



MEMORANDUM

DATE: March 26, 2008
For April 10, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT
C9-08-01 Fort Lowell Park, LLC - Fort Lowell Road, R-3 and MH-1 to O-3
(Ward 2)

Issue – This is a request by Michael Grassinger, on behalf of the property owners, Fort Lowell Park, LLC, to rezone approximately 6.58 acres from R-3 and MH-1 to O-3 zoning. The rezoning site is located on the south side of Fort Lowell Road approximately 655 feet east of Alvernon Way (see Case Location Map). The preliminary development plan proposes eight administrative and professional office structures totaling 82,627 square-feet of floor area and ranging from 24 to 40 feet in height on 6.58 acres.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of O-3 zoning, subject to the attached preliminary conditions.

Background Information

Plan Amendment - The applicant successfully processed an amendment to the *Grant-Alvernon Area Plan* to allow for office and high-density residential uses along the Fort Lowell frontage (Resolution No. 20819 adopted November 13, 2007).

Existing Land Use: Undeveloped land

Surrounding Zones and Land Uses:

North: Zoned C-2, MH-1 and R-1; office, mobile home park and single-family residential

South: Zoned MH-1; mobile home park

East: Zoned R-2; single-family residential

West: Zoned C-1 and MH-1; office and mobile home park

Previous Cases on the Property: none

Related Cases:

C9-05-28 DESCO Southwest – Grant Road, R-1 to O-3 This was a rezoning request for 3.5 acres located on the north side of Grant Road, approximately one-half mile east of Wilmot Road to allow the development of three (3) one-story buildings and one (1) two-story building for a total of 43,000 square feet of medical office and administrative and professional office uses. On January 17, 2007 Mayor and Council adopted Ordinance No. 10369 and on August 24, 2007, a building permit was issued, effectuating the requested zoning.

C9-02-19 Tucson Boys Chorus – Pima Street, R-2 to O-3 This was a rezoning request for 1.47 acres located on the southwest corner of Pima Street and McKinley Avenue to allow for a 9,100 square foot, twenty-seven foot tall, one-story addition to the existing building for meeting and educational space. On November 18, 2002, Mayor and Council voted 7-0 to authorize the rezoning. The time for compliance with the conditions of the rezoning expired on November 18, 2007 and the case was closed.

C9-01-01 TMCare - Wyatt Drive, R-1 to O-3 This was a rezoning request for 4.4 acres located on the west side of Wyatt Drive approximately 300 feet south of Glenn Street to allow for a one-story hospice for 32 persons in nine buildings totaling 22,000 square feet and a 45,000 square foot medical records facility for the Tucson Medical Center. On August 2, 2005, Mayor and Council adopted Ordinance No. 10188 and on March 20, 2006, a building permit was issued, effectuating the requested zoning.

Applicant's Request – The applicant requests O-3 zoning to allow the construction of eight administrative and professional office structures totaling 82,627 square-feet of floor area and ranging from 24 to 40 feet in height on 6.58 acres.

Planning Considerations

Land use policy direction for this area is provided by the *Grant-Alvernon Area Plan* and the *General Plan*. The policies of both *Plans* protect established residential neighborhoods by supporting compatible development. *Grant-Alvernon Area Plan* policies support commercial and office development provided the use is compatible and the design is sensitive to surrounding uses with an overall goal to improve the visual appearance of the area.

General Plan policies support commercial and office development within urbanized areas when compatible with adjacent uses including established residential uses. Commercial and office uses are supported in appropriate locations to promote use and improvement of existing infrastructure, increase pedestrian activity and transit use, and meet residents' needs for goods and services.

The location of the rezoning site is east of Alvernon Way on the south side of Fort Lowell Road. The site consists of seven parcels, forming an "L" shaped development around a small, two-story apartment complex that is zoned R-3. Two separate mobile home parks zoned MH-1 are located south and west of the site. The adjacent northwestern property is an office use zoned C-1. North of Fort Lowell Road, directly across from the site are office and residential uses zoned C-2 and

R-1 respectively and a mobile home park zoned MH-1. A residential development zoned R-2, which consists of one, and two-story homes is located to the east of the site.

Vehicular access to the rezoning site is proposed from Fort Lowell Road. Fort Lowell Road, identified as an arterial roadway with a future right-of-way of 100 feet on the *Major Streets and Routes Plan* map, is north of the rezoning site. Alvernon Way, also an arterial roadway with a future right-of-way of 120 feet, is located west of the rezoning site.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 909 vehicle trips per day.

