



CITY OF
TUCSON
ZONING
EXAMINER'S OFFICE

Preliminary Report

July 7, 2020

Brian Underwood
The Planning Center
2 E. Congress St., Suite 200
Tucson, AZ 85701

SUBJECT: C9-20-04 4-D Properties – Campbell Benson
R-1, MH-1, & C-2 to OCR-1 (Ward 5)
Public Hearing: June 30, 2020

Dear Mr. Underwood:

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 C9-20-04, R-1, MH-1 & C- 2 to OCR-1 (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 Brian Underwood of The Planning Center, on behalf of the property owners, 4-D Properties, LLC, to rezone approximately 23 acres from R-1, MH-1, and C-2 to OCR-1 zoning. The rezoning site is located east of Kino Parkway, south of Kino Sports Complex between Benson Highway and the Julian Wash, approximately one-half mile south of Interstate 10 (see Case Location Map). The preliminary development plan proposes a mixed-use activity center with a sports and tourism focus including retail, restaurants, entertainment, and hospitality. The project will also feature an indoor sports practice facility and outdoor event space to complement the Kino Sports Complex and future facilities for regional sports tournaments.

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.

Existing: Mobile Home Zone (MH-1) – This zone provides for low to medium density, residential development primarily in mobile home buildings on individual lots and within mobile home parks. Civic, educational, recreational, religious uses, and select other uses, such as day care and urban agriculture, are also permitted that provide reasonable compatibility with adjoining residential uses.

Existing: 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.

Proposed: Office/Commercial/Residential Zone (OCR-1) – The purpose of this zone is to provide for high-rise development that serves the community and region and is located in major activity centers or at transit centers. High-density residential and including agriculture, civic, commercial, industrial, retail, storage, utility, and wholesaling uses may also be permitted provided design and development standards apply. A mixture of development types is encouraged, including office, commercial, and high-density residential uses.

Surrounding Zones and Land Uses:

North: Zoned R-1 & PAD-18; Julian Wash, & Kino Sports Complex

South: Zoned C-2; Mixed-Commercial (Lodging, Retail, Construction, Medical Marijuana Dispensary, etc.)

East: Zoned R-1, MH-1; Julian Wash, & Manufactured Homes

West: Zoned C-2; Mixed-Commercial (Lodging, Construction, Medical Marijuana Dispensary, etc.)

Planning Considerations

Land use policy direction for this area is provided by the *Kino Area Plan* and *Plan Tucson*. The rezoning site is located within both the Neighborhoods with Greater Infill Potential and the Mixed-Use Corridors building blocks as identified on the Future Growth Scenario Map of *Plan Tucson*. Neighborhoods with Greater Infill Potential are residential neighborhoods and commercial districts for which there is potential for new development and redevelopment in the next several decades. Mixed-Use Corridors provide a higher-intensity mix of jobs, services and housing along major streets. The businesses and residences within these corridors will be served by a mix of high-frequency transit options, as well as pedestrian and bicycle facilities.

Plan Tucson supports the retention and expansion of existing businesses as well as infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and also adhere to relevant site and architectural design guidelines. *Plan Tucson* policies protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential 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 rezoning site is located within *Kino Area Plan* Commercial Site 7. Site 7 policies support a mix of commercial, office, and residential uses along the northeast side of Benson Highway between Ajo Way and Irvington Road, and along Kino Parkway between I-10 and Benson Highway. 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 variety of commercial land uses. This type of development on existing vacant land meets the infill and mixed-used goals for the area outlined in *Plan Tucson*. Proposed uses include, travelers accommodations/lodging, retail commercial, restaurants, and sports facilities, with building heights ranging from maximums of 30 feet for retail and restaurant uses, approximately 50 feet for sports and entertainment facilities, and between 90 and 110 feet for hospitality/hotel uses.

