

# RIO NUEVO REDEVELOPMENT PLAN

CITY OF TUCSON  
PLANNING DEPARTMENT

## MARCH 1982

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**Adopted by Mayor and Council - March 15, 1982 - Resolution 11775**

### FORMAL ACTION

Mayor and Council:

August 6, 1979 - Resolution No. 10912 (Blight Declaration)

March 15, 1982 - Resolution No. 11775 (Adoption)

November 8, 1982 - Resolution No. 12058 (Amendment)

January 27, 1986 - Resolution No. 13507 (Amendment)

April 23, 2014 – Resolution No. 22215 (Amendment)

### HEARINGS

Mayor & Council:

March 15, 1982

November 8, 1982

January 27, 1986

April 23, 2014

**Planned Area Developments were originally adopted as "Specific Plans" pursuant to the Tucson *Zoning Code* and, subsequently, the Tucson *Land Use Code*. The terms "Specific Plan (SP)" and "Specific Planned (SP) Districts" were changed to "Planned Area Development (PAD)" and "Planned Area Development (PAD) Districts" by Ordinance 9374 which was adopted by Mayor and Council on April 10, 2000. This change in title does not affect the substantive provisions for the districts as adopted.**

# RIO NUEVO REDEVELOPMENT PLAN

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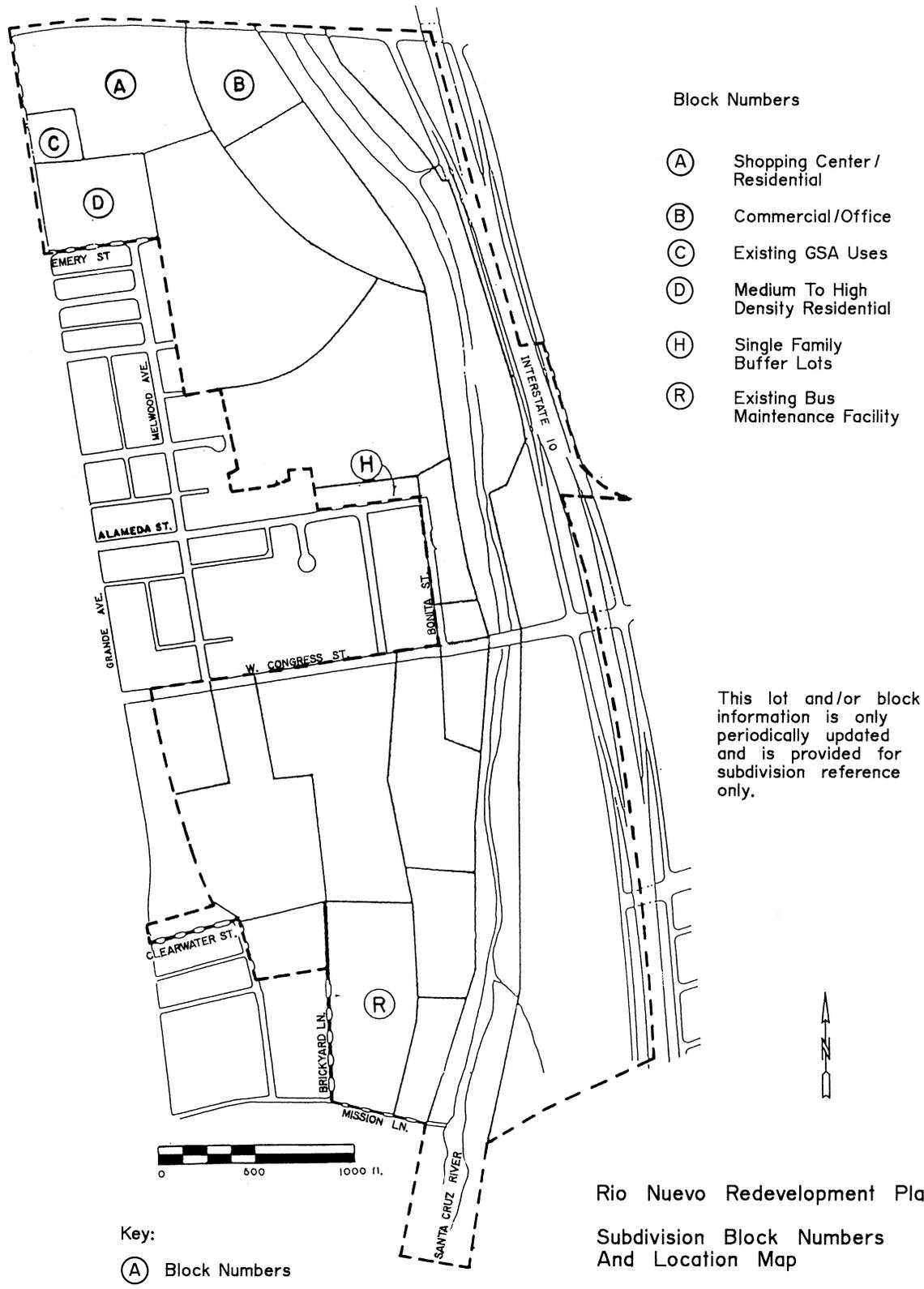
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## ***Profile***

Rio Nuevo covers approximately 240 acres consisting of 20 special land parcels. The overall boundaries jog to include vacant and redeveloped land parcels between St. Mary's Road to south of Mission Lane and between I-10 west to Grande Avenue.

### ***Purpose***

The purpose of the *Plan* was to revitalize areas which had experienced stress resulting from deterioration and subsequent blight. The *Plan* attempted to stimulate and encourage coordinated development of various uses through a public/private partnership. The area's proximity to the Riverpark was acknowledged through its promotion of residential uses.

### ***Plan Background***

There is a long history of planning efforts that have taken place in and around the western edge of downtown. These efforts encompassed land parcels in the Central Business District and on both the east and west sides of Interstate 10, with the primary objectives of providing for physical land uses and creating functional links between the two areas.

Following is a list of several of these efforts:

- Urban Renewal Plan (1965) - (expired)
- Pueblo Center Redevelopment Project (1965) - (expired)
- Rio Nuevo Redevelopment Project Redevelopment Plan (1979) (Downtown West Component)
- Rio Nuevo Redevelopment Plan (1982)
- Rio Nuevo Redevelopment Plan/Planned Area Development (1987)
- Tucson Community Center Planned Area Development (1987)

In sorting these efforts in chronological order, an *Urban Renewal Plan* covered a 180 acre area west of the Interstate. An *Urban Renewal Plan* was the necessary management and regulatory tool to serve as an umbrella, whereby "Project" plans were prepared to create significant redevelopment opportunities and address issues unique to specific areas targeted for redevelopment.

The first "Project" undertaken was the *Pueblo Center Redevelopment Project*. It covered parcels east of the Interstate and focused on the Governmental Complex and construction of the Tucson Convention (Community) Center.

The next "project" was the *Rio Nuevo Redevelopment Project Redevelopment Plan*. Emerging in 1979 as an amendment to the *Urban Renewal Plan*, it created four area components: Riverpark Components I, II, and III located west of the Santa Cruz River/Interstate 10 and the Downtown West Component (previously named the El Centro Component) located east of the Interstate between Cushing Street and Congress Street. No significant development occurred as

a result of this *Plan*; consequently, the Riverpark Components were superseded by this current *Rio Nuevo*

*Redevelopment Plan* adopted in 1982. The Downtown West Component however is still operative (see Section II).

