



MEMORANDUM

DATE: May 10, 2017
For May 25, 2017 Hearing

TO: Jim Mazzocco
Zoning Examiner

FROM: Lynne Birkinbine
Planning & Development Services
Deputy Director

Lynne Birkinbine

SUBJECT: REZONING
PLANNING & DEVELOPMENT SERVICES REPORT
C9-17-04 Rita Tech Park Lots 2-9 – Rita Road, C-2 to I-1
(Ward 4)

Issue – This is a request by Lazarus, Silvyn & Bangs P.C., on behalf of the property owners, Rita 244, LLC, to rezone approximately 20.27 acres, lots 2 through 9 of the Interstate Commerce plat, from C-2 to -1-1 zoning. The rezoning site is located on the east side of Rita Road between the Union Pacific Railroad and Interstate-10 (see Case Location Map).

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of I-1 light industrial zoning, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Vacant

Zoning Descriptions:

C-2: A commercial zone, that provides for general commercial uses that serve the community and region, Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

I-1: A light industrial zone, that provides for industrial uses that do not have offensive characteristics in addition to land uses permitted in more restrictive nonresidential zones. Select other agriculture, civic, commercial, industrial, retail, storage, utility, and wholesaling uses may also be permitted.

Surrounding Zones and Land Uses:

North: Zoned C-2 & I-2; bottling distribution center, vacant, Julian Wash and Union Pacific Railroad
South: Zoned C-2 & RX-1; vacant parcels and Interstate 10
East: Zoned I-1 & RX-1; vacant parcels and Julian Wash
West: Zoned County CI-2; University of Arizona Science and Technology Park

Previous/Related Cases on the Property:

C15-00-05 Rita Road District (Rita 244 LLC) GR-1, CI-1 ® and CI-2 ® to RX-1, I-1 ®, and I-2 ® On July 10, 2000, Mayor and Council adopted Resolution 18662 approving a development and annexation agreement between the property owner and the City of Tucson. On August 7, 2000, the Mayor and Council annexed 287.44 acres including the rezoning site. On the same date the Mayor and Council adopted Ordinance No. 9440 establishing original City zoning of RX-1, I-1 ®, and I-2 ® on the subject parcel.

C9-00-23 – Rita 244 LLC – Rita Road, I-1, I-2 & RX-1 to C-2 & I-1, Ordinance Adoption Request to rezone property located east of Rita Road north of Interstate 10, from I-1, I-2, and RX-1 to C-2 and I-1 zoning. The approved tentative plat is for Blocks 1 - 12 and dedicated open space on 159.22 acres. As established by Mayor and Council and Authorized on October 22, 2000, December 5, 2005 and June 19, 2007. On June 19, 2007, Mayor and Council adopted Ordinance No. 10420

Applicant's Request – To rezone to I-1 light industrial zone, Lots 2 through 9 of the Interstate Commerce plat. Preliminary development plan dated April 12, 2017 proposes a hotel (traveler's accommodations and lodging) on 4.11 acres (Lot 8), with 16,102 square feet, at a building height of sixty (60) feet. Remainder of rezoning site, 16.6 acres (Lots 2 through 7 & 9) poses for future phase development to allow a combination of office, retail, hotel, manufacturing, warehouse or distribution or other permitted uses, with associated parking, pedestrian circulation and landscaping within the I-1 light industrial zone classification and as permitted under the *Unified Development Code*, Development Standards

Lot 8 has an approved development package DP14-0167, for the hotel complex, under the existing C-2 commercial zone with a height limit of forty (40) feet. Request for the I-1 industrial zone is to allow the approved hotel building additional height of up to sixty (60) feet, as allowed in the I-1 zone and meets Davis-Monthan Air Force Base, Airport Environs Zone - Approach Departure Corridor (ADC-3). Property is located within the Davis Monthan Air Force Base Airport Environs Zone (AEZ). Lots 2 through 7 & 9 are posed for future phases of development to allow a combination of future office, retail, hotel, manufacturing, warehouse or distribution or other permitted uses within the I-1 light industrial zone classification. A rezone to I-1 industrial to allow additional height to hotel will also require revisions to the approved DP14-0167 and all

site improvements in phase I including parking areas, pedestrian circulation, landscaping, and screening will be revised to meet *Unified Development Code* development standards.

