with UDC, Section 3.5.3 Zoning Examiner Legislative Procedure.

PAD-29 is located just west of Interstate I-19 at the northwest area of Interstate I-19 and Irvington Road. (Refer Case Location Map).

PUBLIC HEARING SUMMARY (Minutes Attached)

At the May 17, 2018 public hearing, Planning and Development Services staff reported that there were two (2) written approvals and no written protests.

The applicant spoke on behalf of the proposed amendment and stated that he did not have anything to add to staff's recommendation.

I asked the applicant if the new added parcels were going to be used strictly for parking as suggested in the traffic study or will they include other retail and commercial uses as allowed in the PAD. He told me that the south parcel was probably going to be used solely for parking since there are several easements crossing this parcel. The north parcel may be developed with a commercial building or parking; however, it was difficult to anticipate at this time.

Seeing and hearing that there were no other people wanting to speak on this matter, I closed the public hearing and stated that I would have my preliminary report completed within five (5) working days of this public hearing.

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FINDINGS OF FACT

Existing and Surrounding Land Uses

Existing Land Use:

R-1; COT Water Department TARP Facility

The existing surrounding zoning and land uses are:

North: Zoned R-1; single family residential

South: Zoned C-2: commercial

East: Zoned C-1, R-1; I-19 ROW*

West: Zoned R-1; Santa Cruz River

* Note that I-19 abuts the eastern boundary of the rezoning site and separates the land uses to the east.

Land Use Plans

Policy direction is provided by *Plan Tucson*, and the *Santa Cruz Area Plan (SCAP)*. The original PAD request was determined to be in compliance with these Plans, and did not require a plan amendment. The inclusion of these two parcels does not require a plan amendment.

Planned Area Development (PAD)

Definition of a 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.

Proposed PAD Amendment

The project site is located along Irvington Road and adjacent to I-19. The approved PAD-29 site is approximately 63 acres and with the inclusion of the two parcels will expand to approximately 65 acres. The new Parcels will follow the requirements outlined in PAD-29, with Parcel "C" incorporated into Development Area 3, and Parcel "D" incorporated into Development Area 5. Revisions have been made to Exhibits 1, 2, 3, 4, 5, 6, 7, 8, and 9 to include these two parcel on the western half of the PAD District. No other changes have been made to the PAD requirements or text.

Project Description

The applicant is proposing to change the PAD boundary and area by adding two new parcels, approximately 2 acres, into the Irvington Commercial Center PAD-29 District. This would take the approved PAD District from 63 acres to 65 acres. The parcels to be added are currently vacant land north and south of the Tucson Airport Remediation Project (TARP)

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plant on the west side of the PAD District. Parcel "C" is located south of the TARP plant, and is approximately 0.48 acres; Parcel "D" is located north of the TARP plant and is approximately 1.64 acres.

CONCLUSION

The request to rezone the site to a PAD is consistent with *Plan Tucson* and *Santa Cruz Area Plan* policy direction. A plan amendment is not required. No additional conditions are recommended for the Irvington Commercial Center PAD-29.

RECOMMENDATION

The Zoning Examiner recommends **approval** of the major amendment to the Irvington Commercial Center PAD-29.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'S. Shell', written in a cursive style.