This 1982 *Plan* established 20 significant parcels shown on Exhibit C and proposed a more comprehensive approach for development of the area than the Riverpark Components by delineating particular land uses for each parcel.

Of these 20, six of the parcels labeled A, B, C, D, H, and R shown on the Exhibit were subsequently improved and redeveloped with office, retail, and commercial service uses. Together with development of these parcels, this *Plan* facilitated other improvements such as major bank protection of the Santa Cruz River and extensive infrastructure including construction of the spine street and loop road, through 1985. This 1982 *Plan* is still in effect/operative but, as mentioned above, only covers the six parcels A, B, C, D, H, and R.

Since adoption, the *Plan* was amended twice (see "Formal Action" above for dates and Resolution Numbers). The first amendment allowed residential use, preferably apartments common in R-3 zoning districts, on parcel "A" with certain conditions on building height. The second amendment allowed office/commercial uses on parcel "D" provided they were community service uses. The zoning designation for this parcel is C-2 (B-2A) with certain considerations.

Economic conditions changed and as a result, private sector interest in developing the remaining 14 parcels in the *Plan* area weakened. In an effort to stimulate further development interest in the 14 parcels, another major plan effort was undertaken. This effort became the *Rio Nuevo Redevelopment Plan/Planned Area Development* adopted in 1987.

**I**

**INTRODUCTION**

The Redevelopment Plan for the Rio Nuevo Redevelopment Project, hereinafter referred to as the “*Plan*,” consists of 20 pages and five Exhibits (A through E). The *Plan* is prepared in accordance with the State of Arizona Slum Clearance and Redevelopment Act, A.R.S. Sec. 36-1471 et. Seq.

The Exhibits to the *Plan* consist of the following:

- Exhibit A - Boundary Description
- Exhibit B - Existing Land Uses and Conditions of Real Property
- Exhibit C - Land Use Map
- Exhibit D - Pedestrian and Vehicular Circulation Map
- Exhibit E - Land Acquisition Map

**II**

**GENERAL DEFINITIONS**

- A. City. The City of Tucson, Arizona.
- B. Developer. An individual or entity who acquires or leases development areas in the *Rio Nuevo Redevelopment Project* for the purpose of developing in accordance with the *Plan*.
- C. General Plan. The City of Tucson General Plan.
- D. Parcels. Areas "A through S" as described on the Land Use Map are designated parcels of the Rio Nuevo Redevelopment Project with specified permitted uses and regulations governing their development.
- E. Owner. Any individual or entity owning real property within the Rio Nuevo Redevelopment Project.
- F. Plan. The Redevelopment Plan for the Rio Nuevo Redevelopment Project.
- G. Project. The Rio Nuevo Redevelopment Project.
- H. Redevelopment Entity. The Downtown Development Corporation of Tucson, Arizona or other entity officially responsible for implementation of the Rio Nuevo Redevelopment Project.

Redevelopment Law. The Slum Clearance and Redevelopment Act of the State of Arizona, A.R.S., Sec. 36-1471 et. Seq.

J. Redevelopment Project Area. The area included within the boundaries of the Rio Nuevo Redevelopment Project as shown in the Boundary Description, "Exhibit A".

K. State. The State of Arizona.

### III

#### BOUNDARY DESCRIPTION

The project area boundary is described in "Exhibit A" attached hereto and made a part hereof, and is also shown on "Exhibit B" Map of Existing Land Uses and Conditions of Real Property.

### IV

#### EXISTING LAND USES AND CONDITIONS OF REAL PROPERTY

Existing land uses and conditions of real property are described in "Exhibit B" attached hereto and made a part hereof.

### V

#### REDEVELOPMENT OBJECTIVES

The objectives of the Project as they relate to and comply with local objectives, and to the land uses and building requirements in this *Plan*, are as follows:

A. Relationship of the *Plan* to Local Objectives

1. Conformance with the *General Plan* for the City of Tucson with respect to land use, thoroughfares and redevelopment.
2. Furtherance of the goals and policies set forth in the Inner City Revitalization Study, adopted December 23, 1974, which, among other things, encourages medium to high density residential development in appropriate areas of the downtown area.
3. Conformance to and furtherance of the policies of The Santa Cruz River Park Plan, adopted February 13, 1978, which identifies, among other things, the following:
  - a. In order to remove the potential flood hazard to life and property, a flood control project should be initiated with the objective of enabling the river to safely accommodate the project 100-year flood.
  - b. The project's design criteria should be developed to ensure the maximum enhancement of the river's unique groundwater recharge role.

- c. The project's design criteria should be further developed so as to allow the maximum opportunities to develop the river as a recreational and wildlife resource.
- d. Historic sites, such as the Convento, should be planned and developed as part of an integrated recreational-educational system, connected with bicycle and pedestrian trails as part of the river park system and accessible by auto.
- e. Major park nodes should be planned and located to provide for a variety of needs for residents of adjacent neighborhoods, other city residents, and visitors.
- f. Where adjacent to existing neighborhoods and new prime residential sites, the park system should be designed to serve those neighborhoods and be integrally designed with new development. New neighborhoods should be planned to include related commercial service needs.
- g. In order to increase accessibility to the area and to facilitate linkages between neighborhoods and services, street and pedestrian improvements should be made in conjunction with new development.
- h. Maximum public participation from affected residents should be sought in order to assure that development meets the needs of existing residents to the greatest extent possible.

B. Land Use Objectives of the Redevelopment Plan

- 1. Intensify human activity through the development of new residential communities close to the downtown in the central area of the Riverpark.
- 2. Provide lower density residential uses adjacent to important existing neighborhoods and higher density residential uses with a mix of recreational activities, offices, and commercial services along the River major arterials and introduce people, activities, and vitality into the urban area.
- 3. Utilize presently vacant and/or underutilized land and existing infrastructure located at the gateway to the downtown area along the I-10 Freeway.
- 4. Provide for continued development of a linear park system north and south of the project area and for associated pedestrian and bikeway networks throughout the project area to create a unifying element to and within the project.
- 5. Create an environment in keeping with the natural traditions and history and important cultural, historic and archaeological features of the River area.

6. Provide an expanded residential population base in support of retail and service establishments and cultural facilities in the downtown.
7. Encourage and reinforce the growing atmosphere of cooperation and understanding between the public and private sectors through new development partnerships, including land sale contracts and owner participation agreements, subject to compliance with Plan restrictions and performance standards and to provision by the public sector of incentives in the form of land assemblage and site preparation, flood control, street, utility and other public improvements.
8. Achieve a healthy mix of various income, ethnic and age groups in a variety of residential settings, with a minimum of 20% of the housing units to be constructed for occupancy by persons of low and moderate income.
9. Reduce downtown traffic congestion by providing housing for workers in the downtown within walking distance to jobs.
10. Develop innovative financing methods to encourage private investment and reduce the cost of housing to the consumer.
11. Attempt to demonstrate energy efficient design and construction techniques.

## VI

### LAND USE PLAN SHOWING PROPOSED USES OF THE AREA

#### A. General Description of Land Use

The *Rio Nuevo Redevelopment Land Use Plan*, shown as Exhibit C, calls for retaining and environmentally upgrading existing uses east of the Santa Cruz River, channelizing and landscaping the river to meet a variety of flood control and recreational objectives, and developing predominantly residential projects on approximately 115 acres of vacant land west of the River, north and south of Congress Street. The residential development is intended to accommodate a mix and range of housing types and prices at various densities, totaling approximately 1,000 - 1,350 dwelling units and housing 2,450 to 3,000 persons, depending on final density and product mix determinations developed in response to market factors over the six to eight-year development period. This housing will include a minimum of 30% low and moderate income housing units, with a minimum of 20% of the housing units to be constructed for low income persons. For the purposes of this Plan, low income shall be defined as up to 80% of median income moderate income as up to 115% of median income, such median income to be as defined by the United States Department of Housing and Urban Development (HUD) for the Pima County SMSA. Commercial and other non-residential uses are included as primary or alternative uses along portions of Congress Street and St. Mary's Road frontages.