Immediately to the south of the rezoning site and along Benson Highway are commercial uses, zoned C-2. To the north and east of the site are the Julian Wash corridor, zoned R-1 and the Kino Campus PAD which is currently vacant undeveloped land, zoned PAD-18. A minimum 58- foot setback is proposed from the edge of Julian Wash for all structures. There are manufactured homes, zoned MH-1 directly across the Tucson Boulevard alignment near the southeast edge of the rezoning site. West of the site across Kino Parkway/Campbell Avenue, are mixed commercial uses, zoned C-2. Directly to the east of the site are multi-family uses, zoned R-3, with an R-1 zoned City park just beyond.

Road Improvements/Vehicular Access/Pedestrian Circulation – According to the Preliminary Development Plan (PDP) dated March 10, 2020, direct vehicular ingress/egress to the rezoning site will be by way of four points along Benson Highway, including a main access point to the Kino South Sports Complex. The northernmost access driveway along Kino Parkway will be limited to right-in/right-out only due to an existing median in Swan Road. Three of the four access points from Benson Highway will be right-in/right-out only, but the main sports complex entrance will have access to and from both directions on Benson Highway with the presence of an existing median opening.

Both Kino Parkway/Campbell Avenue and Benson Highway are classified as arterial Gateway Routes on the *Major Streets and Routes Plan (MS&RP)*, with both having a planned right-of-way of 150 feet. Tucson Boulevard, to the south and east of the rezoning site is also designated as a Gateway arterial route on the *MS&RP*, with a right-of-way of 120 feet.

A traffic impact statement was conducted in December 2019 and January 2020. Suggested improvements included increased turn lane storage and traffic signal phasing to provide greater left turn capacity, and completion of the main west end driveway for the Kino South Sports Complex, located at the median opening in Kino Parkway north of the rezoning site.

The traffic impact statement states that the proposed development is anticipated to generate 10,409 net new vehicle trips.

June 30, 2020 Zoning Examiner Hearing

The Applicant's representative and the Applicant spoke in support of the requested rezoning. Two representatives of a sign review committee spoke in support of the condition proposed by PDSD requiring the removal of two billboards on the property and the Applicant's representative stated that the Applicant agrees with that condition, and with the other conditions proposed by PDSD.

As of the date of the June 30, 2020 public hearing, there were eight (8) written approvals and no (0) written protests.

Conclusion

The proposed rezoning of the site from R-1, MH-1, & C-2 to OCR-1 is suitable for this location, and is in compliance with the *Kino Area Plan* and *Plan Tucson*. Subject to compliance with the preliminary conditions proposed by PDSO, approval of the requested OCR-1 zoning is appropriate.

Recommendation

The Zoning Examiner recommends approval of the requested OCR-1 zoning, subject to the preliminary conditions proposed by PDSO.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Iurino', with a stylized, cursive style.

