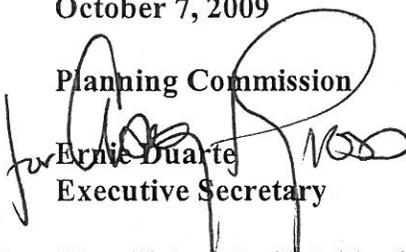




PLANNING COMMISSION

Department of Urban Planning & Design • P.O. Box 27210 • Tucson, AZ 85726-7210

DATE: October 7, 2009
TO: Planning Commission
FROM:  Ernie Duarte
Executive Secretary
SUBJECT: *West University Neighborhood Plan Amendment, PA-09-02*
Main Gate V – Increased Building Height
Public Hearing (Ward 6)

Issue: This is a request by Tom Warne of The Marshall Foundation, to amend the *West University Neighborhood Plan* to allow an increased building height for a proposed 9-story hotel. The 0.74-acre Main Gate V amendment site is located in the northwest portion of the block bounded by University Boulevard on the south, Second Street on the north, Park Avenue on the east, and the Tyndall Avenue alignment on the west. It's at the western "Main Gate" entrance to the University of Arizona (UA), and it's directly east of the existing 9-story University Park Marriott Hotel.

Need to Rezone to OCR-1. The applicant wants to redevelop the site with an approximately 130-foot high hotel that would include parking below ground, commercial and educational uses on the first floor, a theater on the second floor, and approximately 155 hotel rooms on floors three through nine. The site is currently zoned C-3, which allows the planned uses (hotel, commercial/retail, and educational), however, the C-3 zone has a maximum building height of 75 feet. In order to construct a 130-foot high building on the site, it needs to be rezoned from C-3 to OCR-1 (Office, Commercial, Residential zone – a flexible zone that allows mixed uses and high buildings). The OCR-1 zone has a maximum building height of 140 feet.

Need for Plan Amendment. A policy in the *West University Neighborhood Plan* limits building heights in this area to 40 feet. The applicant has the existing C-3 zoning that allows a 75-foot building height. The property can be developed with C-3 uses that are allowed and buildings up to 75 feet in height. The C-3 building height limit supersedes the land use plan's building height limit.

But when someone wants to rezone property, it triggers the need to comply with the underlying land use plan. Because Mr. Warne wants to construct an approximately 130-foot high building, and the existing C-3 zone limits building height to 75 feet, he needs to rezone the site from C-3 to OCR-1, and the underlying land use plan needs to support that rezoning. As the *West University Neighborhood Plan* does not support the proposed 130-foot high building, the plan needs to be amended to enable the rezoning to proceed.

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Copies of the location maps are provided as Attachments A-1 and A-2. A copy of the zoning map is provided as Attachment B. A copy of the land use map is provided as Attachment C. A copy of a portion of the plan amendment application is provided as Attachment D. A copy of an aerial photograph of the site and surroundings is provided as Attachment E.

Applicant's Request: The applicant is requesting to amend the *West University Neighborhood Plan* to allow a building up to 140 feet high to be constructed on the amendment site. Though the proposed building height is closer to 130 feet, the applicant is requesting to allow a building height of up to 140 feet, the maximum allowed in the OCR-1 zone, to allow flexibility in the final building design.

Recommendation: Staff recommends the Planning Commission forward this item to the Mayor and Council with a recommendation to amend the *West University Neighborhood Plan* to allow a higher building height, up to 140 feet, on the amendment site, as requested by the applicant. Staff also recommends that the Generalized Future Development Concept Map be amended to allow an increase in building height on the amendment site. Copies of the existing and proposed policy and Development Concept Map are provided as Attachments F and G, respectively. No other changes to the *West University Neighborhood Plan* are proposed.

Public Contact: Staff has not been contacted by anyone from the general public about this amendment proposal.