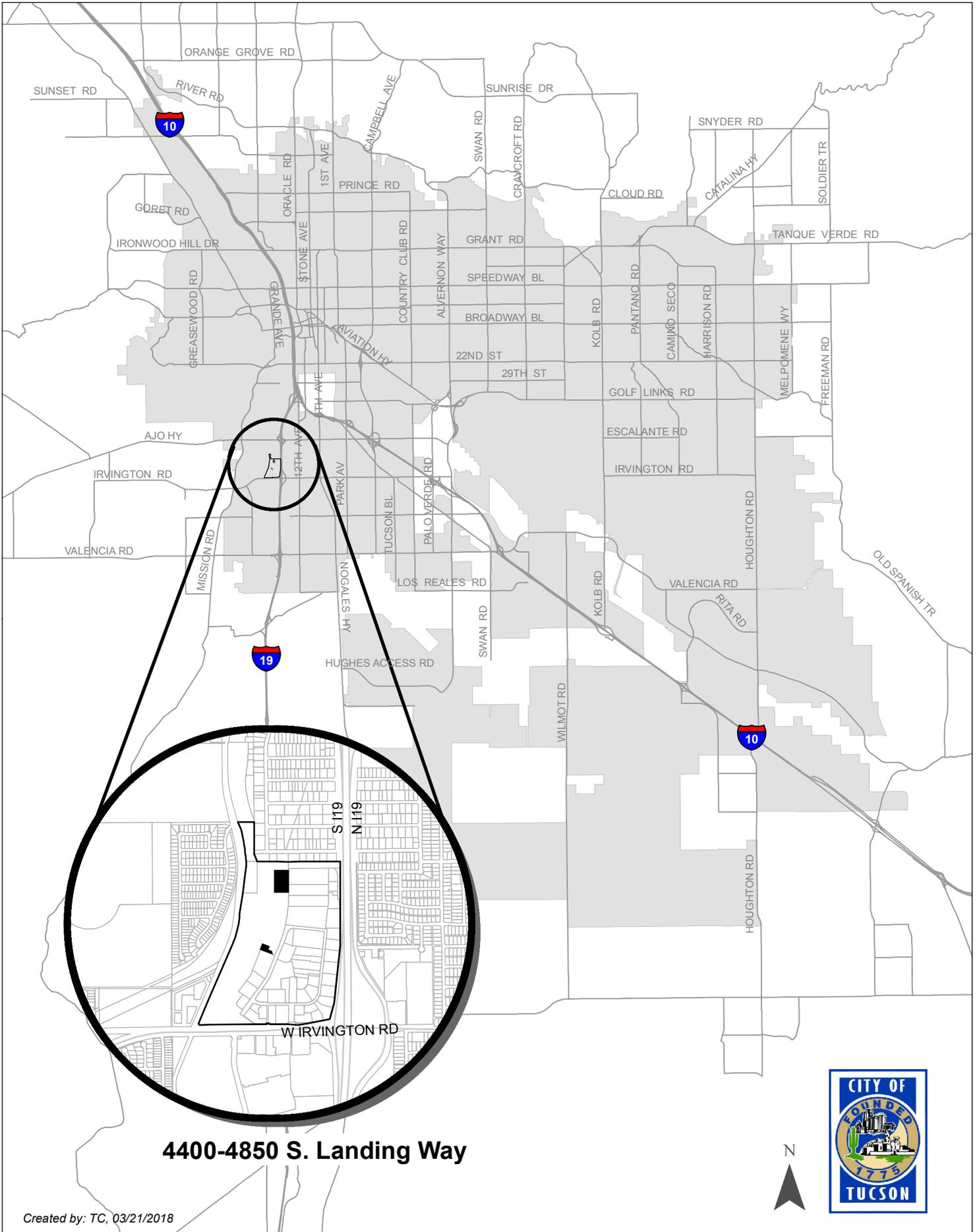
Steven C. Shell
Zoning Examiner

ATTACHMENTS:

