



MEMORANDUM

DATE: August 20, 2008
For September 4, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT
C9-08-11 RARIC Partnership – 20th Street, R-2 to I-1 (Ward 5)

Issue – This is a request by William Podolsky, on behalf of the property owners, RARIC Partnership, to rezone approximately 1.12 acres from R-2 to I-1 zoning. The rezoning site is located at the northwest corner of 20th Street and Fremont Avenue (see Case Location Map). The preliminary development plan proposes the construction of a 19,831 square-foot building to be used as a metal fabrication facility.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of I-1 zoning, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Undeveloped land

Surrounding Zones and Land Uses:

North: Zoned R-2; residential

South: Zoned R-2; residential

East: Zoned R-2; undeveloped and residential

West: Zoned I-1; metal fabrication

Previous Cases on the Property: none

Related Cases:

C9-02-27 Fremont Developers – Fremont Avenue II, R-2 to C-2 A request to rezone 1.06 acres from R-2 to C-2 zoning to allow the development of commercial/retail uses in a 14,000 square-foot shell building. On March 3, 2003, the Mayor and Council denied the required request and the case was closed on March 5, 2003.

C9-04-20 Oasis Bottled Water – 22nd Street, R-2 to I-1 A rezoning request for approximately 0.96 acres located at the southeast corner of 22nd and Neff Streets to allow the development of a 13,000 square-foot bottling plant. On February 7, 2006, Mayor and Council adopted Ordinance No. 10247.

Applicant's Request – The applicant requests to rezone 1.12 acres to I-1 zoning for the purpose of constructing a 19,831 square-foot building to be used as a metal fabrication facility. This facility will replace the applicant's existing, smaller facility, which is located immediately west of the rezoning site.

Planning Considerations

Land use policy direction for this area is provided by the *Greater South Park Plan* Subarea 2. The overall policy section of the *Greater South Park Plan* supports industrial uses if located in proximity to major streets and transportation corridors. The site is located one parcel east of Park Avenue, an arterial street and near the Barraza/Kino corridor interchange. Subarea 2 allows additional commercial and light industrial uses when the impacts of the more intensive uses on existing residential uses are mitigated by design elements.

Historically the land use pattern in Subarea 2 has been a mix of residential and non-residential land uses. Since 1970, there have been sixteen rezoning requests within the boundaries of Subarea 2. Fifteen of those rezoning cases have been requests to go from residential to industrial, with one request to go from industrial to commercial use to allow a mixed-use residential/commercial development. Policy direction in the *Plan* reflects this trend over time by allowing residential zoning to transition to additional commercial or industrial zoning and uses.

The 1.12-acre site is located at the northwest corner of 20th Street and Fremont Avenue. The surrounding properties to the east, north, and south are zoned R-2, and are developed with site-built, detached, single-family residential units or are vacant. I-1 zoning is located to the west, and is developed with a mix of commercial and industrial uses along Park Avenue.

Vehicular access to the rezoning site is proposed from 20th Street. Twentieth Street and Fremont Avenue are both classified as local streets. Park Avenue, identified on the *Major Streets and Routes Plan* map as an arterial roadway, with a future right-of-way of 120 feet, is approximately 210 feet west of the rezoning site. Twenty-second Street, identified as an arterial roadway with a future right-of-way of 120 feet on the *Major Streets and Routes Plan* map, is approximately 940 feet south of the rezoning site.

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

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

Design Considerations

Land Use Compatibility – The proposed industrial development must buffer and screen adjacent residential uses from potential negative impacts of the operation. The site design shows a one-story, 19,831 square-foot building that is approximately twenty-feet in height located on the north half of the site with the remaining south half of the site designated for the required forty parking spaces. The loading zone is located inside the building, eliminating a common source of conflict between residential and non-residential neighbors.

The preliminary development plan depicts two driveways off of 20th Street. The eastern most driveway appears to align with a residential unit on the south side of 20th Street. This may create a potential for noise and headlight glare from commercial vehicles that would impact the adjacent residence. Screening will be required to reduce the noise and glare at this point. All outdoor lighting shall be full cutoff and directed down and shielded away from adjacent residential zones and uses and adjacent local streets.

The Environmental Services Department recommends that the development plan demonstrate provisions for both refuse and recycle services on the site. This can be achieved by providing two single or one double wide enclosure areas for the purpose of storing one refuse and recycle container in each. Each enclosure should be positioned and designed in accordance with DS 6-01.3.0 & 6-01.4.0.

