



MEMORANDUM

DATE: September 24, 2008
For October 9, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT
C9-08-13 Mirador Group, LLC – Pima Street, R-3 to O-1 (Ward 6)

Issue – This is a request by Tim McCann Consulting, LLC, on behalf of the property owners, Mirador Group, LLC, to rezone approximately 0.76 acres from R-3 to O-1 zoning. The rezoning site is located on the south side of Pima Street, between Sonoita and Alamo avenues, approximately 1,600 feet west of Wilmot Road (see Case Location Map). The preliminary development plan proposes two single story medical buildings, each 2,800 square feet in size and 16 feet in height.

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

Background Information

Existing Land Use: Undeveloped.

Surrounding Zones and Land Uses:

North: Zoned R-2 and R-3; Multi-family residences
South: Zoned R-1; Catalina Heights Nursery
East: Zoned R-1; Single family residential and the Catalina Heights Nursery
West: Zoned R-1; Undeveloped and the Alamo Wash

Previous Cases on the Property: None.

Related Cases:

C9-97-02 Sanchez-Speedway Blvd R-2 to HO-1. This was a request to rezone 0.19 acres located on the southeast corner of Speedway Boulevard and Third Avenue for the conversion of an existing one story, 890 square foot single family residence for use as a medical office. The property is within the West University Historic District. On June 16, 1998, the Mayor and Council adopted Ordinance No. 8869, effectuating the zoning.

C9-04-18 Cushman - Anklam Road, R-2 to O-1. This was a request to rezone 2.28 acres located south of Anklam Road and approximately 150 feet west of Silverbell Road. The O-1 zoning was requested to allow the conversion of an existing 3,000 square foot single-family residence to an office use and construct an additional 6,100 square feet of office space in two new one-story buildings. The Mayor and Council authorized the rezoning on January 4, 2005. No further action has occurred and the case is scheduled to expire on January 4, 2010.

C9-05-03 Caylor – Speedway R-1 to O-1. This was a request to rezone two acres located on the southeast corner of Speedway Boulevard and Barbara Worth Drive. The applicant proposed a professional office building, 21,000 square feet in size. The Mayor and Council authorized the rezoning on June 14, 2005, and the development plan was approved August 16, 2005. Ordinance No.10276 was adopted May 9, 2006 and the zoning was effectuated.

Applicant’s Request – The applicant requests rezoning approximately 0.76 acres from R-3 to O-1 zoning to allow two single story medical buildings, 2,800 square feet in size, and 16 feet in height.

Planning Considerations

The *Arcadia-Alamo Area Plan* and the *General Plan* provide land use policy direction for this area. The policies of both plans protect established residential neighborhoods by supporting compatible development. *Arcadia-Alamo Area Plan* policies allow medium to high density residential, residentially-scaled office, and neighborhood commercial uses on Pima Street between Swan and Wilmot roads, provided appropriate design is used when locating non-residential uses adjacent to established neighborhoods. The *Plan* recommends primary access be provided from a major street; parking and maneuvering requirements, and buffering for adjacent residential uses be met on site; and new development be compatible in scale.

General Plan policies support appropriate locations for commercial and office use, with priority for development in the existing urbanized area to promote the use and improvement of existing infrastructure, increase pedestrian activity and transit use, and meet residents’ needs for goods and services in a cost-effective and equitable manner. Residentially-scaled neighborhood commercial and office uses are supported along collector streets if the building is residentially-scaled, the site design is pedestrian-oriented, the use will not generate significant auto traffic from outside the neighborhood, and the hours of operation are limited. Other policies support using the *Tucson Parks and Recreation Ten-Year Strategic Service Plan*, dated October 31, 2006, as the basis for establishing the City’s recreational trails network.

Pima Street is developed with a mix of commercial, office and single and multi-family residential uses between Craycroft Road and the Wilmot/Tanque Verde Road intersection. The zoning is a mix of commercial and office at the intersections, with R-2, and limited O-2 and O-3 zoning between the commercial areas. The only R-1 zoning along Pima Street in this area is

limited to a small area surrounding the rezoning site. The neighborhood interiors, however, are zoned predominately R-1.