Background Information, West University Neighborhood Plan: Changing Land Use Vision. The West University Neighborhood, which extends from Park Avenue on the east to Stone Avenue on the west, and from Speedway Boulevard on the north to E. Sixth Street on the south, was generally developed between 1900-1930. By the 1950's and 1960's, the neighborhood was in decline. It was hoped that the *University District Plan*, which was adopted in 1970, would stimulate redevelopment in the West University Neighborhood. The *University District Plan* assumed the UA would expand to the west, and envisioned high-density apartments for UA students, and mixed uses, across much of the neighborhood.

Over the next decade, many historic buildings and homes in the neighborhood were lost to redevelopment. Public protest, as well as changing conditions and trends, spurred an interest in maintaining the historic residential character of the neighborhood. It was in this context that the West University Neighborhood Association (WUNA) was formed, in 1978. Since its formation, WUNA has been very active in land use matters affecting the neighborhood. A primary focus has been to preserve the historic, low-density residential character of the area west of Euclid. Another focus has been to coordinate with the UA, regarding UA interests in the neighborhood.

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At the urging of WUNA, the *University District Plan* was revised in 1980. By then, the UA had limited its planned expansion in the West University Neighborhood to the area between Park and Euclid (i.e., the Transition Area). Unlike the *1970 University District Plan*, the 1980 Plan emphasized preservation of historic residential development. Also in 1980, most of the West University Neighborhood was placed on the National Register of Historic Places. At the same time, the neighborhood was actively pursuing listing as a local City of Tucson Historic District, which occurred in 1984.

West University Neighborhood Plan, 1982. At the urging of WUNA, the 1982 *West University Neighborhood Plan*, which replaced the *1980 University District Plan*, was adopted. The *West University Neighborhood Plan* was largely drawn up by WUNA, with guidance from city staff. The focus of the plan was on preserving and enhancing the residential character of the neighborhood.

Over the next few years, there were several rezoning requests throughout the neighborhood, to convert residential uses to office and commercial uses. In addition, public (UA) and private redevelopment was getting underway between Park and Euclid, with an emphasis on greater land use intensity. In response to concerns expressed by WUNA, the Mayor and Council directed city staff to work with WUNA to update the *West University Neighborhood Plan*. That effort led to the 1988 *West University Neighborhood Plan*, which is the current land use plan for the area.

West University Neighborhood Plan, 1988. The 1988 update had three key purposes: 1) to maintain and enhance the historic residential character of the neighborhood; 2) to incorporate new Transition Area policies for the area between Park and Euclid, to maintain the intensity transition between the UA campus east of Park, and the low-density residential neighborhood west of Euclid; and 3) to promote cooperation between the neighborhood and the UA relative to UA development in the neighborhood.

Almost all the policies in the 1982 plan were maintained in the 1988 update. New policies were added to guide redevelopment in the Transition Area between Park and Euclid. Policies were revised to further restrict the conversion of residential to non-residential uses, and to limit building height throughout the neighborhood. New policies were added to promote cooperation between the neighborhood and UA.

Building Height Limitation –

As a means of protecting and enhancing the historic residential character of the neighborhood, a new policy was added that limited building heights west of Euclid (i.e., in the historic, residential area) to that allowed by the existing zoning on August 1, 1988. In the Transition Area between Park and Euclid, where the current amendment site is located, maximum building heights were limited to 40 feet. This latter policy is the reason why this current plan amendment is needed.

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Study Session: At the September 2, 2009 study session, the Commission raised three main issues. One Commissioner asked about tall buildings in the area; and specifically about plan amendments and rezonings that enabled the tall buildings to be built. Several Commissioners asked how the proposed development would be parked. Another Commissioner asked about projected traffic impacts of the planned hotel and related uses. These issues are addressed below.

