



MEMORANDUM

DATE: June 11, 2008
For June 26, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT
C9-08-07 C.O.T. - Congress Street, C-1 to OCR-2 (Ward 6)

Issue – This is a request by the City Manager’s Office, on behalf of the property owners, the City of Tucson (C.O.T.), to rezone approximately 0.71 acres from C-1 to OCR-2 zoning. The rezoning site is located at the southeast corner of Sixth Avenue and Pennington Street (see Case Location Map). The City requests to rezone the site in order to unify downtown zoning and to provide the most flexibility with regard to future uses for the property.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of OCR-2 zoning.

Background Information

Existing Land Use: Transit Bus Depot/Ronstadt Transit Center

Surrounding Zones and Land Uses:

North: Zoned OCR-2; Transit Depot/T.I.C.I.T. transfer station

South: Zoned OCR-2; Office, Commercial

East: Zoned OCR-2; Office, Commercial, Parking

West: Zoned OCR-2, C-1; Office, Commercial, Parking

Previous Cases on the Property: none

Related Case:

C9-07-23 Town West - Franklin Street, I-1 and C-3 to OCR-2 and I-2 This was a rezoning request for 5.76 acres located at the northwest corner of Stone Avenue and Franklin Street to allow the development of retail, administrative and professional offices, 150 residential condominium units, a hotel, brewery, restaurants and parking. On November 27, 2007, Mayor and Council voted 7 to 0 to authorize the requested zoning.

C9-06-25 The Post - Congress Street, C-1/C-2 to OCR-2 This was a rezoning request for 0.3 acres located at the south side of Congress Street between Stone and Scott Avenues to allow the development of a six-story, 75-foot tall mixed-use building consisting of retail, restaurant, office and 47 residential condominium units on 0.55 acres. On December 5, 2006, Mayor and Council adopted Ordinance No. 10356 and on January 5, 2007 the requested zoning became effectuated.

Applicant's Request – The applicant requests to rezone 0.71 acres of the site to OCR-2 in order to unify downtown zoning and to provide the most flexibility with regard to future uses for the property.

Planning Considerations

Land use policy direction for this area is provided by the *El Centro Redevelopment Plan* and the *General Plan*. The *Plans* identify downtown as a major activity center and encourage the upgrading of this area as a mixed-use activity area in order to increase transit use; reduce air pollution; improve delivery of public and private services; and create inviting places to live, work and play. The *El Centro Redevelopment Plan* specifically calls out for the City's main role to be that of assisting and facilitating private sector investment in these areas.

Both of these *Plans* call out for high quality urban design elements as reflected through appropriate style, scale, and arrangement of structures. The *El Centro Redevelopment Plan* and the *General Plan* policies encourage and support developments that respond to physical characteristics of the site, adjacent land use patterns; enhancing the visual appeal of the streetscape; and incorporating neighborhood recommendations into site planning and design. Policies within the *El Centro* core support district encourage uses that support the core district. It also stresses the importance of auto/transit/pedestrian mode balance and parking concentrations, which produce minimized impacts on the local system. Pedestrian circulation should focus on linkages between parking and the core district. Ground floor spaces should be designed to encourage and attract pedestrian traffic. Parking should be located away from pedestrian oriented spaces, especially on the ground floor. Parking spaces should also be located in a way that pedestrian areas or paths are uninterrupted and access points will be minimized.

The rezoning site is located on the northwest portion of what is now the Ronstadt Transit Center. The property is bounded by Pennington Street to the north, Sixth Avenue to the west, an abandoned section of Arizona Avenue to the east and Congress Street to the south. The property currently has split zoning with the C-1 portion at the northwest corner of the property and the remaining portion zoned OCR-2. The transit center is also surrounded by OCR-2 zoning with a high-density of mixed uses including office, retail, food service and parking. Adjacent to the site is the former MLK Building, now Depot Plaza, which is currently being redeveloped for market rate housing (rentals). Also adjacent to this site, the city-owned MacArthur Building is to be offered for sale for private reinvestment and redevelopment.