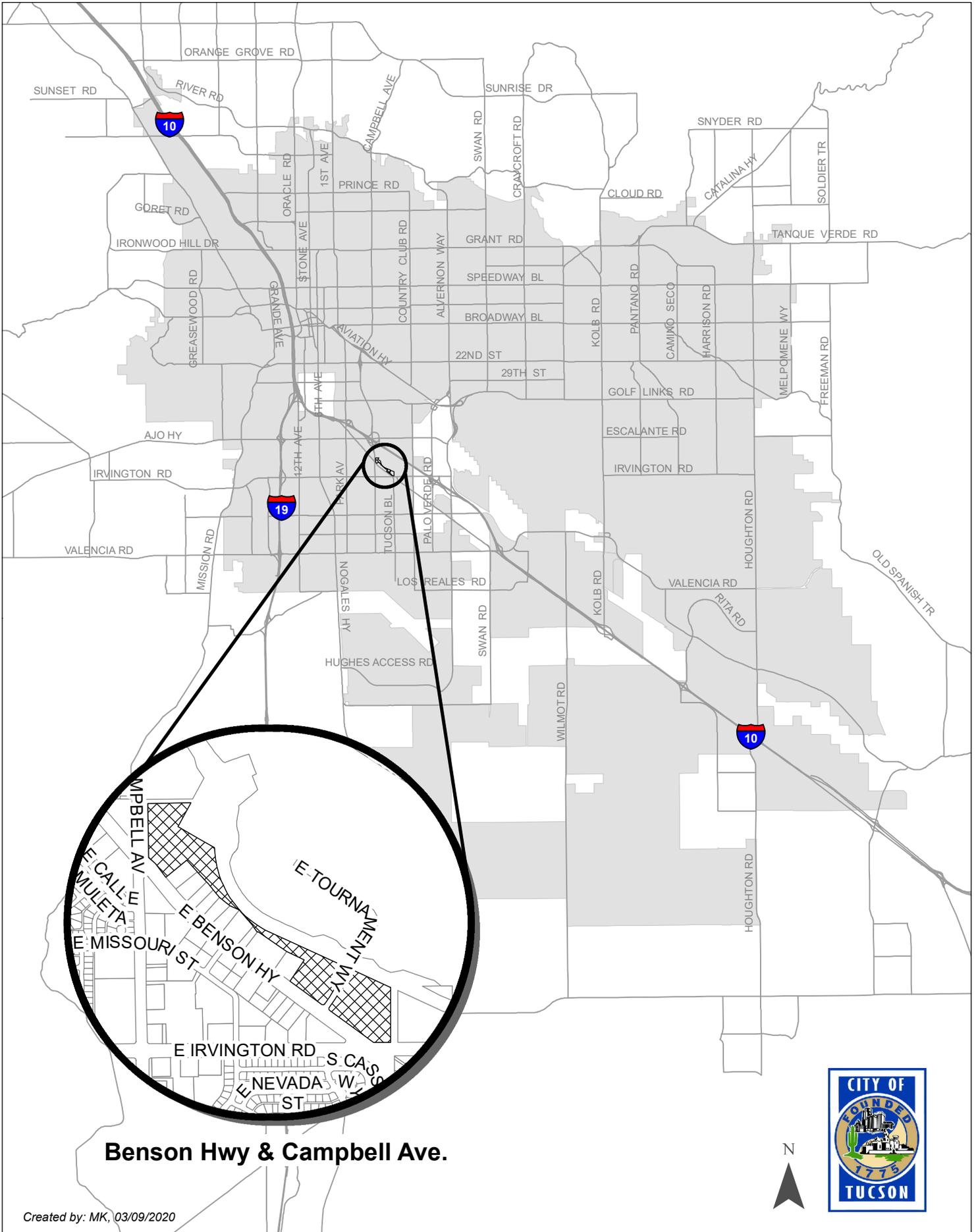
John Iurino
Zoning Examiner

ATTACHMENTS:

Case Location Map
Zoning Case Map

cc: Mayor and Council

C9-20-04 4-D Properties - Campbell/Benson
Rezoning Request: From R-1, MH-1, and C-2 to OCR-1



Benson Hwy & Campbell Ave.

C9-20-04 4-D Properties - Campbell/Benson
Rezoning Request: From R-1, MH-1, and C-2 to OCR-1