Tall Buildings. Attachment H shows several buildings over 40 feet high near the amendment site. Some are on the UA campus east of Park Avenue. Several are in the Transition Area between Park and Euclid. Most of the tall buildings in the site vicinity were built for UA purposes, and did not go through City of Tucson review processes. Two were built for private interests by the Marshall Foundation: the 86-foot high Marriott Hotel west of the amendment site, and the 75-foot high Main Gate III Building (aka the Louise Foucar Marshall Building) east of the amendment site. Both of these properties were rezoned to C-3 to enable higher buildings to be built.

The Marriott Hotel block west of the amendment site was also the subject of a 1987 plan amendment. That amendment allowed a residential density increase from 40 to 126 units per acre, for a mixed-use dormitory/commercial development that was never constructed. It also allowed a building height of 90 feet. After the site was rezoned for the dormitory/commercial development, the Marshall Foundation processed a change of preliminary concept plan and rezoning conditions, which allowed the Marriott Hotel to be built. A variance was processed to allow the height of the Marriott to be increased from 75' to 86', in the C-3 zone. The plan amendment and rezoning history in the site vicinity is summarized in Attachment I.

Parking. Two Parking Garages –

Due to a shortage of parking in the UA area, additional parking was needed for the Main Gate redevelopment and the UA. The two multi-story garages, the Main Gate garage at the northeast corner of Euclid and Second Street, and the Tyndall garage south of University Boulevard, were built to provide parking for the Main Gate redevelopment and UA uses (please see Attachment E). Parking for the Main Gate area east of Tyndall, including the current plan amendment site, is provided in the Tyndall garage. Parking for the area west of Tyndall, including the existing Marriott Hotel, is provided in the Main Gate garage.

1999 Main Gate Rezoning (C9-99-26) –

This rezoning case was for the Main Gate block between Park and Tyndall, and University Boulevard and Second Street, including the current plan amendment site (please see Attachment H). The proposal was for mixed use retail, restaurant, theater, and office uses, in several buildings ranging in height from one to five stories. **The concept plan included a 62-foot high, four-story building on the current amendment site.** The first floor was for retail and theater uses, the second floor was for theater uses, and floors three and four were for offices uses. A variance associated with the rezoning case granted a reduction in parking for the entire block being rezoned, from 1176 off-street parking spaces required, to 1079 parking spaces, to be provided in the Tyndall garage (Board of Adjustment case C10-00-31, April 26, 2000).

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The key points of the above discussion are that 1) the property owner, i.e., the Marshall Foundation, already has the right to construct a four-story building on the plan amendment site, and 2) parking for the previously planned uses (retail, theater and office) has already been approved. The differences between the previous and current proposals are that the first floor is now planned for hotel and retail/commercial uses instead of theater and retail/commercial uses; and instead of two floors of office uses above the theater, seven floors of hotel uses are planned.

Parking spaces reserved in the Tyndall Avenue garage for the two floors of office uses will now be allocated to the planned hotel. Underground parking, which was not part of the previous proposal, will provide additional parking for the hotel. Specific parking requirements will be determined during the rezoning and development plan phases. It is anticipated that the applicant may need to obtain a variance for parking, or approval for an Individual Parking Plan (IPP). According to a recent *Land Use Code* revision, the Development Services Director may approve an IPP to allow a reduced number of parking spaces for new development within ¼ mile of a transit stop or public parking facility (Ordinance # 10664, 5/5/09).

Staff believes the applicant can make a strong case for a reduction in the parking requirement. Due to site's location near the UA, it is likely that some hotel guests will not have a car. The Main Gate redevelopment has been designed and developed with an enhanced, interconnected sidewalk system that makes it pedestrian-friendly, consistent with the *University Area Plan* designation as an established pedestrian commercial district. The area is well served by the public bus system, the UA's Cat Tran shuttle, and the private Old Pueblo Trolley; and the planned modern streetcar route will run along Park and University (please see Attachment J). The site has been well-designed and is well-positioned to take advantage of alternate modes opportunities.