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

Design Considerations

Land Use Compatibility – The site is currently undeveloped with primarily residential uses surrounding it. The northeast portion of the site that is zoned R-3 is not to be part of the rezoning and development. A lot split for parcel 110-06-009A will be required in addition to the submittal of a development plan. The proposed project must be designed in a manner that is consistent with the surrounding uses. The Design Compatibility Report indicates that the proposed project will incorporate a design that will be residential in scale. The development will consist of buildings divided into smaller, separate sections with building facades featuring four-sided architecture. The side and rear facades of the buildings will incorporate details found on the front of the buildings. Dimensioned and colored elevation drawings showing the four-sided architecture including varied rooflines shall be submitted with the development plan. In order to preserve the privacy of adjacent residential uses, staff will recommend that buildings 7 and 8, as shown on the preliminary development plan, be limited to one-story with a maximum height of 25 feet. Buildings 5 and 6 abutting the southern portion of the site shall not have any south facing second floor balconies and shall be limited to clerestory windows in order to protect the privacy of the MH-1 properties to the south.

Staff recommends that all noise-generating uses be located away from adjacent residential areas. The trash dumpsters and two of the three loading zones as shown on the preliminary development plan meet or exceed the recommended 50-foot setback from adjacent residential uses. However, the loading zone located at the southeast corner of the site, as shown on the preliminary development plan, does not meet this recommended setback and will need to be re-located away from residential uses. Buildings 7 and 8 shall also have restrictions on hours of operation to mitigate potential impacts of office or medical uses that may be open after normal working hours. Lighting will be incorporated into the project providing adequate safety around buildings and parking areas while protecting the views of the dark night sky. The Design Compatibility Report indicates that all lighting will be shielded, directed downward, and designed to prevent spill onto adjacent properties.

The rezoning site will use drought-tolerant landscape materials to help enhance the major architectural design elements of the project, screen the site from adjacent uses, and visually define property limits. The development proposes to provide landscape treatments that will appropriately respond to those requirements. In order to mitigate activity and noise along the east, west and south boundaries of the site that abut residential properties, it is recommended that enhanced landscaping be provided to include trees that are gallon-size, and spaced twenty-five feet (25') on center. Signage, screens and landscaping should be designed to compliment each other and aesthetically tie together the various uses and tenants with a single theme.

The urban heat island (UHI) effect is associated with dark, heat absorbent surfaces in the urban area. The solar heating of these surfaces results in increased air temperatures within the immediate area. The need to mitigate the urban heat island effect is recognized in the Urban Landscape Framework. Staff are engaging this issue and will pursue the development of Land Use Code amendment to create the regulatory tools needed to help reduce the UHI impacts – especially those associated with large parking lots. Mitigation of the UHI effect can be accomplished through a combination of techniques such as shade trees, pervious asphalts, white roofs, and shaded parking areas. However, tree planting is an inexpensive way to reduce the UHI effect, improve air quality and provide shade for pedestrians; therefore, within vehicular use areas, at least one (1) tree to every four (4) parking spaces shall be provided on the site.

Drainage/Grading/Vegetation – The site lies on the south side of Fort Lowell Road between Alvernon Way and Columbus Boulevard. The site encompasses several parcels that previously contained a mobile home park and townhome complex in addition to other structures. The Columbus Wash (Q100 is about 1800 cfs) flows in, and is partially contained within, a man-made channel along the southwestern portion of the parcel. Per the Flood Insurance Rate Map (FIRM 1644K) for this area, the flow is not contained within the channel and a portion of the parcel is within the 100-year floodplain. Columbus Wash is a tributary to Alvernon Wash and the Alvernon Wash watershed is not designated as a critical or balanced basin. The remainder of the project that is not within the Alvernon Wash watershed lies within the Christopher City Wash watershed, a designated balanced basin. Detention is required in balanced basins to reduce the post development condition onsite flowrates to pre-development levels. Threshold retention is also required to reduce flow volumes to existing levels. Onsite soils are Hydrologic Type B and have moderate permeability. Drainage is generally towards the northwest and toward the existing storm drain within Fort Lowell Road.

Rainwater harvested from building roofs, sidewalks, and parking lots shall 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 site plans to ensure it is correctly implemented at all necessary stages of construction.

The applicant should be aware that a Native Plant Preservation Plan must be submitted or an Application for NPPO Exception may be submitted if Native Plants are not being impacted by the development of the site. The Application for Exception shall be accompanied by acceptable

documentation, which clearly indicates that the project will not impact Protected Native Plants. Such documentation includes photographs of the site taken from all sides of the property.