Generally, well set back residential uses are situated along the western boundaries of the project area to buffer, reinforce and in some instances expand important existing neighborhoods. Higher density residential uses are situated in the central and eastern portions of the site. Existing motel uses east of the Santa Cruz River will continue in their present use and will be affected by project activities only to the extent of river channelization activities and the provision of pedestrian/transit rights-of-way and recreation areas. It is the intent of the *Plan* to relate and integrate existing motel uses on the east side of the River with the Riverpark, in a manner compatible with new development west of the River.

The planning and design objectives of the *Plan* include:

- Moderating the climate of the living environment through careful orchestration of building masses, outdoor spaces and landscaping to exert control over light, shade, temperature and air movement;
- Creating a functionally and aesthetically integrated development that enhances the image of the City;
- Improving linkages between the westside, the Santa Cruz Riverpark and the downtown by constructing a network of pedestrian pathways;
- Relating the new development to the Santa Cruz Riverpark;
- Buffering the existing neighborhoods from the higher intensity uses planned for portions of the project, using setback and height restrictions;
- Utilizing stormwater for irrigation and groundwater recharge;
- Landscaping extensively with drought-resistant, predominantly native plant materials;
- Providing a mechanism for non-City maintenance of open spaces and common areas (The Rio Nuevo Association).

B. Land Uses by Parcels and Standards for Development (See Exhibit C for Parcel Locations)

Acreages are approximate and subject to adjustment.

1. **Parcel "A"** 10.5 acres

Principal Uses: Retail Shopping Center and Related Businesses

Proposed Zoning: C-2 (B-2A)

Alternative Use: Residential (Apartments Preferred)

Proposed Zoning; R-3 Maximum Height: 30 feet for 70 percent of building roof area, 40 feet for the remainder only if dispersed to achieve a variable skyline.

Other: All other development standards shall be per the City of Tucson *Land Use Code* Article 1, Division 17, C-2 (B-2A) Commercial (Business) Zone and conditions for approval.

Owner Participation: The owner of Parcel "A" is eligible for participation in the redevelopment of the project, subject to the rules and regulations promulgated by the City or the Redevelopment Entity.

2. **Parcel "B"** 5.5 acres

Principal Use: Commercial/Office (with preference for an office employment center for a single user, plus related office and financial uses).

Proposed Zoning: C-2 (B-2A) (and/or existing I-1 as appropriate)

Other: All other development standards shall be per the City of Tucson *Land Use Code* "C-2" (B-2A) Commercial (Business) Zone and conditions for approval.

Owner Participation: The owner of Parcel "B" is eligible for participation in the redevelopment of the project, subject to the rules and regulations promulgated by the City or the Redevelopment Entity.

3. **Parcel "C"** 1.3 acres

Principal Use: Existing Public Use (U.S. Government, General Services Administration)

Alternative Use: Shopping Center Related Commercial; Recreational Vehicle Park

Proposed Zoning: C-2 (B-2A); RV

RV Development Standards:

- 1) Maximum length of stay for Recreational Vehicle Park Guests – 10 months
- 2) Maximum number of Recreational Vehicle Park Sites: 23
- 3) Existing structures and features may be allowed to remain and repurposed for Recreational Vehicle Park usage
- 4) Noise regulations shall be adhered to and quiet hours established from 10:00 p.m. until 7:00 a.m. – All Days of the Week

Other: All other development standards shall be per the City of Tucson *Land Use Code* "C-2" (B-2A) Commercial (Business) Zone and "RV" Recreational Vehicle Zone, and conditions for approval.

Amended April 23, 2014, Resolution No. 22251, 450 N. Grande Recreational Vehicle Park

4. **Parcel "D"** 5.4 acres

Principal Use: Residential (Apartments Preferred)

Zoning: R-3

Maximum Height: 30 feet

Alternative Uses: Office/Commercial provided such uses are community service uses.

Zoning: C-2 (B-2A) (or the least intense zoning necessary to permit proposed community service uses).

Other: All other development standards shall be per the City of Tucson *Land Use Code* "R-3" Residence Zone and conditions for approval.

Owner Participation: The owner of Parcel "D" is eligible for participation in the redevelopment of the project, subject to the rules and regulations promulgated by the City or the Redevelopment Entity.

5. **Parcel "E"** 21.2 acres

Principal Use: Residential (Townhouses Preferred)

Proposed Zoning: R-3

Maximum Height Within 100 feet of any R-1 or R-2 Residence Zone: 25 feet.

Minimum Setback from any R-1 or R-2 Residence Zone: 35 feet.

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-3" Residence Zone and conditions for approval.

6. **Parcel "F"** 7.8 acres

Principal Use: Residential (Condominiums Preferred)

Proposed Zoning: R-3

Maximum Height: 30 feet for 70 percent of building roof area, 40 feet for the remainder only if dispersed to achieve a variable skyline.

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-3" Residence Zone and conditions for approval.

Special Conditions: South approximately 0.8 acre shall be developed as a landscaped public open area.

7. **Parcel "G"** 19.3 acres

Principal Use: Residential (A mix of Condominiums, Townhouses and Apartments Preferred)

Proposed Zoning: R-3

Maximum Height Within 100 feet of any R-1 or R-2 Residence Zone: 25 feet.

Minimum Setback from any R-1 or R-2 Residence Zone: 35 feet.

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-3" Residence Zone and conditions for approval.

8. **Parcel "H"** 1.3 acres

Principal Use: Single-Family Detached Residential

Existing Zoning: R-2

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-2" Residence Zone and conditions for approval.

9. **Parcel "I"** 1.9 acres

Principal Use: Mixed Commercial and Residential Options. The goal is to achieve residential uses incorporating a mix of small scale commercial and office uses that are related to the activities projected to occur in the Riverpark.

Proposed Zoning: C-2 (B-2A)

Type: Upper story and lot spaces - Condominiums  
Lower story - Professional office and/or retail stores and services

Upper and lower story residential - Townhouses

Maximum Height: 30 feet

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "C-2" (B-2A) Commercial (Business) Zone and conditions for approval.

10. **Parcel "J"** 0.7 acres

Principal Use: Single-Family Residential or Duplexes

Existing Zoning: R-2

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-2" Residence Zone and conditions for approval.

11. **Parcel "K"** 12.9 acres

Principal Use: Residential (Townhouses Preferred)

Proposed Zoning: R-2

Maximum Height Within 100 feet of any R-1 or R-2 Residence Zone: 25 feet

Minimum Setback from any R-1 or R-2 Residence Zone: 35 feet

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-2" Residence Zone and conditions for approval.

Alternative Use: Nursing Home of up to 240 beds, together with associated day care center and professional medical offices

Proposed Zoning: R-4

Maximum Height: 25 feet

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-4" Residence Zone and conditions for approval.

Note: The south 100 feet (approximate) of Parcels "K" and "M" may be restricted to use as parking areas due to the presence of landfill. Accurate determinations of landfill locations must be made prior to approval of development plans.

12. **Parcel "L"** 3.1 acres

Principal Use: Open Space including parking-restricted uses due to presence of landfill; may be combined with Parcel "K."