Planning Considerations - Land use policy direction for this area is provided by the *Esmond Station Area Plan (ESAP)* and *Plan Tucson (PT)*.

Plan Tucson Future Growth Scenario Map identifies the rezoning site and surrounding lands as long-term growth areas. The intent is to use the Map as a general guide for determining the general location of development opportunities, development patterns, and land use and transportation concepts, while also considering area and site-specific issues. *PT* supports the location of employment, retail and services in proximity to each other to allow easy access to each other and reduce dependence on the car. *PT* supports and calls for the development of mixed use centers combined with the variety of retail services, offices and other options. It supports public transit to serve employees especially for proposed large industrial facilities with high numbers of employees. *PT* supports the development of industrial facility by having convenient access to highway, rail, or air services and routes. It supports environmentally sensitive design that complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. *Plan Tucson* supports integrated uses, particularly in areas where building patterns and the street system have not already been established.

The *Esmond Station Area Plan (ESAP)*, supports industrial development within the Davis-Monahan approach-departure paddle. The *ESAP* supports industrial development in close proximity to railroad and interstate access and where less intense land uses such as residential development are generally discouraged. Plan policy also supports the development of commercial uses within one-quarter mile of the Rita Road/Interstate 10 interchange. The *ESAP* recognizes that areas with access to Interstate 10 are suitable for industrial and highway-related commercial uses, such as the proposed hotel and future phases will include light industrial land uses as permitted in the I-1 industrial zone.

Rita Road, is identified as an arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan* map, is immediately west of the rezoning site. Interstate 10, identified as an interstate route roadway on the *Major Streets and Routes Plan* map, is immediately south of the rezoning site. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed hotel development, in phase I, identified as Lot 8 of the Interstate Commerce plat will generate 1,716 vehicle trips per day. Preliminary development plan dated April 12, 2017, shows future phase development proposed for Lots 2 through 7 & 9 and does not provide land uses, building layout, parking, or PAAL circulation and therefore not included in the PAG average daily trip calculations.

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

Design Considerations:

Design Compatibility Report/Environmental Resource Report

A Design Compatibility Report (DCR) and an Environmental Resource Report (ERR) have been submitted as part of the rezoning application. The DCR addresses the existing conditions and design issues identified in the *Esmond Station Area Plan (ESAP)* and in *Plan Tucson (PT)*, and the measures proposed to mitigate the project's impact on the surrounding area. As support by *ESAP* Industrial Policy 1B.; the rezoning site is within the Davis-Monthan approach-departure paddle and Industrial Policy 2.E.; the overall rezoning site has over ten (10) acres in land area and access onto an arterial street and nearby interstate access. The ERR contains an inventory of existing conditions on and surrounding the site, including zoning and land use, topography, hydrology, vegetation, and wildlife, and an outline of mitigation techniques for post-development impacts.

The information provided in the DCR and ERR is sufficient to review Lot 8 (hotel site) for compliance with the *ESAP* and *PT* and general compatibility with surrounding land uses. The Preliminary Development Plan (PDP), shows a common theme for perimeter landscape buffers, access from Rita Road, an arterial street. Lot 8 will have an enhanced ten (10) foot wide landscape buffer along Rita Road frontage and ten (10) foot wide landscape borders along the north and east boundaries of lot 8. No landscape along the south boundary as this will integrate with lot 9 in future developments. The approved DP14-0167 provides a scope of possible future site designs with internal integrated pedestrian paths and internal vehicular circulation between lots.