Vehicular access to the rezoning site is proposed from Pima Street, located along the north boundary of the rezoning site. Pima Street is identified as a collector street with a future right-of-way of 90 feet on the *Major Streets and Routes Plan (MS&R)* map. Craycroft Road, located approximately 3,680 feet west of the site, is identified as an arterial roadway with a future right-of-way of 150 feet on the *MS&R* map. The intersection of Wilmot/Tanque Verde roads, is located approximately 1,600 feet east of the site. Wilmot and Tanque Verde roads are also identified as arterial roadways on the *MS&R* map with a future right-of-way width of 135 feet, south of Pima Street, and 150 feet northeast of Pima Street respectively.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 256 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Site Plan – The rezoning site is currently undeveloped but the majority of the property has been cleared and graded. Multi-family residential development is located north of the rezoning site, across Pima Street. An undeveloped parcel and a portion of the Alamo Wash are immediately west of the rezoning site. The former Catalina Heights nursery wraps around two single-family residences that adjoin the site to the east. The nursery is zoned R-1 east of the site, R-2 southeast of the site, and R-1 south of the site, including the Alamo Wash area. According to a recent newspaper article, the plant nursery property has been sold, and the site may be redeveloped with residential uses.

The preliminary development plan (PDP) shows an entry drive located on the northwest side of the property. Proposed medical ‘Office A’ is located on the northeast side, along the Pima Street frontage, and ‘Office B’ is located on the southeast end of the parcel. The surface parking area, proposed between the two structures, will be partially screened by Office A.

Architecture - The application states that the offices are to be one story structures that incorporate the character, features and materials of southwest design on all four sides. Each office building is to be 2,800 square feet in size and 16 feet in height. Staff recommends that clerestory windows be used on the east facing walls of the proposed medical offices to ensure privacy. Although there are no existing residences east of the proposed building to the south, the area is residentially zoned and residential redevelopment of the properties to the east is possible. The applicant will be required to provide a fire hydrant on site or install fire sprinklers for each structure.

Land Use Compatibility - The loading zone shown at the south end of the proposed development, is approximately 45 feet from the southern property boundary. To enhance the proposed project’s compatibility with potential future residential development to the south, staff

recommends that loading activities be restricted to between the hours of 7:00 a.m. and 8:00 p.m. Staff also recommends that loading activities be restricted from occurring within 50 feet of the eastern bank of the Alamo Wash, and that all dumpsters be located at least 50 feet away from the southern and eastern property boundaries. Environmental Services staff is in the process of amending Development Standard 6-01.0 to require two single, or one double, enclosure for both refuse and recycle waste containers. Staff recommends the size of the relocated trash enclosure(s) be sized to accommodate the two types of containers. All outdoor lighting proposed for the site will be required to be full cutoff, directed down and shielded away from adjacent parcels and roadways. Screening all exterior mechanical equipment from view will also be required.

Landscaping and Screening - The conceptual landscape plan shows that four existing trees are to remain on site and that a total of 18 new trees are to be planted throughout the parking area and within proposed landscape borders along the north, east and west sides of the property. Staff recommends that predominately native vegetation be planted on the rezoning site because of the existing vegetation along the Alamo Wash. If any buffelgrass is present on the site, staff recommends that a buffelgrass mitigation management plan be incorporated into the Landscape Plan.

An existing block wall, five feet in height, is to remain in place located along the south, east and west property boundaries. Staff recommends that the exterior surface of the existing masonry wall be treated and painted to complement the proposed office development.