Proposed Zoning: R-1 or (if required) PR

Note: Special landscaping methods other than irrigated landscaping will be required so that methane production from the underlying landfill is minimized.

13. **Parcel "M"** 14.0 acres

Principal Use: Residential (Condominiums and Apartments Preferred)

Proposed Zoning: R-3

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-3" Residence Zone and conditions for approval.

Note: See note accompanying Parcel "K"

Incidental Use: A tour bus terminal on a site not to exceed one acre may be developed as an incidental use in Parcel "M", with preference given to the northeast corner of the parcel and subject to compatibility with adjoining uses and review and approval by the City of Tucson. The term "incidental" is defined for the purposes of this document as less than ten percent of the total parcel area.

Proposed Zoning: C-1 (B-1)

14. **Parcel "N"** 9.2 acres

Principal Use: Residential (Condominiums Preferred)

Proposed Zoning: R-3

Maximum Height: 30 feet for 70 percent of building roof area; 40 feet for the remainder only if dispersed to achieve a variable skyline.

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "R-3" Residence Zone and conditions for approval.

Alternative Use: Specialty Commercial Recreation with attendant restaurant and retail uses, combining Parcels "N", "O" and "P" (parking only) into a site totaling 16.8 acres.

Proposed Zoning: C-2 (B-2A)

Maximum Development: 70,000 square feet under roof in conjunction with enclosed outdoor areas. Areas for historic displays and exhibitions shall not be counted as area under roof.

Special Considerations: Major restaurant uses shall be located in a landscaped setting adjacent to Congress Street and the Santa Cruz Riverpark. In addition to parking and building landscaping areas, there shall be developed a landscaped public plaza no less than 12,000 square feet in area and containing seating (including edges of planters, benches, and other design features) for no fewer than 75 persons, adjoining the restaurant and the Riverpark. An additional private landscaped area adjacent to and between the Specialty Commercial Recreational development and the plaza shall also be provided, and the site area for same shall be no less than 24,000 square feet. The combined landscaped spaces shall be deemed sufficient to provide an appropriate "setting," with sufficient public access to allow full interaction between the uses and the Riverpark.

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "C-2" (B-2A) Commercial (Business) Zone and conditions for approval.

15. **Parcel "O"** 2.4 acres

Principal Uses: Restaurant/Plaza/Specialty Shops related to and accessible from the Santa Cruz Riverpark.

Proposed Zoning: C-2 (B-2A)

Minimum Landscaped Outdoor Public Area: 25 percent of site area (if not developed in conjunction with Parcel "N")

Minimum Permanent Public Outdoor Seating: 75 persons

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "C-2" (B-2A) Commercial (Business) Zone and conditions for approval.

Alternative Use: See Parcel "N" Alternative Use

16. **Parcel "P"** 5.1 acres

Principal Use: Santa Cruz Riverpark (public)

Proposed Zoning: R-1

Alternative Use: Parking in conjunction with alternative uses permitted for Parcel "N".

Proposed Zoning: C-2 (B-2A)

17. **Parcel "Q"** 3.4 acres

Principal Use: Santa Cruz Riverpark (public)

Proposed Zoning: R-1

18. **Parcel "R"** 10.2 acres

Principal Use: Continuation of the existing bus maintenance facility and related uses.

Proposed Zoning: I-1

Other: All other development standards shall be per the City of Tucson *Land Use Code*, "P-I" Park Industrial Zone.

Owner Participation: The owner of Parcel "R" is eligible for participation in the redevelopment of the project, subject to the rules and regulations promulgated by the City or the Redevelopment Entity.

Note: Special landscaping methods other than irrigated landscaping will be required so that methane production from the underlying landfill is minimized.

19. **Parcel "S"** 0.7 acres

Principal Use: Garden of Gethsemane, City Park (public)

Proposed Zoning: R-1

20. **Parcel "T"** 45 acres

Principal Use: Santa Cruz Riverpark (public)

Proposed Zoning: R-1

C. Other Existing Fully Developed Parcels

The following existing uses are also within the redevelopment area boundaries and owners/operators are encouraged to cooperate in the redevelopment efforts and where applicable as owner participants to achieve Riverpark goals:

- Burger King Restaurant on St. Mary's Road;
- Elderly Housing on Congress Street;
- Desert Inn, Travel Lodge and Sheraton-Pueblo Motor Inns on the Interstate 10 Frontage Road;
- Pima County Health Clinic on the Interstate 10 Frontage Road.

**VII**

**PROPOSED CHANGES IN ZONING ORDINANCES AND MAPS, STREET LAYOUTS, STREET LEVELS AND GRADES, BUILDING CODES AND ORDINANCES**

A. Zoning Changes

See Section VI. B. above. Applications for zoning changes shall be made following formulation of specific development proposals, on a parcel by parcel basis.

B. Public Streets, Pathways and Open Space

Various streets will be dedicated to the City of Tucson as redevelopment of the site proceeds. Most important will be the primary north-south collector, "*Rio Nuevo Boulevard*," which will consist of two lanes (28 feet) of paving with no on-street parking in a fifty foot right-of-way, plus turn lanes at Congress and St. Mary's. Other streets, which will be minor collector streets feeding the primary north-south collector, may also be dedicated if required by the City of Tucson.

Local streets within parcels of the redevelopment project area may be privately held and maintained by means of a community association(s). In addition to the private streets, all open spaces, pedestrian pathways, and landscaped areas held in common will be maintained by the association(s). Standards for streets, pedestrian pathways, landscaping, and signage will be detailed in subsequent development plans submitted for approval by the City. No local streets within the project area will connect with existing neighborhood streets to the west, thus reducing potential traffic impacts on these neighborhoods. A possible exception may be a connection with Grande Avenue north of Emery Street.

Bonita Street will be modified to function as the major entryway to Rio Nuevo north from Congress. Existing residences and businesses on Bonita Street will be shielded from the impact of Rio Nuevo traffic by the use of landscaping and traffic islands.

A system of pedestrian pathways will serve the existing neighborhoods as well as the project area (See Exhibit "D"). Pathways will connect with Grande/Mission Road at several locations, physically linking the neighborhoods to the Riverpark and the downtown. Pathways are to be all-weather surfaced and landscaped to be shady and attractive.

Both public and private open spaces will be provided in the project. It is the intent of this

*Plan* that open spaces be usable, attractive and contribute to the image of the project and the well being of its residents. In addition, developers will be encouraged to design the open spaces as a series of nodes linking with the pathways, so that clearly defined corridors result.

C. Utilities

Overhead powerlines of 138, 46 and 14 kV now span the redevelopment area. Redevelopment will necessitate minor modifications to these lines. A tower supporting the 138 kV lines that traverse the site from north to south along the Santa Cruz River will be adjusted 50 feet westward in the vicinity of the Congress Street Bridge to allow channel widening for flood control. The 46 kV lines that cross the site from Fresno Street east to the river will be relocated on-site and will most likely remain above ground. The poles will be upgraded and screened by landscaping. Various 14 kV distribution lines at the boundaries of the project area may be placed underground or relocated as future detailed site planning may determine.

All other utilities constructed to serve the redevelopment shall be placed underground to promote health, safety and an uncluttered appearance.

D. Building Codes and Ordinances

The project will not result directly in the modification or change of any existing building codes or other ordinances except portions of the applicable Zoning (Building Zone) Map(s) of the City of Tucson.