Land Use Compatibility

Phase I of the rezoning site (Lot 8) is planned for a hotel, a traveler's accommodation and lodging land use with a proposed height of sixty (60) feet. The remainder of the rezoning site (Lots 2 through 7 & 9) will be for future phase development and allow a combination of office, retail, hotel, manufacturing, warehouse or distribution or other permitted within the I-1 light industrial zone classification, subject to the *UDC* development standards. The proposed hotel and future light industrial uses are compatible with the University of Arizona Science and Technological Park to the west, the interstate railroad and industrially zoned land beyond to the north and east, and the commercial zoned land and interstate highway to the south. The adopted *Rincon Southeast Subregional Plan* designates the greater area to the east and south of the rezoning site for Urban Industrial development. This site is also located within the approach/departure paddle of Davis-Monthan Air Force Base. At the time of development package review the rezoning site will be designed to be in compliance with the Davis-Monthan Air Force Base Approach-Departure Corridor (ADC). Per the *Unified Development Code*, rezoning site is subject to the ADC-3 Airport Environs Zone; including a height restriction at sixty-two (62) feet and meeting or gathering of people in excess of 5,000 square feet shall in

areas located underground. The proposed rezoning meets these standards. The proposed hotel and future developments will meet *Unified Development Code*, development standards.

Road Improvements/Vehicular Access/Circulation

The property is adjacent to Rita Road, an arterial street which has a 2012 ADT of 13,000 daily trips. Future right-of-way for Rita Road is 150 feet and currently developed with four lane divided roadway with a twenty-foot median. There is curb and sidewalk on the east side of the roadway, adjacent to the rezoning site. Rita Road was fully developed as part of the Target Fulfillment Center Development. Old Vail Road to the north is the only other major arterial street in the area and has an ADT of 4,000 daily trips. Interstate-10 is located approximately one-quarter mile to the south and has an ADT of 49,000 daily trips [PAG 2012 Data]. Science Park Drive, a local street has a traffic-signalized intersection with Rita Road and is one of two local streets that will provide access onto the rezoning site. In addition rezoning lots 4 and 9 have existing driveway openings along Rita Road for additional secondary access points onto the overall rezoning site.

The existing principal access point at Science Park Drive and Rita Road line up with the existing access points onto the University of Arizona Science and Technology Park. Convenient and safe pedestrian access between uses should be provided to discourage unnecessary vehicle trips and to interface with future transit.

Conclusion

The Planning and Department Service Department (PDSD), recommends approval of I-1 light industrial zone with a recommendation to include adoption of a “Direct Ordinance” for Phase 1 (Lot 8) of the Interstate Commerce plat (Phase I) and authorization for Lots 2 through 7 & 9 of the Interstate Commerce plat (future phases). Approval of the requested I-1 light industrial zone is appropriate, conditions have been included for both Phase I and the subsequent phases to ensure compliance with *Plan* policies and compatibility with surrounding land uses and zones.

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated April 12, 2017, and design compatibility report dated March 2017, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
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". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. 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. A "Fair Disclosure" statement indicating that certain types of military air and ground training activity occur at Davis-Monthan Air Force Base and that the subject property is located within the Territory of the Vicinity of a Military Airport in accordance with State law, indicate area restricted to building height of sixty-two (62) feet and included as part of any development plans, final plats, information brochures, and sales/rental agreements.
6. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATIBILITY

7. All walls visible from a public right-of-way and/or adjacent to residentially zoned property, 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.
8. Graffiti shall be removed within seventy-two (72) hours of discovery.