Urban heat island effects (UHI) are created by heat absorbent surfaces in urban areas. To mitigate UHI effects, staff recommends that the landscape plan include one tree for every four parking spaces within vehicle parking area. Reflective and pervious paving materials can also help to limit the impact of the heat island by reducing absorption, retention and heat radiation. While helping to mitigate the heat island effect, porous paving materials also allow storm water to pass through and permeate into the sub-base and ground. Staff recommends incorporating reflective, pervious paving materials in pedestrian areas and adjacent to planting areas.

Cultural/Archaeological Resources – A search of the Arizona State Museum (ASM) archaeological records indicates that the rezoning site has never been inspected for cultural resources. Twenty archaeological inspections, completed between 1980 and 2004, revealed that two cultural resources are documented within a mile of the site. The ASM recommends an archaeological inspection by a qualified profession be conducted on the rezoning site.

Drainage/Grading/Vegetation –The Alamo Wash, which flows in a northwesterly direction past the site toward its confluence with Rillito Creek, east of Swan Road, is west of and adjacent to the site. According to the FEMA floodplain maps, the northwestern portion of the site is within the 100-year floodplain. Per the site inventory report, this floodplain is caused by insufficient downstream channel capacity, and the building site will be elevated to satisfy floodplain regulations.

The Alamo Wash is designated as a *WASH Ordinance* wash. Extensive vegetation exists along the eastern wash bank, including the southwest corner of the rezoning site. The PDP delineates an area in the southwest corner of the property, located within 50 feet of the top-of-bank of the Alamo Wash, to remain undisturbed.

The applicant is proposing to capture runoff from the building roofs and paved surfaces, and direct it into the landscape planting areas around Building A. Roof drainage and ancillary surface runoff captured from Building B will be directed to the existing Alamo Wash vegetation. Surface drainage from the parking area will be directed into the tree planter islands proposed within the parking lot.

Road Improvements/Vehicular Access/Circulation – One vehicular access to the site is planned on Pima Street. A walkway, connecting the two medical offices and the existing sidewalk along Pima Street, is proposed through the center of the site. As designed, it appears that parking and maneuvering requirements can be met onsite.

The Tucson Parks and Recreation *Ten-Year Strategic Service Plan*, indicates that an urban trail along both sides of the Alamo Wash is planned in this area. However, the wash corridor is relatively narrow in the vicinity of the site, and there are no plans to construct the trail in the near future. Consequently, it is not necessary to make any modifications to the trail corridor at this time. However, staff recommends that the owner/developer agree to an irrevocable offer to dedicate or grant an easement to the City of Tucson for a public, non-motorized recreational trail and open space, for the southwestern portion of the rezoning site, as shown on the preliminary development plan. The area delineated is within 50 feet of top-of-bank of the Alamo Wash.

At such time in the future and at the request of the City, staff recommends that the owner/developer agree to pay for the removal of a portion of the existing masonry perimeter wall along the southwest corner of the site, and construct a new security wall/fence outside the trail corridor. The new security wall/fence will be designed to allow views from the site to the wash corridor and include a gate that allows employees working on site to access the wash corridor trail. For security purposes, the gate may be locked, to restrict public access to the rezoning site.

Conclusion – This rezoning proposal is consistent with, and supported by, the policy direction in the *Arcadia-Alamo Area Plan* and the *General Plan*. The *Arcadia-Alamo Area Plan* policies specifically support residentially-scaled office development on Pima Street between Swan and Wilmot Roads. The *General Plan* policies support residentially-scaled office uses along collector streets if, the building is scaled appropriately, the use will not generate significant auto traffic from outside the neighborhood, and the hours of operation are limited. Subject to compliance with the attached preliminary conditions, approval of the requested O-1 zoning is appropriate.

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated July 31, 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. Only clerestory windows are permitted on east-facing building walls.
9. 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.
10. Six (6) inch wide fence block or greater shall be used for perimeter walls.