Site design should take into consideration how the proposed light industrial manufacturing use may impact the residents who live directly east of Fremont Avenue. Non-residential traffic generated by the proposed use should be directed toward arterial streets and away from the residential areas. Staff will recommend a “one-foot no access easement” along Fremont Avenue to mitigate any impacts of commercial vehicles on the east adjacent residential uses. Architectural detail from the front façade should be carried onto the sides and rear of the proposed building located adjacent to streets and residential zones. Staff will recommend that these site design details be submitted at the time of a development plan review.

The urban heat island 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. To reduce the "heat island" effects, it is recommended that an increased number of trees be planted within vehicle parking area at a ratio of one tree per every four parking spaces. Alternatively, the applicant may demonstrate, through a shade pattern analysis, that shade will be provided for at least fifty percent of the 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.

Drainage/Grading/Vegetation – The site lies within the 18th Street watershed. This watershed has not been designated as a critical basin or balanced basin; therefore detention will not be required. Since it is an industrial site greater than one acre in area, threshold retention will be required.

Multiple detention basins are indicated on the preliminary development plan. Detention Basin #1, as proposed, will have to be modified to be in conformance with the requirement to be adjacent to a street or accessible common area. This requirement may also be achieved by connecting Detention Basin #1 to Detention Basin #2. All basins as shown on the preliminary development plan must be modified to avoid rectangular shapes unless necessitated by recreational or visual amenities within the basins.

Soils are hydrologic Type B and have moderate infiltration and erosion characteristics. The site does not lie within a mapped floodplain and was not shown to be in a problem drainage area per the *Greater South Park Area Plan*.

The application proposes to provide a ten-foot landscape border along the north, south, and east lot lines. Additional landscaping is being provided along the east and south lot lines facing the residential uses. Trees within these landscape borders shall be planted twenty-five feet on center. Rainwater harvesting will be required for the site.

Road Improvements/Vehicular Access/Circulation – There is no existing sidewalk adjacent to this site. The preliminary development plan shows a proposed five-foot wide sidewalk to be constructed with this project. Access is proposed from two driveways off of 20th Street. On site vehicle circulation as demonstrated on the preliminary development plan appears to be adequate.

Conclusion – The rezoning proposal is consistent with and supported by the policy direction in the *Greater South Park Plan* Subarea 2, which supports commercial and light industrial uses if impacts from the more intensive uses are mitigated when adjacent to residential uses. The preliminary development plan and supporting materials have demonstrated sufficient mitigation with enhanced landscaping and overall site design. Subject to compliance with the attached preliminary conditions, approval of the requested I-1 zoning is appropriate.

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated July 8, 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. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
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. The owner/applicant shall provide a screen of sufficient height and length to block glare and noise along the effected side yard of the residential parcel located at 1002 S. Fremont Avenue.
9. The development plan shall demonstrate a one-foot no-access easement along the full length of the east property line.
10. Hours of operation, deliveries, and loading shall be limited to the hours of 6:00 A.M. to 7:00 P.M.

Preliminary Conditions

11. Open storage, air compressors, generators, outdoor loud speakers, house guard dogs, and outdoor fabrication and manufacturing processes are prohibited.
12. One canopy tree shall be provided within the vehicular use area for each four motor vehicle parking spaces, or a shade pattern caused by mature canopy trees, buildings, and other structures on the vehicular use area from 9:20 to 3:20 p.m. MST on June 21, must cover fifty percent of the paved area.
13. Landscape borders adjacent to the north and east property lines shall have canopy trees placed at a maximum distance of twenty-five apart, except at the east pedestrian access point.
14. All outdoor lighting shall be full cutoff and directed down and shielded away from adjacent residential zones and uses and adjacent local streets.
15. Required parking, loading, and vehicle maneuvering shall be conducted on-site.
16. The owner/applicant shall provide two single or one double wide enclosure areas for the purpose of storing one refuse and recycle container in each. Each enclosure should be positioned and designed in accordance with DS 6-01.3.0 & 6-01.4.0.
17. When visible from adjacent public right-of-way and residential zones or uses, structures shall be designed to have “five-sided” architecture. Building facades at rear and side are to be designed with attention to architectural character and detail consistent to the front facade. Where buildings exceed 20 feet in height, a variety of rooflines and plane lines should be applied to enhance the architectural character of the roof and incorporate water harvesting. Dimensioned elevations and color palette are to be submitted as a part of the development plan.
18. Structure(s) shall not exceed twenty feet in height.
19. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as the use of two 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.
20. Six (6) inch wide fence block or greater shall be used for perimeter walls.