## VIII

### **KIND AND NUMBER OF SITE IMPROVEMENTS AND ADDITIONAL PUBLIC UTILITIES REQUIRED TO SUPPORT NEW LAND USES AND REDEVELOPMENT**

Site improvements undertaken as project activities include the following: Site preparation through removal of uncompacted fill and rubble and replacement with compacted fill; demolition of substandard, abandoned and incompatible commercial and industrial structures; installation of subsurface storm drainage facilities, sewers, water lines and other utilities to directly serve development; construction of collector thoroughfares to provide access and circulation within the project; and channelization, bank stabilization and landscaping of the Santa Cruz River.

Adequate gas, electrical, water, sewer and telephone services are available at project boundaries.

## IX

### PROJECT IMPLEMENTATION

In implementing the Project any and all methods of achieving the redevelopment of the project area as authorized by law may be utilized. Specific methods which may be identified now are:

#### A. Property Acquisition

The City or Redevelopment Entity will acquire all of the land, real property and interests in land within the project area. Property to be acquired for redevelopment is shown on the Land Acquisition Map, "Exhibit E". The City or Redevelopment Entity retains the option to permit, at its own discretion, owner participation agreements to be entered into and carried out by owners of certain property as set forth in Paragraph C of this Section.

##### 1. Method of Land Acquisition

Acquisition appraisals will be prepared by competent independent appraisers as the basis for negotiating the acquisition of project land at fair market value. If a negotiated purchase fails, the City may initiate condemnation proceedings to acquire the property. Following acquisition of project land, sites will be prepared for new development in accordance with the *Plan*.

##### 2. Estimated Cost of Land Acquisition, Preparation of Project Area for Redevelopment and Proceeds from Sale of Land.

The estimated maximum cost of acquisition of land in the project area, including improvements, is \$4,500,000. Land sale proceeds for redevelopment in accordance with the *Plan* are estimated to be a minimum of \$5,400,000.

The estimated maximum cost of flood control improvements in the Santa Cruz Riverpark is \$4,800,000.

The estimated maximum cost of preparation of the Redevelopment Project Area for redevelopment is \$4,200,000.

#### B. Proposed Method of Financing the Redevelopment Project

Project expenditures in excess of proceeds from the sale of land to developers will be paid from a variety of sources, including but not limited to: appropriations from Housing and Community Development Act grants, including Section 108 Loan Advance; the City of Tucson Capital Improvement Program; State of Arizona Flood Control funds; Tucson Electric Power Company undergrounding district funds; private gifts or donations; various Federal grant-in-aid programs, including historic preservation and solar energy development assistance; and other special fund sources that are, or may become, available,

including industrial development and/or mortgage revenue bonds and tax abatement or payment-in-lieu-of-tax programs.

C. Owner Participation

Where compatible with the purposes of the *Plan*, owners of real property in the Project may, subject to rules and regulations promulgated by the City or Redevelopment Entity, be accorded the opportunity to participate in the redevelopment of the Project. Such participation shall be contingent upon execution by such owner of a binding agreement (Owner Participation Agreement) by which the property retained or acquired will be developed, maintained, or rehabilitated for use in conformance with the *Plan*, the declaration of restrictions and guidelines for owner participation.

Owner participation necessarily will be subject to and limited by such factors as the nature, condition, and use of existing improvements; the elimination of certain land uses; the realignment of streets; the construction of new public facilities and improvements; and the ability of owners to finance acquisition and rehabilitation, and/or to redevelop in accordance with the *Plan*; the need to proceed with the implementation of the Project in a timely manner; and the declaration of such restrictions and controls as may be found necessary to ensure that redevelopment is carried out pursuant to this *Plan*.

D. Property Management

Property in the Project Area shall be under the management of the City or Redevelopment Entity until such time as the property is disposed of to a Developer.

E. Method Proposed for the Relocation of Families

The project will displace two businesses and two caretaker households. Each will be relocated in accordance with the Uniform Relocation Assistance Act. The City and the Redevelopment Entity will work together closely to assist the households and individuals subject to displacement to locate suitable housing accommodations and, if necessary, obtain housing financing. To provide the opportunity to remain in the vicinity, the caretaker residences will be given a priority to relocate into new housing developed on the Alameda Street buffer lots (Parcel "H").

F. Disposition of Real Property

For the purposes of this *Plan*, the City or Redevelopment Entity is authorized to sell, lease, sublease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

All real property or personal property acquired in the Project shall be sold or leased for development at prices which shall be not less than fair market value as determined by independent appraisals for uses in accordance with the *Plan*, even though such fair market

value may be less than the cost of acquiring and preparing the property for redevelopment. Real property which is conveyed to any public body may be done with or without consideration.

The disposition and development documents shall reserve such powers as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this *Plan*.

All purchasers or lessees of property shall be obligated to use the property for the purposes designated in this *Plan* and to begin and complete development of the property within the period of time as agreed upon in the disposition documents.

G. Disposition and Development Documents

All real property sold, leased, or conveyed by the City or Redevelopment Entity shall be made subject to the provisions of this *Plan* by lease, deeds, contracts, agreements, declarations, or other means, as necessary, to provide adequate safeguards to ensure that the provisions of this *Plan* will be carried out and to prevent the recurrence of blight. Where appropriate, as determined by the City or Redevelopment Entity, such documents or portions thereof shall be recorded in the Office of the Recorder of Pima County, Arizona.

Purchasers, lessees or owner participants of land within the Project Area shall be required to develop such land in accordance with the provisions of this *Plan*. Transfer of title to purchasers, lessees or developers of land may be withheld in order to ensure the fulfillment of this requirement.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights-of-reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this *Plan*.

The developer of project land shall not sell, lease or otherwise transfer such land at any time prior to the completion of the redevelopment thereof without the prior written consent of the City or Redevelopment Entity.

H. Works of Art

Developers may be required as a basis for their selection to supply and incorporate into each development works of art for public view and appreciation. Rules and regulations governing the provision of works of art, including costs, placement and time of construction may be established by the City or Redevelopment Entity.

**X**

**ACTIONS BY THE CITY**

The City shall take all actions necessary to implement this *Plan* and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include all those actions authorized by law which include, but shall not be limited to, the following:

- A. Exercising its power under State law, the Tucson Charter and the Tucson Code as necessary in the implementation of the *Plan*, including but not limited to the powers granted the City under the Slum Clearance and Redevelopment Act, A.R.S. Sec. 36-1471, et. seq., where necessary to acquire land within the project area for redevelopment purposes.
- B. Taking all actions necessary for closing, vacating or widening streets, alleys, and other public rights-of-ways, and for other necessary modifications of the streets, the street layout, and other improvements within the public rights-of-ways with the Project Area including changes and improvements in publicly-owned utilities within or affecting the Project.
- C. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered by the City in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without necessary delay.
- D. Contract with any agency or corporation, public or private, as necessary or desirable to implement the provisions of this *Plan*.

**XI**

**DEVELOPER'S OBLIGATIONS AND DESIGN OBJECTIVES**

- A. Time for Completion

Developers shall begin and complete the development of the land for the uses required by this *Plan* and the construction of improvements agreed upon in the disposition contract within a reasonable period of time to be provided for in the disposition contract.