Preliminary Conditions

11. Dumpsters shall be located at least 50 feet away from the southern and eastern property boundaries.
12. Loading activities shall be restricted to between the hours of 7:00 a.m. and 8:00 p.m., and no loading shall occur in the 50-foot undisturbed wash area, as shown on the preliminary development plan.
13. All outdoor lighting shall be full cutoff, directed down and shielded away from adjacent parcels and roadways.
14. All buildings shall have a southwest architectural design character and shall be designed to have “four-sided” architecture. Building facades at the rear and sides shall have architectural character and detail comparable to the front façade, including but not limited to color palette, rooflines, and exterior materials. Colored and dimensioned elevation drawings shall be submitted as part of the development plan submittal to demonstrate compliance with this condition.
15. The exterior surface of the existing perimeter masonry wall shall be treated and/or painted to be graffiti-resistant, and to match or complement the proposed office development.
16. All exterior mechanical equipment shall be screened from view from the surrounding properties and public roadways.
17. The owner/developer shall install a fire hydrant on site or install fire sprinklers in each building.

DRAINAGE/GRADING/VEGETATION

18. All required vegetation planted on the rezoning site shall be native.
19. One canopy tree shall be provided within the vehicular use area for each four motor vehicle parking spaces. Alternatively, the applicant may demonstrate, through a shade pattern analysis, that shade pattern created 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, shall cover fifty percent of the paved area.
20. 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.
21. 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

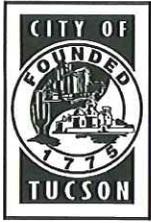
Preliminary Conditions

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.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

22. The owner/developer shall enter into an irrevocable offer to dedicate or grant an easement to the City of Tucson for public, non-motorized recreational trail and open space purposes, for the southwestern portion of the rezoning site within 50 feet of top-of-bank of the Alamo Wash, as shown on the rezoning preliminary development plan.
23. The owner/developer shall agree to pay for the removal of that portion of the existing perimeter wall within the 50-foot undisturbed wash area (as shown on the preliminary development plan) along the southwest corner of the site, as requested by the City. The owner/developer shall construct a new perimeter wall/fence outside the trail corridor, to allow views from the site to the wash corridor. The new perimeter wall shall be designed with no more than the lower 2.5 feet above the ground surface constructed of solid/opaque masonry materials, and 80 percent of the upper portion of the wall shall be constructed of wrought iron, to permit views of the wash and trail corridor from the project site.
24. At such time in the future when the new perimeter wall/fence is constructed, the owner/developer shall provide a gate to allow site employees access the wash corridor. For security purposes, the gate may be kept locked to restrict public access to the rezoning site, provided employees have access to the key, or are given the access code.
25. The owner/developer shall meet all parking requirements onsite.
26. The owner/developer shall include provisions for two-single, or one-double wide, solid waste storage/enclosed areas for the purpose of storing one refuse and one recycle container in each. Each enclosure should be designed per DS 6-01.3.0 & 6-01.4.0.



Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Department of Urban Planning & Design at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing.

Approvals and protests must have an owner’s signature to be recorded.

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of ¾ of the Mayor and Council will be required to approve the rezoning ordinance.

Case: **C9-08-13 Mirador Group, LLC – Pima Street, R-3 to O-1 (Ward 6)**

I/We the undersigned property owners, wish to

- APPROVE the proposed rezoning.
- PROTEST the proposed rezoning.

Reason:

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner’s Signature: _____ Date _____

Place
Stamp
Here

City of Tucson
Department of Urban Planning & Design
Rezoning Section
149 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