DRAINAGE/GRADING/VEGETATION

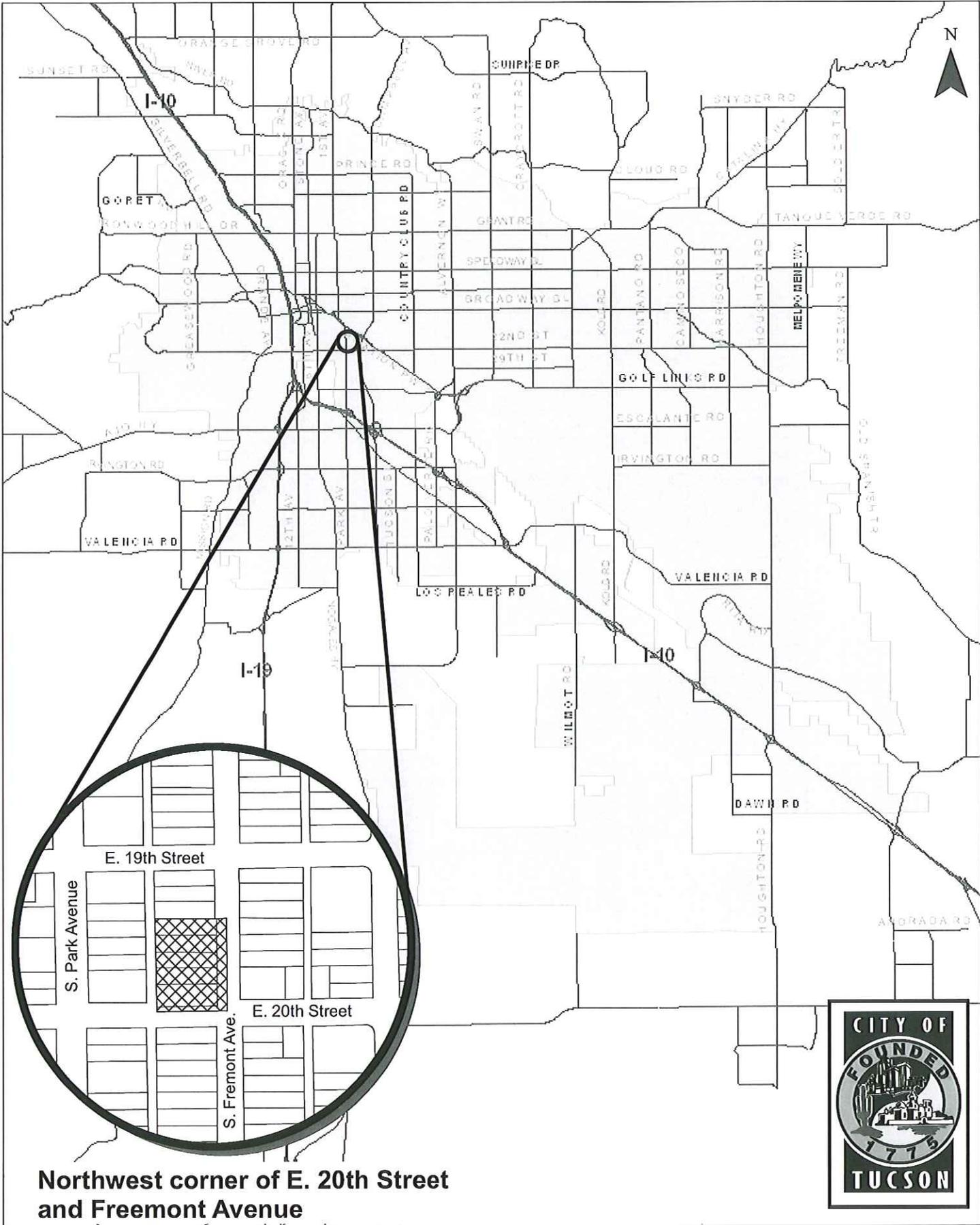
21. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
22. Preparation of a complete Drainage Report, including details of detention/retention, is required. Should detention/retention be required, the following will apply:

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.
23. Rain water harvesting must be conducted at this site per the requirements in Land Use Code (LUC) section 3.7.1.1.A, requiring that landscaping should accomplish natural resources conservation; LUC Section 3.7.4.3.B requiring integration of grading, hydrology and landscaping to make the maximum use of stormwater for on-site irrigation; and LUC Section 3.7.4.5.B requiring that stormwater and runoff harvesting be used to supplement drip irrigation for both new and preserved vegetation. Techniques to design and implement water harvesting are described in the City of Tucson's Water Harvesting Guidance Manual. This document can be downloaded as a pdf file from the following website:
<<http://dot.ci.tucson.az.us/stormwater/>>.

To comply with the above-referenced LUC sections, 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. Site plans shall include Water Harvesting Plan & Detail sheet(s) showing all water harvesting locations at the site including common areas, perimeter buffer areas and any retention/detention basins and should include the length, width and finished depth of the water harvesting areas, curb openings, raised walkways, use of mulch, and drainage arrows showing runoff routing to each water harvesting area and information on where overflow will be routed.