B. Design Objectives

Developers shall be required to meet certain design objectives enumerated below, subject to site plan and design review and approval, in order that sound and attractive development be achieved and to ensure that the new development is properly integrated into the area:

1. Provide building orientation, variation in building height, siting and an arrangement and relationship among uses and structures in an interesting sequence that defines, complements and supports a strong pedestrian corridor and transportation system as an integral part of the overall design and project activity.
2. Provide an attractive urban environment utilizing form and materials that blend harmoniously with adjoining areas.
3. Provide for well-designed open spaces in relation to new buildings, including appropriately screened and landscaped pedestrian and parking areas.
4. Provide maximum separation and protection of pedestrian access routes from vehicular traffic arteries and optimum internal pedestrian circulation routes within the development.
5. Provide adequate setbacks or acoustical shielding from traffic noise.
6. Otherwise reflect standards of quality and excellence required for acceptance of the concept through site plan review procedures.
7. It is expressly understood that approval of any site or architectural plans, including landscaping, signing and lighting, is solely at the discretion of the Redevelopment Entity under contract with the City for implementation of this project, with final approval by the City of Tucson as required by applicable Tucson City Codes, and applies to any and all features shown thereon; that any subsequent additions, deletions, or other modifications thereof are required to be resubmitted by the Developer for approval before actual construction can occur; and furthermore, that the regulations and controls of this *Plan* as they pertain to land use will be implemented where applicable by appropriate covenants and other provisions in the agreement for land disposition and conveyance executed pursuant thereto. The covenants shall run with the land for a period of 20 years and for a subsequent period of 20 years; if it is found that there no longer exists justification to maintain the use or uses of the site, the subsequent period of 20 years may be extinguished by the City.

## **XII**

### **GRANTING OF VARIANCES IN THE EVENT OF HARDSHIP**

Where unnecessary hardships, practical difficulties or consequences inconsistent with the general purposes of this *Plan* result from the literal interpretation and enforcement of restrictions and limitations imposed by this *Plan*, the owner of the property affected may make application to the Redevelopment Entity for a variance, stating fully the grounds of the application and facts relied upon. The Redevelopment Entity, upon receipt of the application and upon its own further investigation, shall subsequently submit its recommendations to the City for final review and approval. The City may grant a variance under such conditions and safeguards as it may determine, consistent with the general purposes and intent of this *Plan*, provided that in no instance will any variance be granted that will change or alter the land uses or other basic requirements of this *Plan*.

## **XIII**

### **PROCEDURES FOR CHANGES IN APPROVED PLAN**

The approved *Plan* may be amended by an amendment prepared by the Redevelopment Entity and approved by the City upon compliance with requirements of the law provided that in respect to any land in the Project Area previously disposed of for use in accordance with the *Plan*, the Redevelopment Entity or City receives the written consent of the owner of such land whose interests therein are materially affected by such amendment.

## **XIV**

### **SEVERABILITY**

In any provision, section, subsection, sentence, clause or phrase of this *Plan* is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of this *Plan*.

## **XV**

### **NONDISCRIMINATION**

No person shall, on the grounds of race, creed, color, sex, age or national origin, be excluded from participation in, be denied the benefits of, or be subjected to, discrimination in the sale, lease, use or occupancy of any portion of this Project. Appropriate covenants running with the land to prohibit such restrictions shall be included in the disposition instruments.

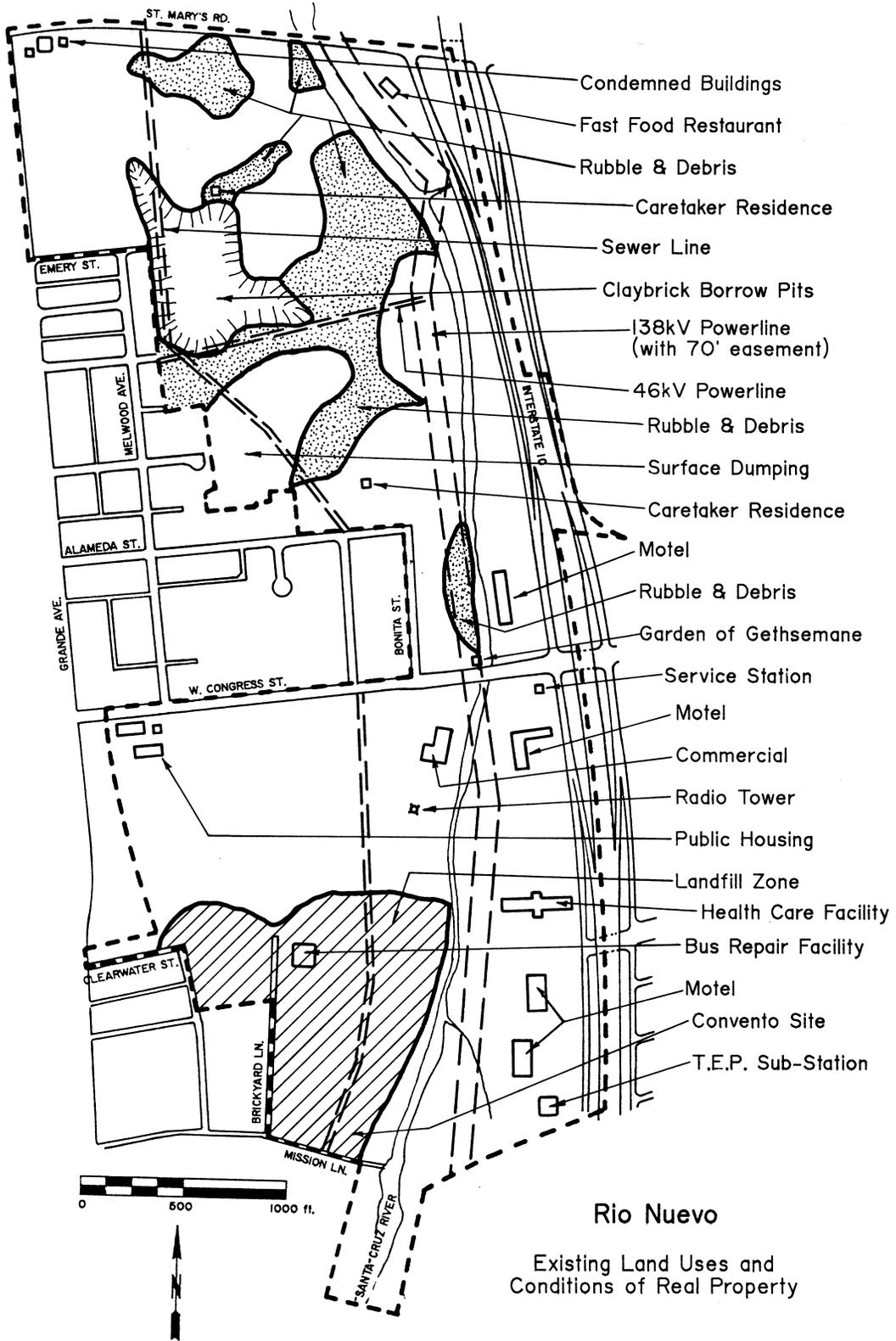
The following appendix adopted as a part of this *Redevelopment Plan* is on file and available from the City Planning Department, 255 West Alameda, Tucson, Arizona, 520-791-4505.