C9-08-13

Expose this flap - Affix stamp and return

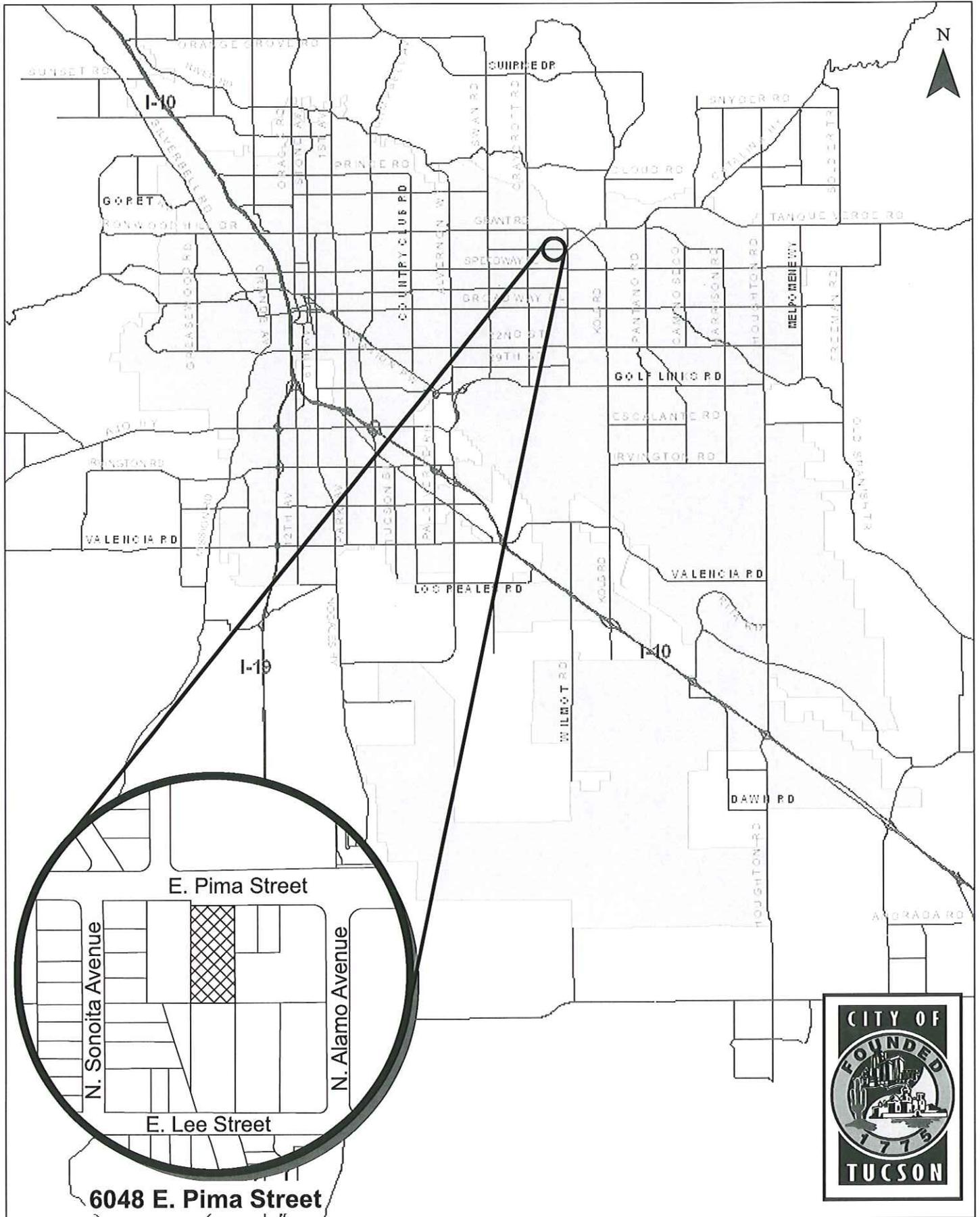


City of Tucson
Department of Urban Planning &
Design-Rezoning Section
149 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