Road Improvements/Vehicular Access/Circulation – A Traffic Impact Analysis will be required to identify any potential off-site improvements. Access to the site will be provided via one driveway entrance off of Fort Lowell Road. Sidewalks are proposed along Fort Lowell Road and adjacent to the parking lot within the development. The Design Compatibility Report and preliminary development plan propose safe walkways, which will be clearly marked, from parking areas to individual buildings. Details of pedestrian circulation will need to be provided to demonstrate compliance with the minimum requirements. It does not appear that the proposed trash dumpsters provide the minimum required maneuvering area, therefore, details will be required to ensure that there is sufficient space for access and maneuverability to these dumpster locations.

Conclusion – The rezoning proposal is consistent with and supported by the policy direction in both the *Grant-Alvernon Area Plan* and the *General Plan*. Subject to compliance with the attached preliminary conditions, approval of the requested O-3 zoning is appropriate.

(Ward 2)

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated January 25, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment".
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. Owner/developer shall enter into a Sewer Service Agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system, and the timing of said improvements.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATABILITY

8. All dumpsters and loading zones shall be located at least fifty feet from any residential property line. Dumpsters shall be screened with six-foot (6') high walls and vegetation.
9. All outdoor lighting should be full cutoff, and it shall be directed down and shielded away from adjacent parcels and public roadways. Lighting detail shall be submitted as part of the Development Plan.
10. All buildings shall be designed to have "four-sided" architecture. Building facades at rear and side are to be designed with attention to the architectural character and detail comparable to the front façade, including but not limited to, comparable color palette, rooflines, and materials similar to surrounding residential (or commercial) units. Site and building entry points to be highlighted and accented. Dimensioned elevation drawings shall be submitted as part of the development plan submittal.

(Ward 2)

Preliminary Conditions

11. Buildings 7 and 8, adjacent to residential uses to the east, shall be limited to hours of operation from 7 A.M. to 8 P.M.
12. A signage plan shall be combined with the landscape plan and submitted as part of the CDRC development review process. The plan shall be designed to avoid conflicts between plant material and sign placement and aesthetically tie together the various uses and tenants by a single theme.
13. To reduce the urban heat island impact within the parking area, one canopy tree shall be provided for every four motor vehicle parking spaces. Alternatively, the applicant shall demonstrate, through a shade pattern analysis, that shade coverage will be provided for at least 50% of the employee vehicle use area, from 9:20 a.m. to 3:20 p.m. PST on June 21, with shading provided by mature canopy trees, buildings and/or other structures.
14. The owner/applicant shall vary wall alignments and break wall expanses with landscape vegetation, including trees for all walls 75 feet or greater in length. Trees planted to break wall expanses shall be placed no more than 25 feet apart.
15. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
16. Six (6) inch wide fence block or greater shall be used for perimeter walls.

DRAINAGE/GRADING/VEGETATION

17. A Native Plant Preservation Plan must be submitted or an Application for NPPO Exception may be submitted if Native Plants are not being impacted by the development of the site.
18. Water harvesting techniques shall be incorporated into the development in accordance with C.O.T. Water Harvesting Guidance Manual. Water harvesting shall be designed to maximize the collection of rain water for irrigation of landscaping. Specifications for water harvesting shall be clearly delineated on site plans to ensure it is correctly implemented at all necessary stages of construction.
19. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
20. Preparation of a complete Drainage Report, including details of detention/retention, is required. Should detention/retention be required, the following will apply:

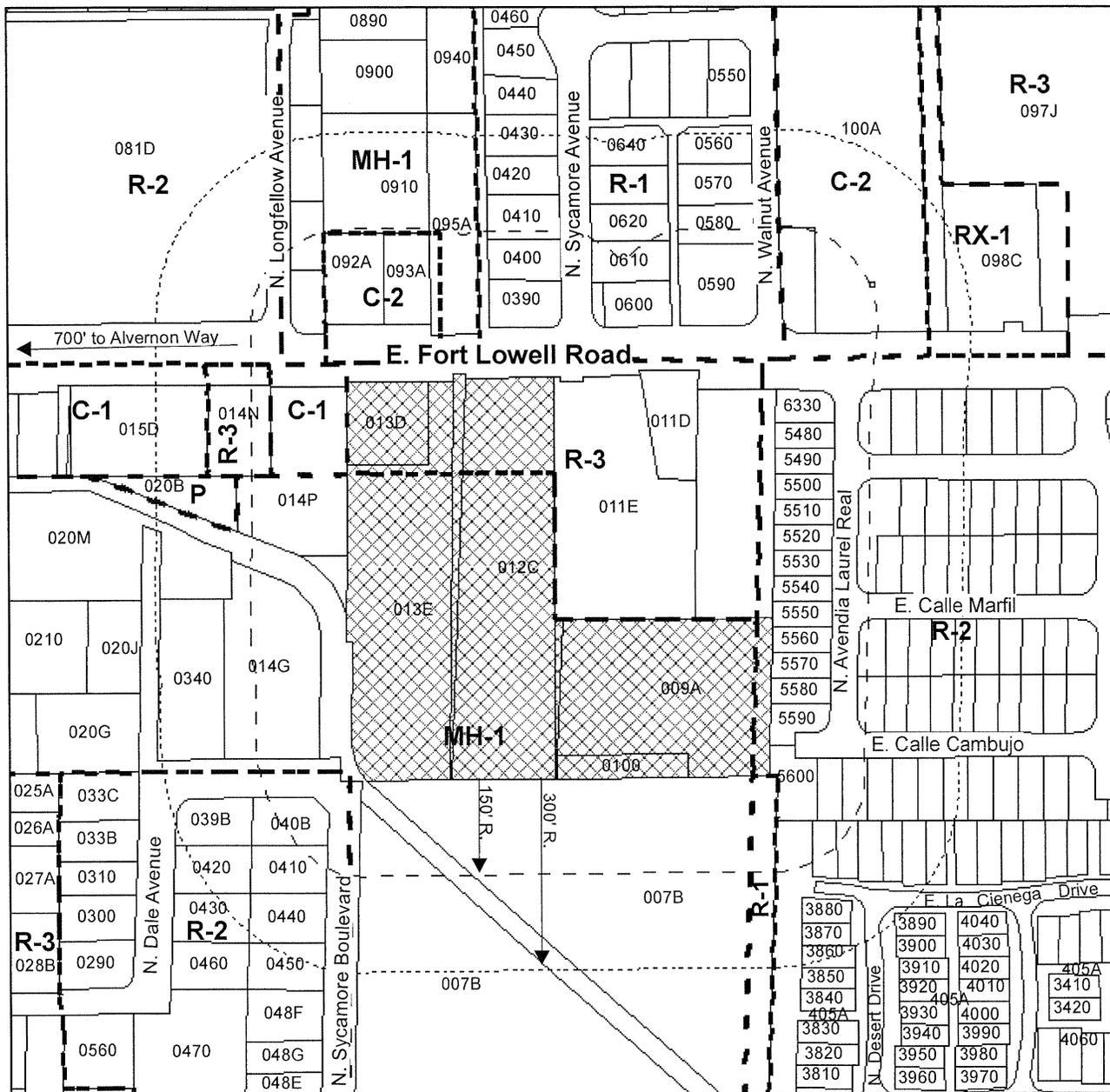
(Ward 2)

Preliminary Conditions

- a. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
- b. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
- c. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
- d. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
- e. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
- f. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.

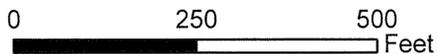
ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

21. Dedication, or verification of existence, of right-of-way, per the *Major Streets and Routes Plan*, along the Ft. Lowell Road site frontage is required.
22. Owner/developer shall install new six-foot (6') wide sidewalks along the Fort Lowell Road site frontage (at locations where there are not existing sidewalks and/or locations where the existing sidewalk needs to be removed/modified/repaired).
23. All unused curb cuts/driveways along the Fort Lowell Road site frontage shall be closed.
24. A Traffic Impact Analysis shall be submitted with the development plan. The Traffic Impact Analysis is required to determine the need for offsite improvements such as:
 - a. A center left turn lane on Fort Lowell Road, including appropriate transitions.
 - b. A right turn/deceleration lane on Fort Lowell Road.



C9-08-01 Fort Lowell, LLC - Fort Lowell Road

Rezoning Request: from R-2, R-3 & MH-1 to O-3



1 inch equals 250 feet

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

Neighborhood, Area Plan(s): Grant - Alvernon Area Plan
 Address: 4002, 4032 & 4068 E. Fort Lowell Road
 Base Maps: Sec.34 T.13 R.14
 Ward: 2





C9-08-01 Fort Lowell, LLC - Fort Lowell Road
2008 Aerial