Traffic. Most vehicular traffic will approach or leave the site via Euclid Avenue, the nearest arterial street. Hotel guests and others will park either beneath the new building, and will access that parking area from Second Street, a local street directly north of the site; or they'll park in the Tyndall garage, a short distance southwest of the site. Both of these parking locations are within one block of Euclid, so only short segments of the local street network will be impacted. Some increased traffic is likely on Tyndall north of the site, which connects to Speedway (please see Attachment J).

Because the traffic impacts of the previously-planned office, theater and commercial/retail uses have already been approved, the focus of this assessment is to compare the projected traffic from the proposed hotel, theater and commercial/retail uses with the approved office, theater and commercial/retail uses. A preliminary trip generation comparison study by Curtis Lueck & Associates (CLA) found that the proposed land uses will generate more trips during the weekday peak hours and during the entire day, however, the increases are not substantial. The preliminary estimated net increase in trips generated is 65 during the morning peak hour,

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29 during the evening peak hour, and 22 more trips per day. There may be more traffic in the vicinity on Friday and Saturday nights, due primarily to the movie theater and new commercial/retail uses. Based on the site's location adjacent to a major regional activity center, it is reasonable to expect heavier traffic than in other parts of the urbanized area. A more detailed traffic assessment is anticipated as part of the rezoning analysis.

ANALYSIS

Surrounding Zoning and Land Uses: The site is zoned C-3 and is surrounded by C-3 zoning on all sides except the north and northwest, which are zoned R-3 and C-1. However, the R-3 zoned areas are used for non-residential purposes, including cultural, educational, and related uses.

Land uses surrounding the site include the five-story, 75-foot high Louise Foucar Marshall Building (aka Main Gate III) to the east, with retail uses on the first floor, and four floors of UA offices above. To the south and southeast are the one- and two-story Main Gate buildings I, II, and IV, which are developed with commercial, retail, and restaurant uses. To the southwest are one- and two-story buildings developed with commercial and retail uses along University Boulevard. To the west, across the Tyndall alignment, is the nine-story, 86-foot high Marriott Hotel. To the northwest are one- and two-story UA and related buildings, and the four-story Main Gate parking garage. To the north across Second Street is the two-story Arizona Historical Society Museum and Artifact Warehouse. There are no residential uses in the immediate vicinity of the site. Please see Attachment A-2.

Policy Direction: Policy direction is provided by the *West University Neighborhood Plan (1988)*, the *University Area Plan (1989)*, and the City's *General Plan (2001)*. Applicable policies are summarized below. A complete policy listing is provided as Attachment K. As per the following discussion, policies in all three land use plans support the subject proposal, except for the height policy in the *West University Neighborhood Plan*.

West University Neighborhood Plan policies limit building height to 40 feet between Park and Euclid, from University north to Speedway, and that is why this amendment is being pursued. Other policies in the Plan support the intensification and strengthening of existing neighborhood commercial nodes in certain locations, including University Boulevard and Tyndall Avenue; and the provision of a full range of community service facilities to meet the needs of neighborhood residents. The use of off-street shared parking facilities is encouraged. Policies support the designation and improvement of major pedestrian corridors that link commercial and campus uses, and encourage walking and bicycle travel.

University Area Plan goals recognize the nature and potential of the University and its immediate surroundings as a relatively compact, pedestrian-oriented regional activity center, and promote strengthening the identity and quality of the University area consistent with City-wide and neighborhood goals. Policies designate the University Boulevard/Tyndall/Main Gate area as an established pedestrian commercial district. Within these districts, the intensification of UA campus-oriented commercial services is supported; and the

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consolidation of adjacent development parcels, to provide integrated circulation and access, is encouraged. Enhanced circulation systems are promoted within new commercial/office development, to link adjacent uses and provide convenient access to transit facilities. Sensitivity to the surrounding uses is to be demonstrated in the design, location, orientation, landscaping, screening and transportation planning of new development.