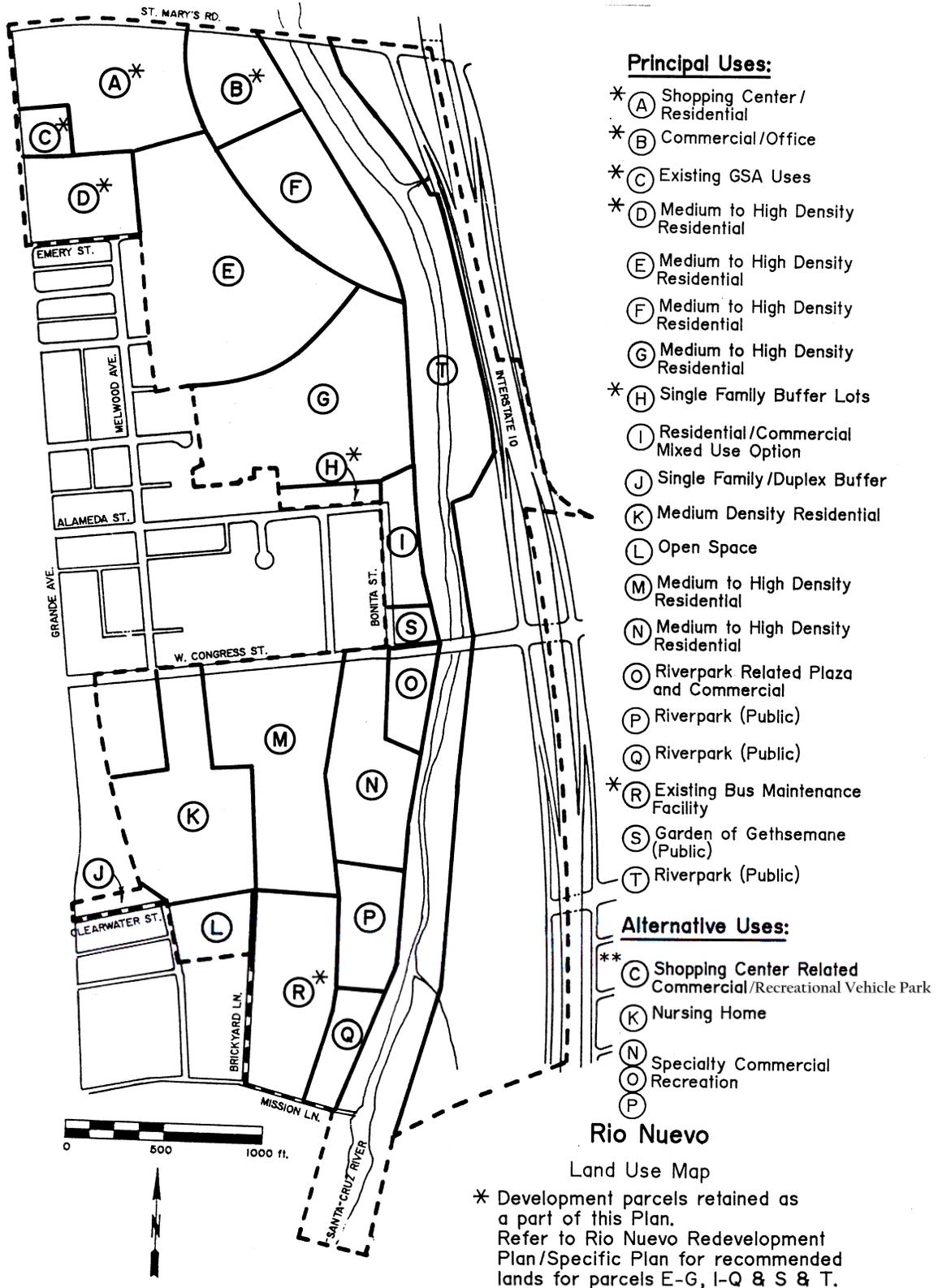
Exhibit A - Legal Description

EXHIBIT "A"  
RIO NUEVO REDEVELOPMENT PROJECT

That parcel of land located in the City of Tucson, County of Pima, State of Arizona, more particularly described as follows:

Beginning at the centerline intersection of St. Mary's Road and Interstate Highway 10;  
thence westerly, along the centerline of St. Mary's Road, to its intersection with the centerline of Grande Avenue;  
thence southerly, along said centerline, to its intersection with the westerly prolongation of the southerly line of Emery Street as shown on the map or plat of CASAS ESTRADA ANNEX, a subdivision of Pima County, Arizona, as per the map or plat thereof recorded in the Office of the Recorder of said County in Book 11 of Maps and Plats at page 85;  
thence easterly, along said southline and its westerly and easterly prolongations, to a point on the west line of that certain north-south alley shown on said map or plat of CASAS ESTRADA ANNEX;  
thence southerly, along said west line and its southerly prolongation, to the south line of Fresno Street;  
thence easterly, along said south line, to a point on the westerly line of Cotten Subdivision, as recorded in Book 21 of said Maps and Plats at page 53;  
thence southerly, along the westerly boundary lines of Cotton Subdivision to the intersection with the north line of Alameda Street;  
thence easterly, along said north line, to its intersection with the northerly prolongation of the west line of Bonita Avenue;  
thence southerly, along said west line and its northerly prolongation, to a point on the north line of Congress Street;  
thence westerly, along said north line, to its intersection with the northerly prolongation of the easterly line of Block 1 of SOUTH MENLO PARK as recorded in Book 3 of said Maps and Plats at page 131;  
thence southerly, along said easterly line and its northerly prolongation, to the southeast corner of Block 1, being a corner in that certain parcel described in said County Recorder's Office in Docket, 2159 at page 498;  
thence westerly, along the southerly lines of those parcels described in Docket 2159 at page 498, Docket 3591 at page 131 and Docket 3857 at, page 105, and along the southerly line, and its westerly prolongation, of said Block 1 to the centerline of Grande Avenue;  
thence southerly, along said centerline to its intersection with the westerly prolongation of the south line of Clearwater Drive;  
thence easterly, along said south and its westerly prolongation, to the east line of Melwood Lane;  
thence southerly, along said east line, to a point on the south boundary of Block 22, HUGHES SUBDIVISION;  
thence easterly along said line extending to the west line of Brickyard Lane;  
thence southerly, along said west line, to a point on the north line of Mission Lane;  
thence southeasterly, along said south line to a point 200 feet west of the centerline of the Santa Cruz River as shown in the 1982 flood control plans of Cella Barr Associates;  
thence southerly and parallel to said centerline a distance of 700 feet;  
thence easterly, perpendicular to said centerline a distance of 400 feet;  
thence northerly, parallel to said centerline to a point on the south line of Mission Lane;  
thence easterly, along said south line and its easterly prolongation, to a point on the aforesaid centerline of Interstate Highway 10;  
thence northerly, along said centerline, to its intersection with the westerly prolongation of the south line of Alameda Street;  
thence easterly, along south line and its westerly prolongation, to the easterly line of the Southern Pacific Company Property (formerly known as the E.P & S.W.R.R.);  
thence northerly, along said easterly line, to the north line of Franklin Street;  
thence westerly, along said north line and its westerly prolongation, to a point on the aforesaid centerline of Interstate Highway 10;  
thence northerly, along said centerline, to the point of beginning.