The Ronstadt Transit Center is located along two critical Downtown arterial streets, Congress Street and Sixth Avenue. Vehicular access to the rezoning site is currently provided from

Congress and Pennington Streets. Congress Street and Sixth Avenue, identified as arterial roadways on the *Major Streets and Routes Plan* map, are at ultimate right-of-way widths and located south and west of the rezoning site respectively. Toole Avenue, identified as a collector street on the *Major Streets and Routes Plan* map is also at its ultimate right-of-way width and is located east of the property. Pennington Street, a local street, is just north of the site.

Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The parcel was acquired by the City in 1989 and is currently in use as the Ronstadt Transit Center for Sun Trans. The City currently has no plans or intentions to sell the site, rather it hopes to be proactive in allowing for more flexible options in the future with regard to the parcel’s overall “air rights” and potential for mixed use development.

It has been acknowledged that the "air rights" above the site could potentially be developed. However, there are no immediate plans to sell or redevelop this site. The majority of the site is already zoned OCR-2, and it is appropriate and consistent with the prevalent zoning pattern for this area. This rezoning request from C-1 to OCR-2 for the 0.71-acre portion of this site will eliminate the current split zoning that could impede and limit any future potential redevelopment of this site.

Activity centers promote a planned and integrated combination of commercial, office, entertainment, service, educational, employment, and residential uses within a focused area. It should also be noted that this Downtown activity center includes the Rio Nuevo District which has been planned for a variety of land uses, including facilities for personal shopping and services, space for business, financial and professional offices, entertainment, and high density residential. Future development of this site should be consistent with such uses. As there are no specific uses identified for the site, all future development or redevelopment of the site may require a development agreement with Mayor and Council to ensure the design and proposed use will be in context with the surrounding development.