- Case Location Map
- Case Aerial Photo
- Public Hearing Minutes

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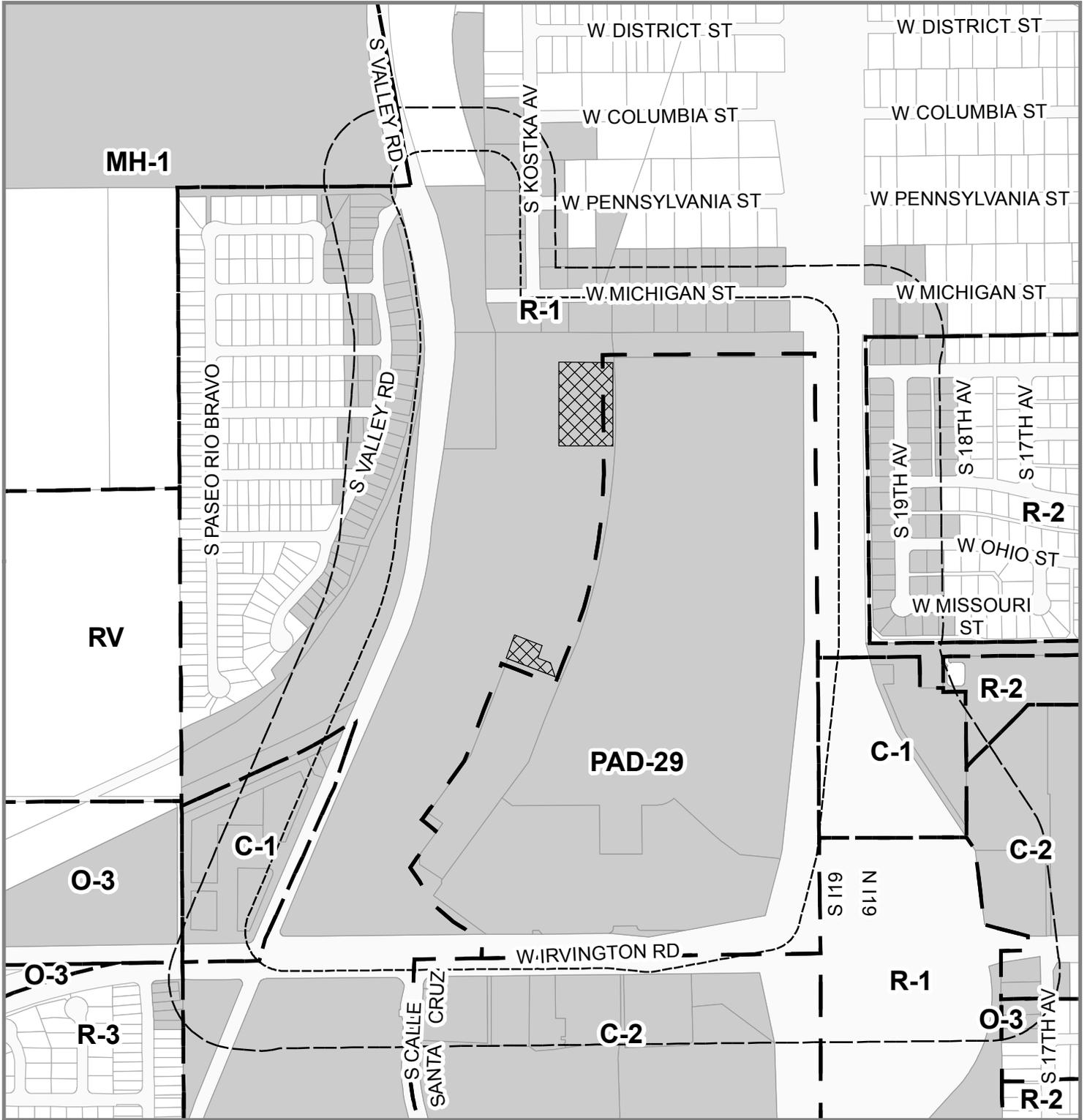
Irvington and I-19



4400-4850 S. Landing Way

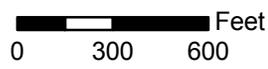
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Irvington and I-19



- Area of PAD Amendment Request
- Protest Area (150-foot Radius)
- Notification Area (300-foot Radius)
- Zone Boundaries
- Properties Notified

Address: 4400-4850 S. Landing Way
 Base Maps: Twp.14S Range13E Sec. 35
 Ward: 1



1 inch = 600 feet



ZONING MEMBERS PRESENT

Steven Shell, Zoning Examiner
Michael Wyneken, Planning & Development Services
Rick Guerra, City Recording Clerk

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1 ZONING EXAMINER: Okay. I think we've dotted our I's up
2 here. Could we get our next case which is C9-16-04 Irvington
3 Commercial Center PAD-29, Major Change. Mr. Wyneken, care to make a
4 presentation?

5 MR. WYNEKEN: Yes. This is a request by Thomas Sayler-
6 Brown of SBBL Architecture & Planning on behalf of the property owner,
7 Irvington Interstate Partners LLC, to change the PAD boundary and area
8 by adding two new parcels of approximately two acres into the
9 Irvington Commercial Center P-A-D No. 29 District.

10 This request is determined to be a major change and is
11 processed in accordance with Unified Development Code, Section 3.5.3,
12 Zoning Examiner legislative procedure. PAD-29 is located just west of
13 Interstate 19 at the northwest area of Interstate 19 and Irvington
14 Road.

15 As I said, the Applicant is proposing to utilize the
16 additional parcels in the PAD for parking or uses as currently
17 permitting in the PAD. And the PAD is based on the C-2 zone.

18 Parcels to be added are currently vacant land north and
19 south of the Tucson Airport Remediation Project Plant. That's
20 commonly called the TARP plant on the west side of the PAD District.
21 There's Parcel C is south of the TARP plant and is approximately

1 .48 acres. Parcel D is north of the TARP plant, is approximately 1.64
2 acres.