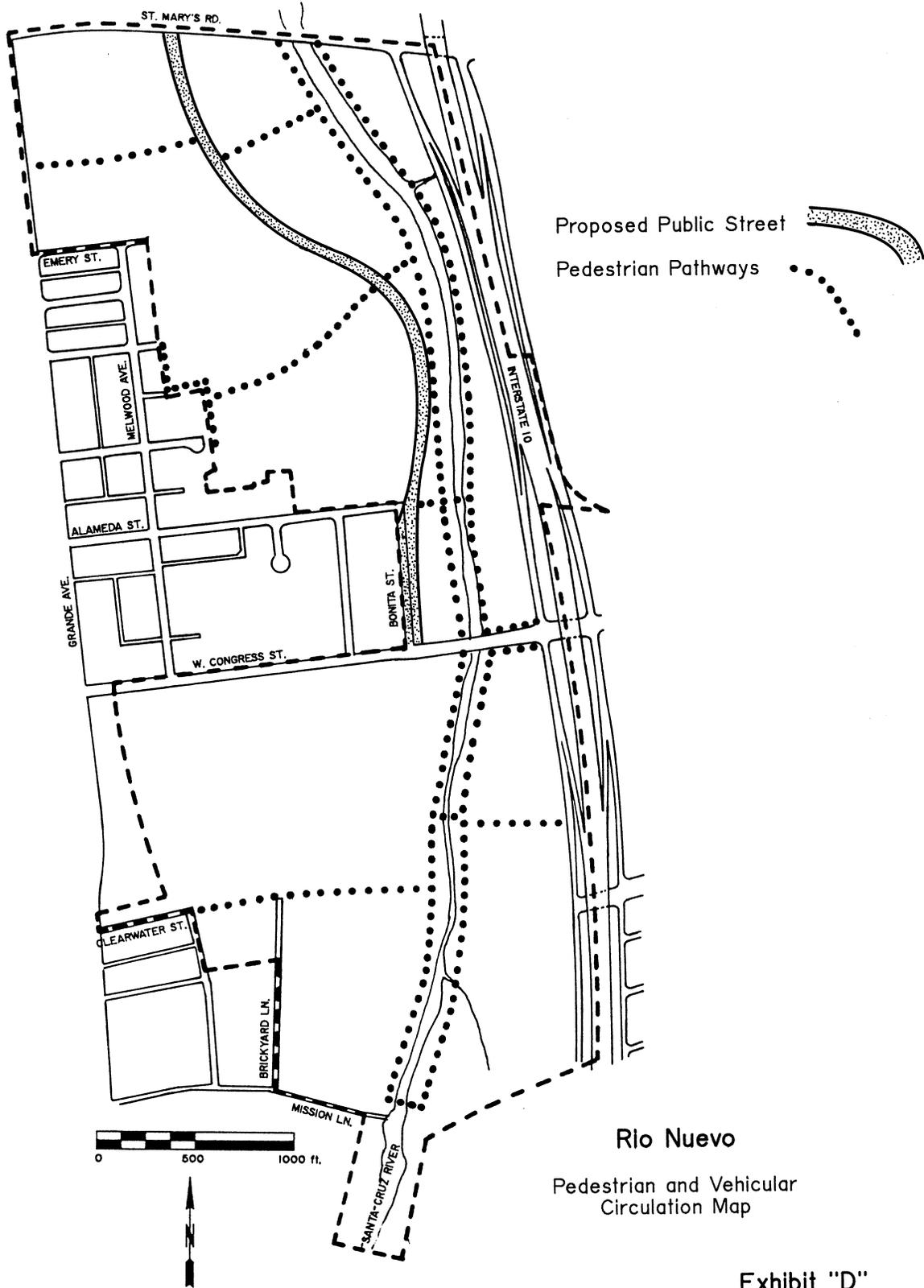


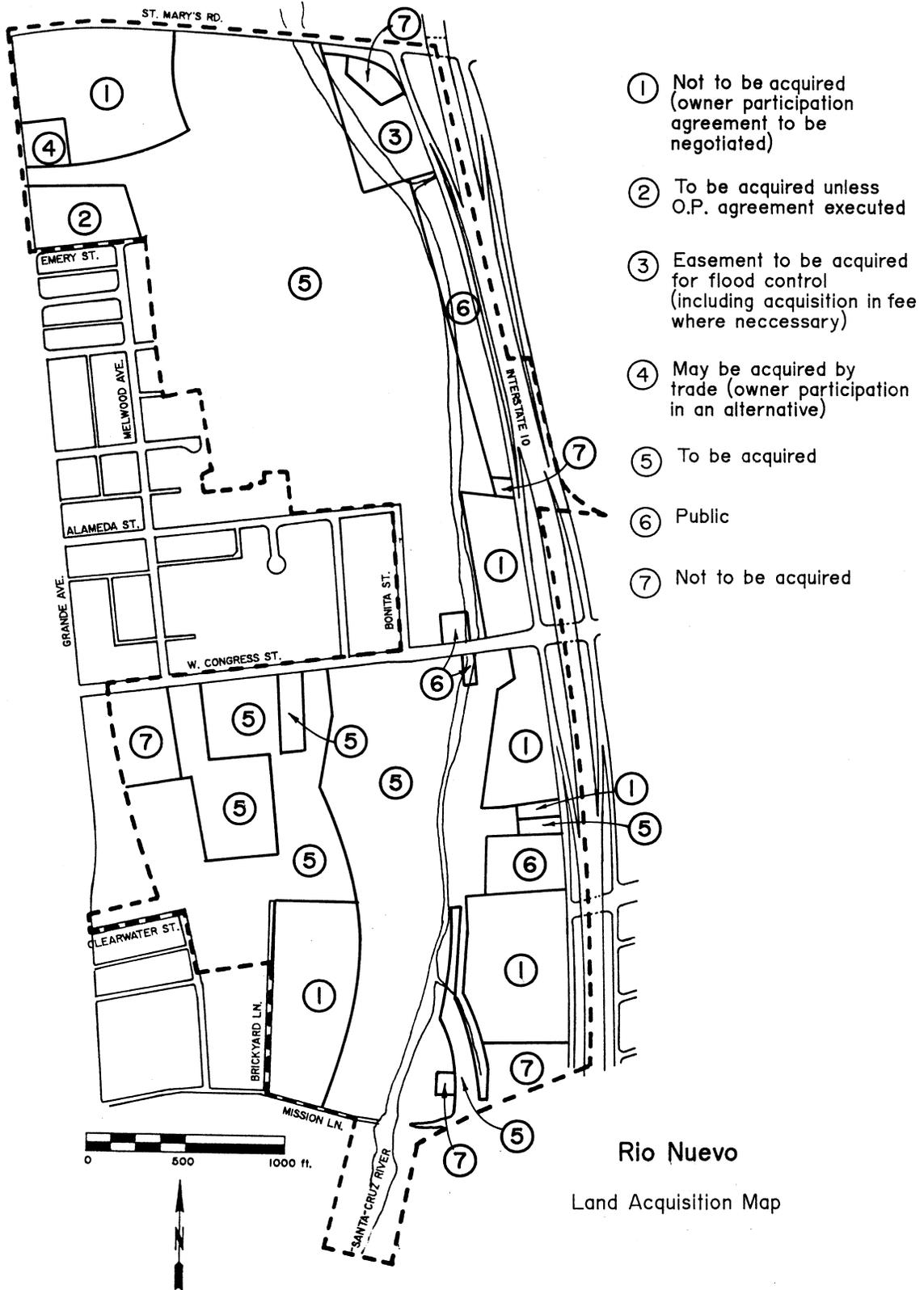
**Rio Nuevo**

Land Use Map

\* Development parcels retained as a part of this Plan. Refer to Rio Nuevo Redevelopment Plan / Specific Plan for recommended lands for parcels E-G, I-Q & S & T.

\*\* Amended April 23, 2014, Resolution No. 22215 **Exhibit "C"**  
 450 N. Grande Avenue  
 Recreational Vehicle Park





- ① Not to be acquired (owner participation agreement to be negotiated)
- ② To be acquired unless O.P. agreement executed
- ③ Easement to be acquired for flood control (including acquisition in fee where necessary)
- ④ May be acquired by trade (owner participation in an alternative)
- ⑤ To be acquired
- ⑥ Public
- ⑦ Not to be acquired

Rio Nuevo  
Land Acquisition Map

Exhibit "E"