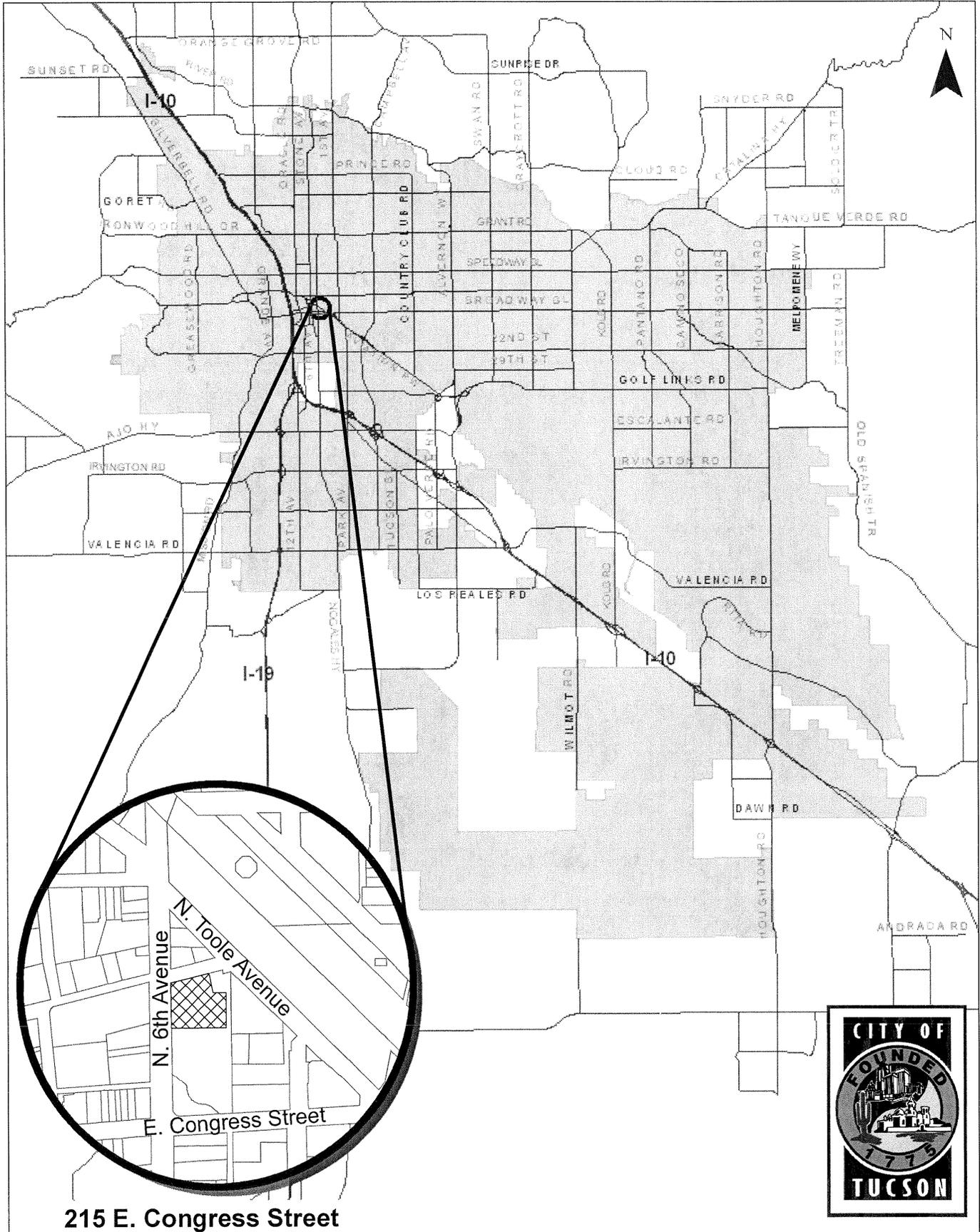
The site is part of Block 83, which was used historically between the 1880s and 1920s. Historic site AZ BB:13:401(ASM) is directly adjacent to the subject property on the east. Site AZ BB:13:401(ASM), which was documented as part of the Ronstadt Transit Center Project, is described in records as a settlement occupied as early as 1883. The entire area has a high density of cultural resources and is considered to have high archaeological sensitivity, as defined in the Sonoran Desert Conservation Plan. Due to the cultural resources sensitivity of the site, an archaeological survey should be conducted prior to any future ground-disturbing activity.

Drainage/Grading/Vegetation – All future development should maximize water harvesting. Rainwater harvested from building roofs, sidewalks, and parking lots should be employed to assist in supporting landscaped areas including parking lot tree wells, landscape buffers, sidewalk plantings, and other vegetation locations at the site. Specifications for water harvesting shall be

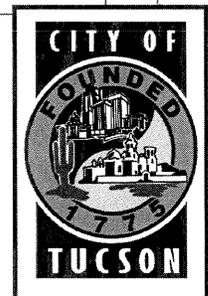
clearly delineated on future site plan submittals to ensure it is correctly implemented at all necessary stages of construction.

Conclusion – The request to rezone the 0.71-acre portion from C-1 to OCR-2, is consistent with the current OCR-2 zoning which is also the prevalent surrounding zoning pattern. This rezoning allows the overall site to conform to the land use policy direction found in the *General Plan, El Centro Redevelopment Plan*, and underscores the planning efforts of the Rio Nuevo District. Therefore, approval of the requested OCR-2 zoning is appropriate.