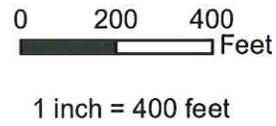
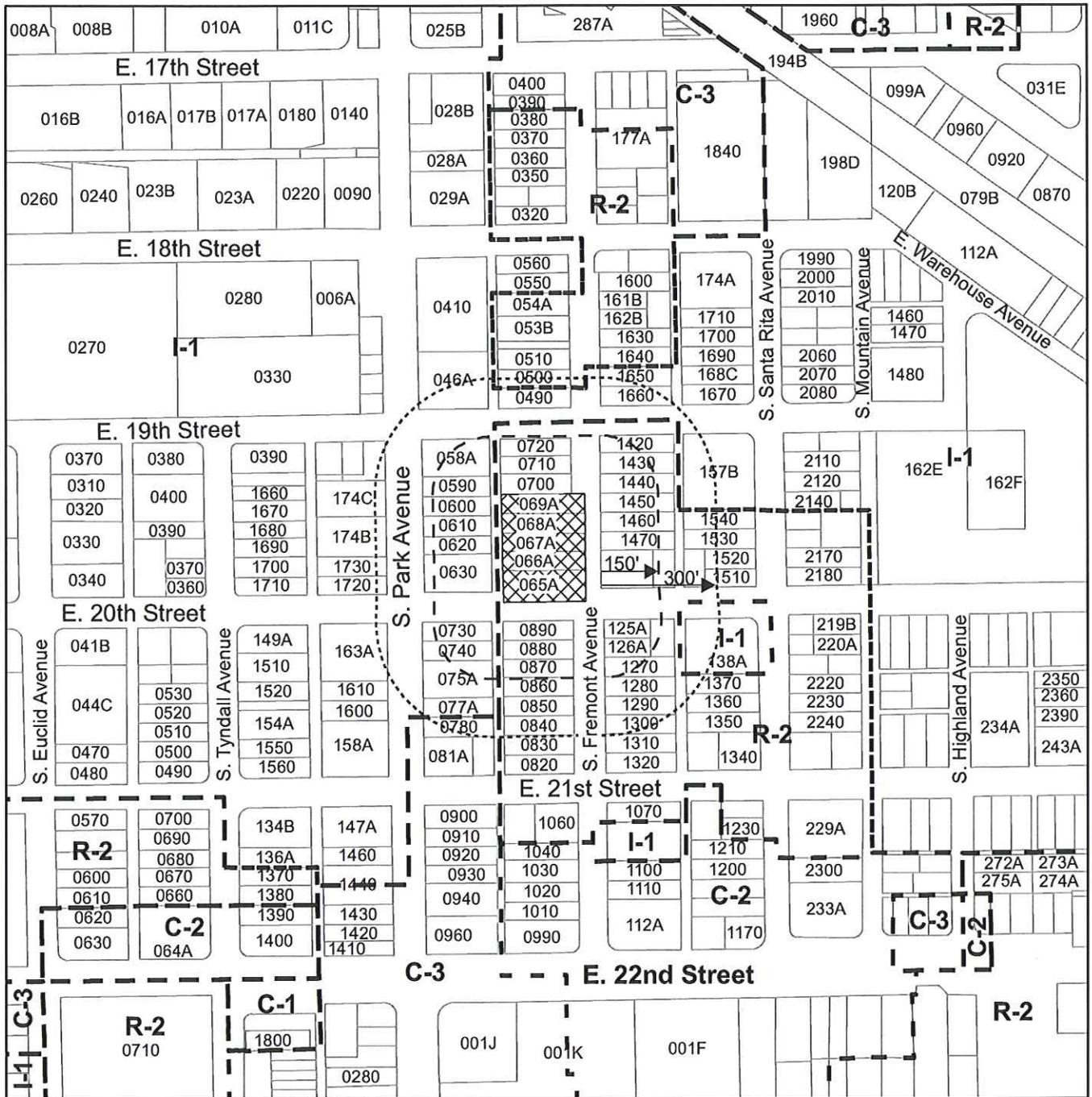
C9-08-11 Raric Partnership - 20th Street



Northwest corner of E. 20th Street and Fremont Avenue

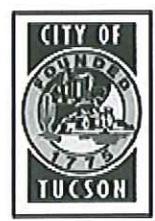
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Rezoning Request: from R-2 to I-1



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

Neighborhood, Area Plan(s): Great South Park & Millville Neighborhood
 Address: NA
 Base Maps: Sec.18 T.14 R.14
 Ward: 5





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August 2008 Aerial