The *General Plan* designates the UA as a major educational activity center within the City of Tucson. Policies support development in or adjacent to community-level activity centers that will integrate public and private land uses, including entertainment, retail, restaurants, offices, hotels, and other uses, in activity nodes; re-establish pedestrian connections to the street network, adjacent to activity centers; promote alternate modes of transportation; and encourage the infilling of vacant or underutilized parcels adjacent to activity centers. Other policies support non-residential uses where the scale and intensity of use will be compatible with adjacent uses; and promote neighborhood identity and visual character, and quality in design, for all new development.

Planning Considerations: Compatibility. As per the Generalized Future Development Concept Map in the *West University Neighborhood Plan*, commercial uses have been supported on the site since the plan was adopted in 1982. The site, which is currently used as a surface parking lot, is surrounded by commercial/retail, educational and office uses, and it's in a designated pedestrian commercial district (per the *University Area Plan*). Key compatibility issues include building height, parking, and traffic considerations, which have been discussed in a previous section. Staff believes these issues can be adequately addressed.

The proposed building will be about 130 feet high. To help visualize how it'll fit into the surroundings, it is helpful to consider the hotel to the west. The site is in the center of a small cluster of tall buildings. Building height decreases moving in an outward direction towards the street frontages along Euclid, Park, and University, providing a transition in building height. The existing hotel is "tucked into" the middle of the block. The middle and upper floors are visible from the surrounding areas, yet the building doesn't dominate its surroundings. The new hotel will be similarly situated, and is expected to reinforce and strengthen the cohesiveness and liveliness of this activity node.

Vibrant Neighborhood. The nearly-completed Main Gate redevelopment accomplishes several policy objectives of the *West University Neighborhood Plan*, the *University Area Plan* and the *General Plan*. It is a successful, vibrant, commercial node that attracts people seven days a week, during daylight and evening hours, in a setting that highlights our community "sense of place". Main Gate has been designed as an aesthetically-pleasing, integrated and interconnected, pedestrian-friendly complex with an inviting streetscape character. Its architectural style complements that of the UA, while the earth-tone colors are reminiscent of southwestern and Sonoran Desert hues.

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The streetscape design, including large ground floor windows; streetscape lighting and furniture; several outdoor seating areas for restaurants; wide, interconnected, shaded sidewalks with multiple links to adjacent uses; and the multitude of successful commercial/retail/entertainment opportunities, draws people in and keeps them there. The design theme takes advantage of one of our community's strongest attributes – great weather – and provides multiple opportunities for people to interact in a relaxed outdoor setting. The proposed hotel will be carefully fit into this environment, and will further strengthen and contribute to the success of the Main Gate area.

Conclusion: Staff recommends the Planning Commission forward this item to the Mayor and Council with a recommendation to amend Neighborhood Conservation Policy 1.B.10, and the Generalized Future Development Concept Map, to allow a building up to 140 feet high to be constructed on the Main Gate V site. Copies of the existing and proposed policy and development concept map are provided as Attachments F and G, respectively.

The Main Gate area provides services and entertainment for those attending, working at or visiting the UA, as well as those in the surrounding areas. The proposed hotel is the final phase of this successful redevelopment project. It will reinforce the characteristics of the Main Gate area; strengthen the neighborhood edge around the UA, and enhance the neighborhood ambiance; and contribute positively to Tucson's identity.

ED:JSH\jh

Attachments: A-1 and A-2 – Location Maps
B – Zoning Map
C – Land Use Map
D – Amendment Application
E – Aerial Photograph, Surrounding Area
F – Existing *WUNP* Policy and Development Concept Map
G – Proposed *WUNP* Policy and Development Concept Map
H – Tall Buildings Map
I – Plan Amendment and Rezoning History, Main Gate Area
J – Transit Map
K - Relevant Land Use Plan Policies, West University Neighborhood Plan,
University Area Plan, General Plan