 Area of Rezoning: R-1, MH-1, & C-2 to OCR-1

Address: Benson Hwy & Campbell Ave.
Base Maps: Twp.14S Range 14E Sec. 32
Ward: 5

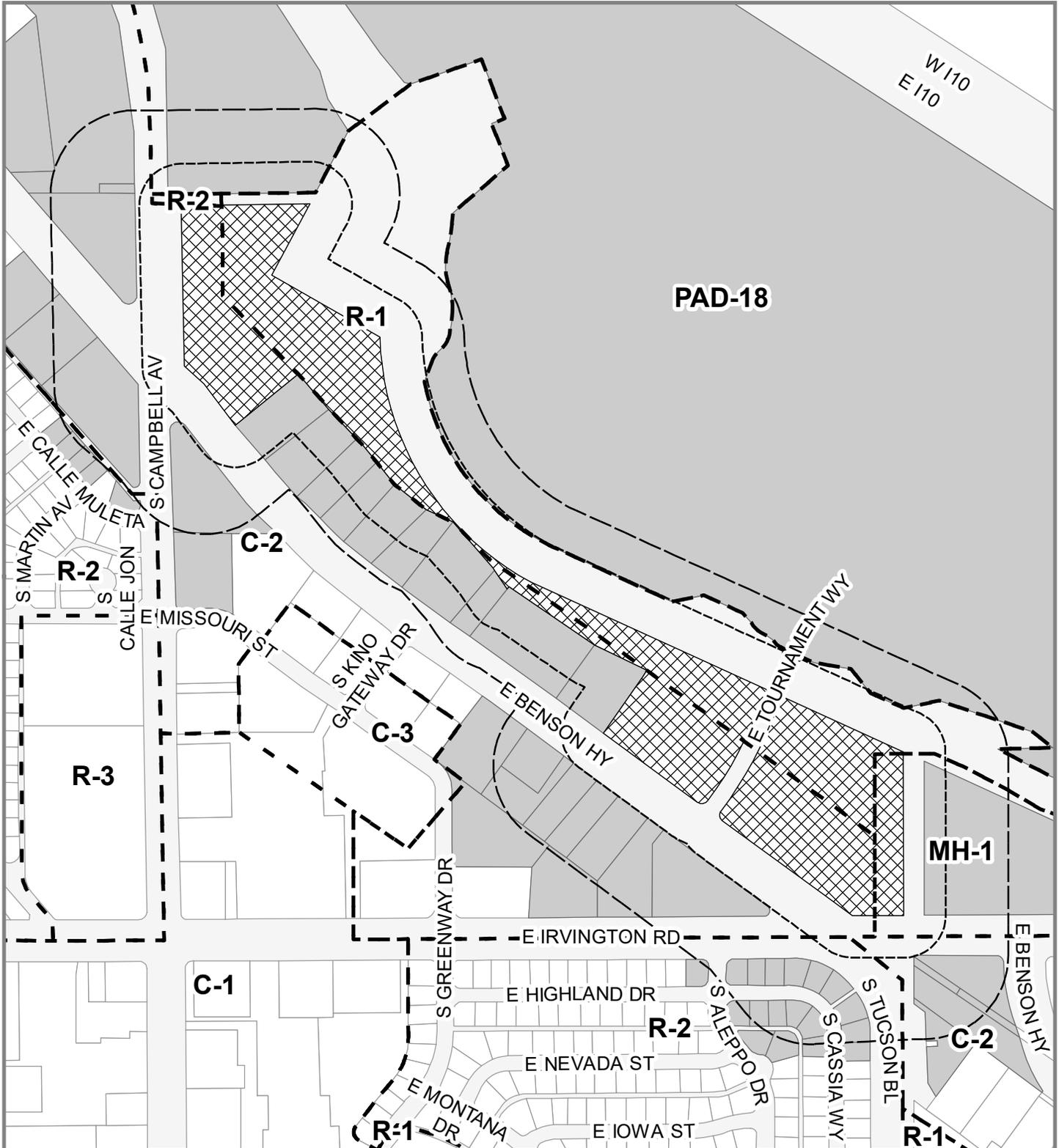


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1 inch = 500 feet

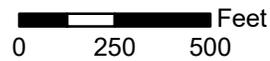


C9-20-04 4-D Properties - Campbell/Benson
 Rezoning Request: From R-1, MH-1, and C-2 to OCR-1



-  Area of Rezoning: R-1, MH-1, & C-2 to OCR-1
-  Protest Area (150 ft. Radius)
-  Notification Area (300 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: Benson Hwy & Campbell Ave.
 Base Maps: Twp.14S Range 14E Sec. 32
 Ward: 5



1 inch = 500 feet