C9-08-13

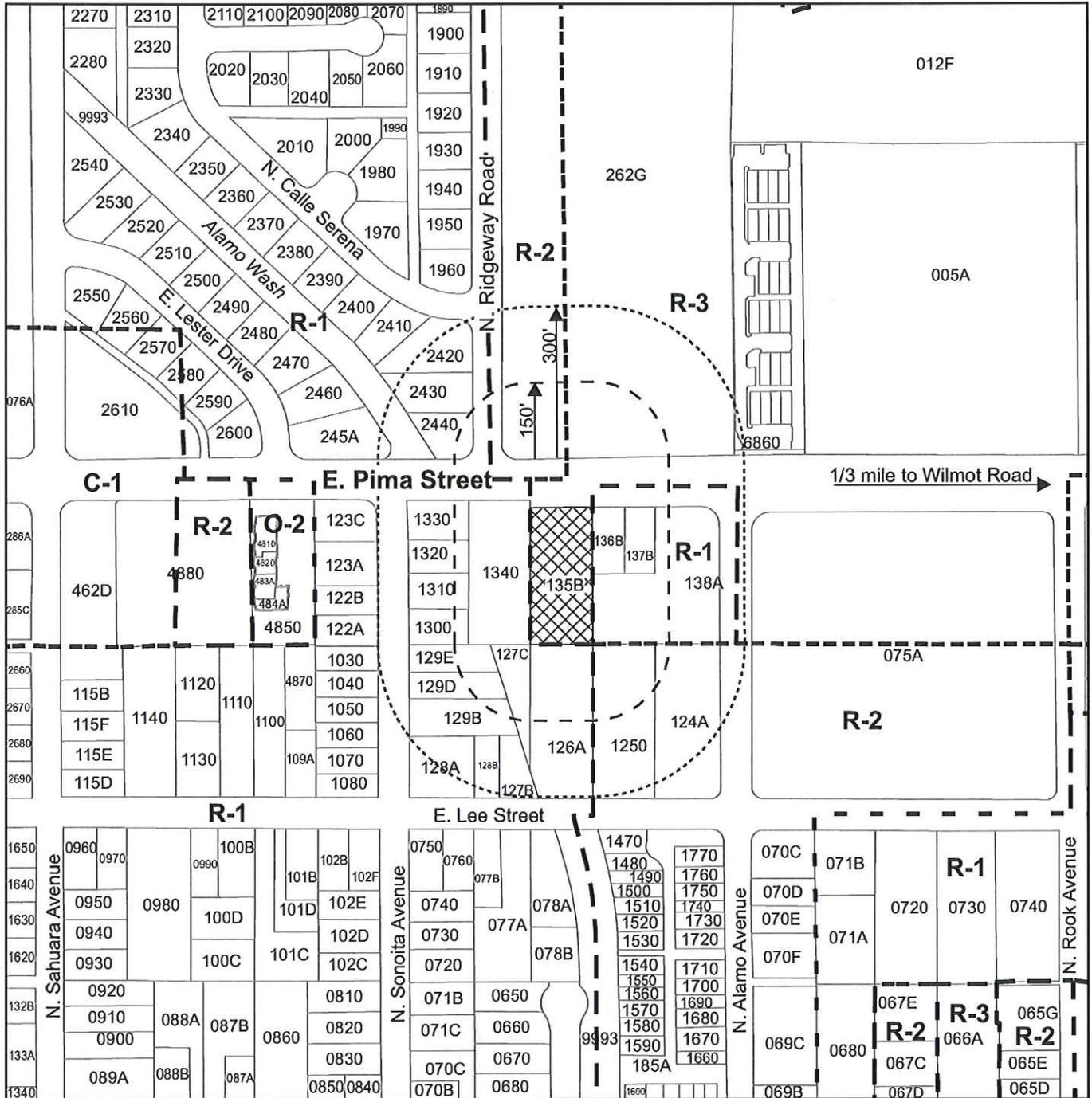
IMPORTANT REZONING NOTICE ENCLOSED

C9-08-13 Mirador Goup LLC - Pima Street



C9-08-13 Mirador Group LLC - Pima Street

Rezoning Request: from R-3 to O-1



0 150 300 Feet
1 inch = 300 feet

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

Neighborhood, Area Plan(s): Arcadia - Alamo Area Plan
 Address: 6048 E. Pima Street
 Base Maps: Sec.01 T.14 R.14
 Ward: 6





C9-08-13 Mirador Group - Pima Street
September 2008 Aerial