3 Policy directions provided by Plan Tucson and the Santa
4 Cruz Area Plan, the original PAD request was determined to be in
5 compliance with these plans and did not require a plan amendment.
6 The inclusion of these two parcels does not require a plan amendment.

7 The approved PAD-29 site is approximately 63 acres, and the
8 inclusion of these two parcels will expand it to approximately 65
9 acres. New parcels will follow the requirements outlined in the PAD.

10 In conclusion, the request to rezone the site to a PAD is
11 consistent with Plan Tucson and the Santa Cruz Area Plan policy
12 direction. Plan amendment is not required. No additional conditions
13 are recommended for the Irvington Commercial Center PAD-29.

14 To date, we have two approvals on file, and no protests.
15 And a simple majority of the Mayor and Council would be required to
16 adopt an ordinance rezoning the property. That concludes the report.

17 ZONING EXAMINER: Thank you very much. Is the Applicant
18 present?

19 MR. SAYLER-BROWN: Mr. Hearing Officer, my name is Thomas
20 Sayler-Brown with SBBL Architecture, 100 North Stone, Suite 905.

21 There's really not too much I can add to what Mr. Wyneken
22 has said. This was a - considered a major change to the original
23 rezoning that was approved two years ago. What made it a major change
24 was we were changing the boundaries of the site. So, we've added two
25 acres to a 63-acre site.

1 The only change to the PAD that was approved two years ago
2 was changing the exhibits to show the additional two acres added to
3 the land area. Happy to answer any questions you have. I don't
4 really think there's that much more I need to say.

5 ZONING EXAMINER: Wonderful. I just had a couple of little
6 minor questions. I know when I read it, the traffic study basically
7 said that this wouldn't impact anything. But it was based on it being
8 used for parking. But then when I read it, it also does allow you to
9 do any other use that is allowed in the PAD.

10 MR. SAYLER-BROWN: Right.

11 ZONING EXAMINER: So, is it gonna primarily be for parking
12 or do you know if it might be used for other uses?

13 MR. SAYLER-BROWN: We don't really know what the, the two
14 parcels will be used for. The southern parcel is covered with
15 easements.

16 ZONING EXAMINER: Okay.

17 MR. SAYLER-BROWN: Very little you could do on that.
18 Parking might be a possibility, but I betcha I could squeeze a hotdog
19 and taco stand on there as well if I wanted to. So, parking may be
20 most likely on the, on the southern PAD. The upper PAD, not really
21 sure at this point.

22 The, the design of the center is still developing. And as
23 you know, a center design will change as new users come in. So,
24 there's really no telling. It could have buildings on it. It could
25 just be used for parking. It depends on what uses go in that area.

1 ZONING EXAMINER: Okay. Well, they're both allowed. So,
2 as far as I'm concerned, I was just curious 'cause the Traffic Impact
3 Study basically was weighing it on parking only.

4 MR. SAYLER-BROWN: And we discussed that with the neighbors
5 as well, and everybody was comfortable with that.

6 ZONING EXAMINER: Okay. Yeah. I read your Minutes from
7 the neighborhood meeting and I didn't see anything in there that was
8 really -

9 MR. SAYLER-BROWN: Yeah.

10 ZONING EXAMINER: - alerting me, and I saw how many people
11 were there, so, I don't really have anything else to add. So, thank
12 you very much. Appreciate your time.

13 MR. SAYLER-BROWN: Okay. I do have one request.

14 ZONING EXAMINER: Yes.

15 MR. SAYLER-BROWN: And you can appreciate this, one blond
16 to another. The original Zoning Examiner tonight left a bag up under
17 your desk. Can I get that back?

18 ZONING EXAMINER: Is it a black one?

19 MR. SAYLER-BROWN: Yeah.

20 ZONING EXAMINER: I thought it was mine. With that in mind
21 and bag returned, is there anybody else here wishing to speak in favor
22 of this request? Seeing and hearing none, is there anybody here
23 wishing to speak in opposition of this request? Is there anybody here
24 wishing to speak neutrally about this request?

1 In that case, I'm gonna go ahead and close the public
2 hearing. I will render my decision within five days. Thank you very
3 much for your time.

4 (Case: C9-16-04 was closed.)

I hereby certify that, to the best of my ability the foregoing is a true and accurate transcription of the original tape-recorded conversation in the case reference on page 1 above.

Transcription Completed: 05/25/18


KATHLEEN R. KRASSOW - Owner
M&M Typing Service