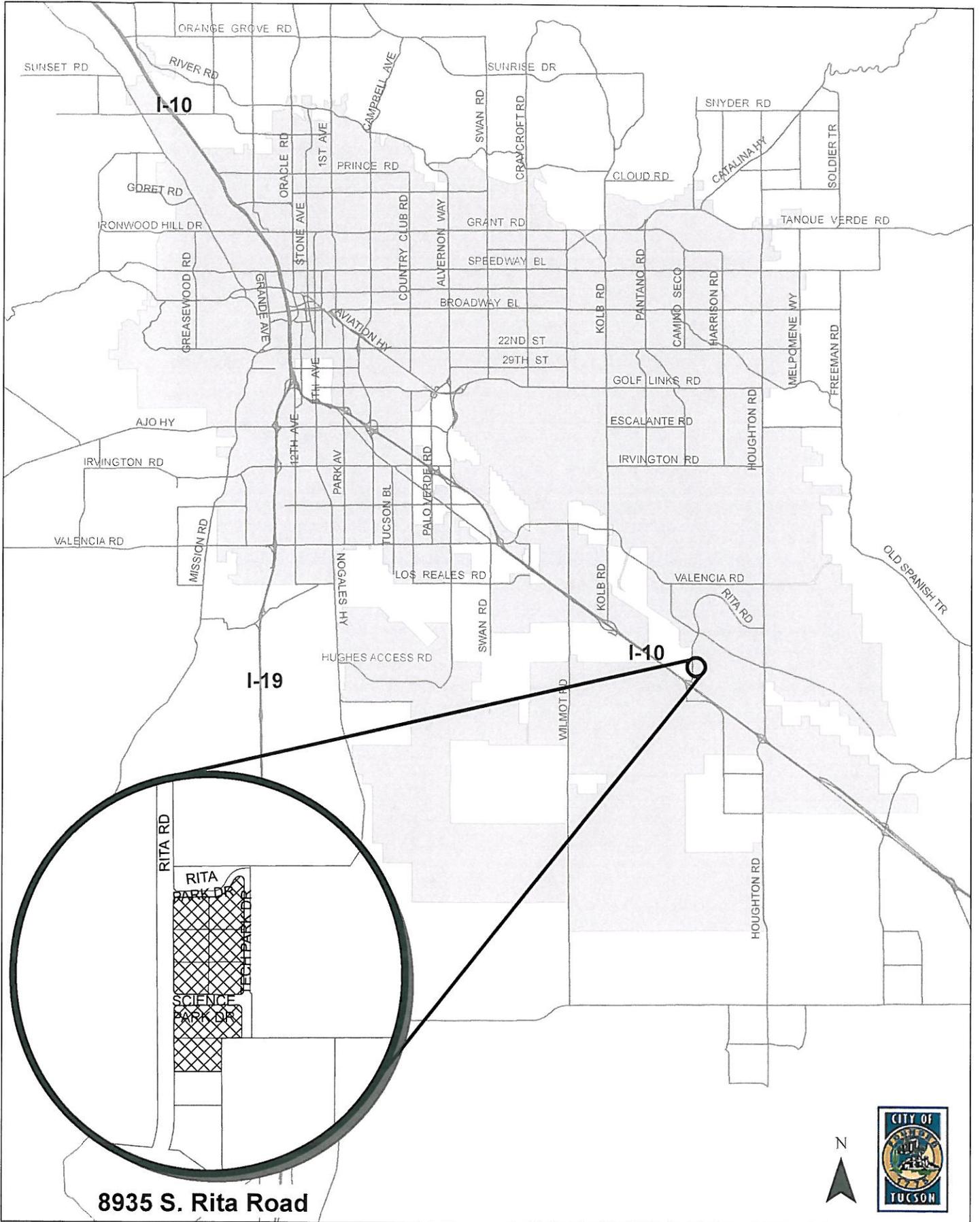
DRAINAGE/VEGETATION/BUFFERS

9. Phase 1 development (Lot 8), to include construction of ten foot wide landscape borders located along street perimeters on future phase development areas (Lots 2 through 9).