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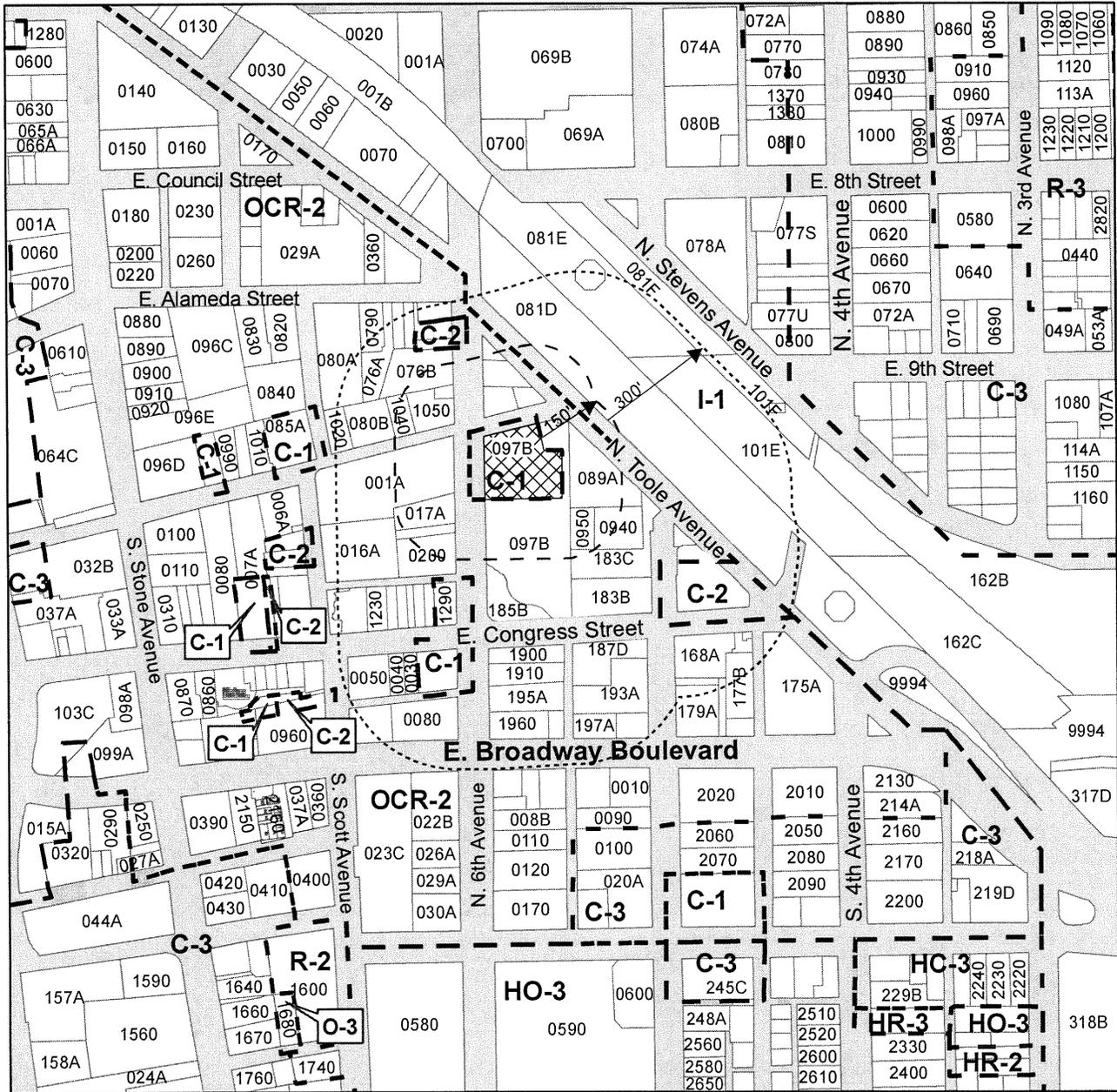


215 E. Congress Street



C9-08-07 C.O.T. - Congress Street

Rezoning Request: from C-1 to OCR-2



0 200 400
 Feet
 1 inch equals 400 feet

- Area of Rezoning Request
- Protest Area (150 foot radius)
- Notification Area (300 foot radius)
- Zone Boundaries

Neighborhood, Area Plan(s): El Centro Redevelopment Plan
 Address: 215 E. Congress Street
 Base Maps: Sec.12 T.14 R.13
 Ward: 6





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June 2008 Aerial