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

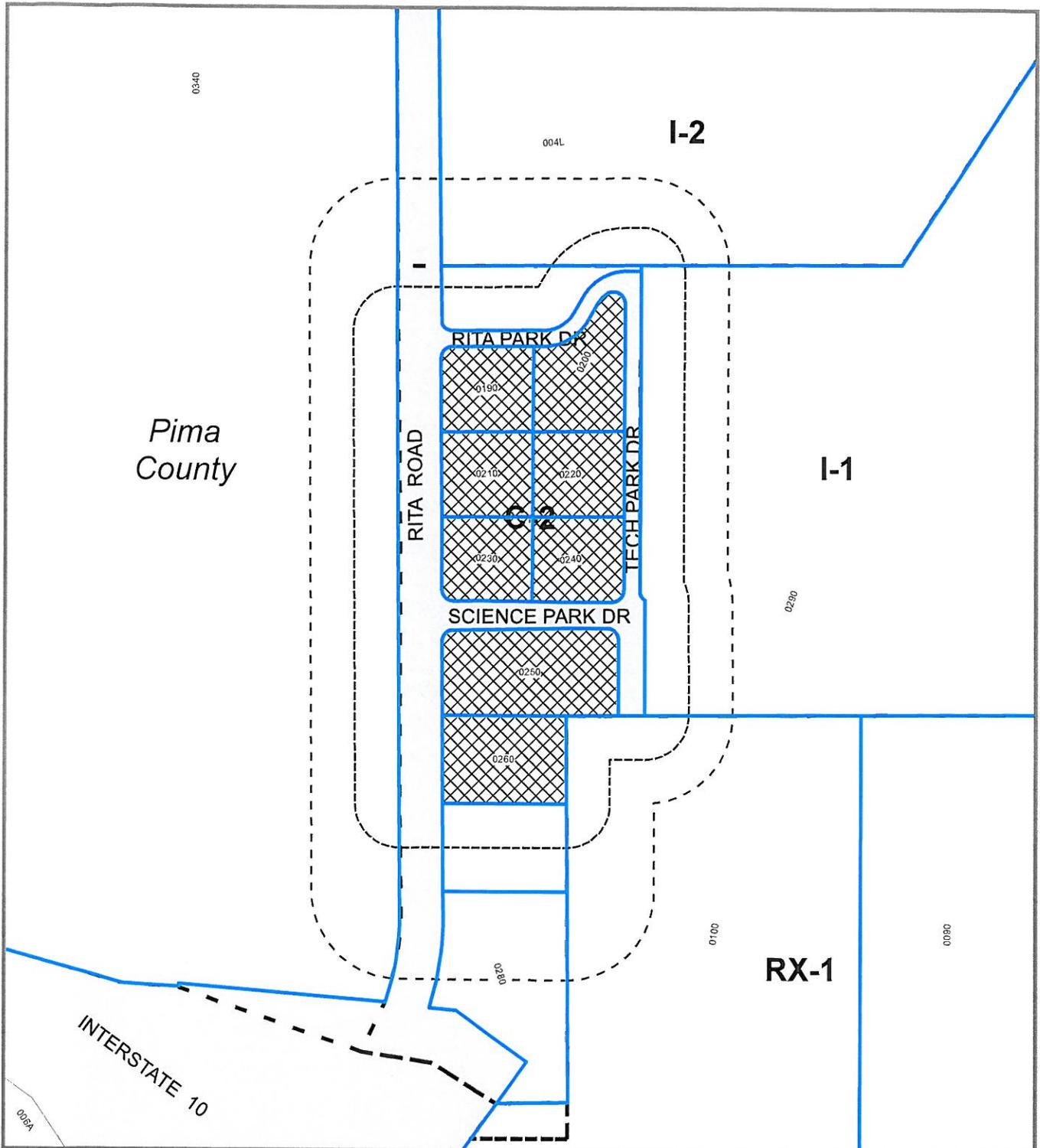
10. Developer is required to provide, at the time of development of Lot 8, a new nine (9) feet wide by thirty (30) feet long and six (6) inches deep concrete bus stop, to comply with ADA transit boarding requirements. The pad to be installed at the existing bus stop by removing thirty (30) feet of existing sidewalk and installing the new pad and rear retaining wall if needed. Developer to consult with City of Tucson Department of Transportation (TDOT) for the final design and location.

C9-17-04 Rita Tech Park - Rita Road



C9-17-04 Rita Tech Park - Rita Road

Rezoning Request: from C-2 to I-1



Pima County

I-2

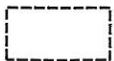
I-1

RX-1

INTERSTATE 10



Area of Rezoning Request



150' Protest Area



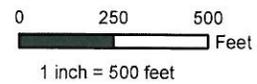
300' Notification Area



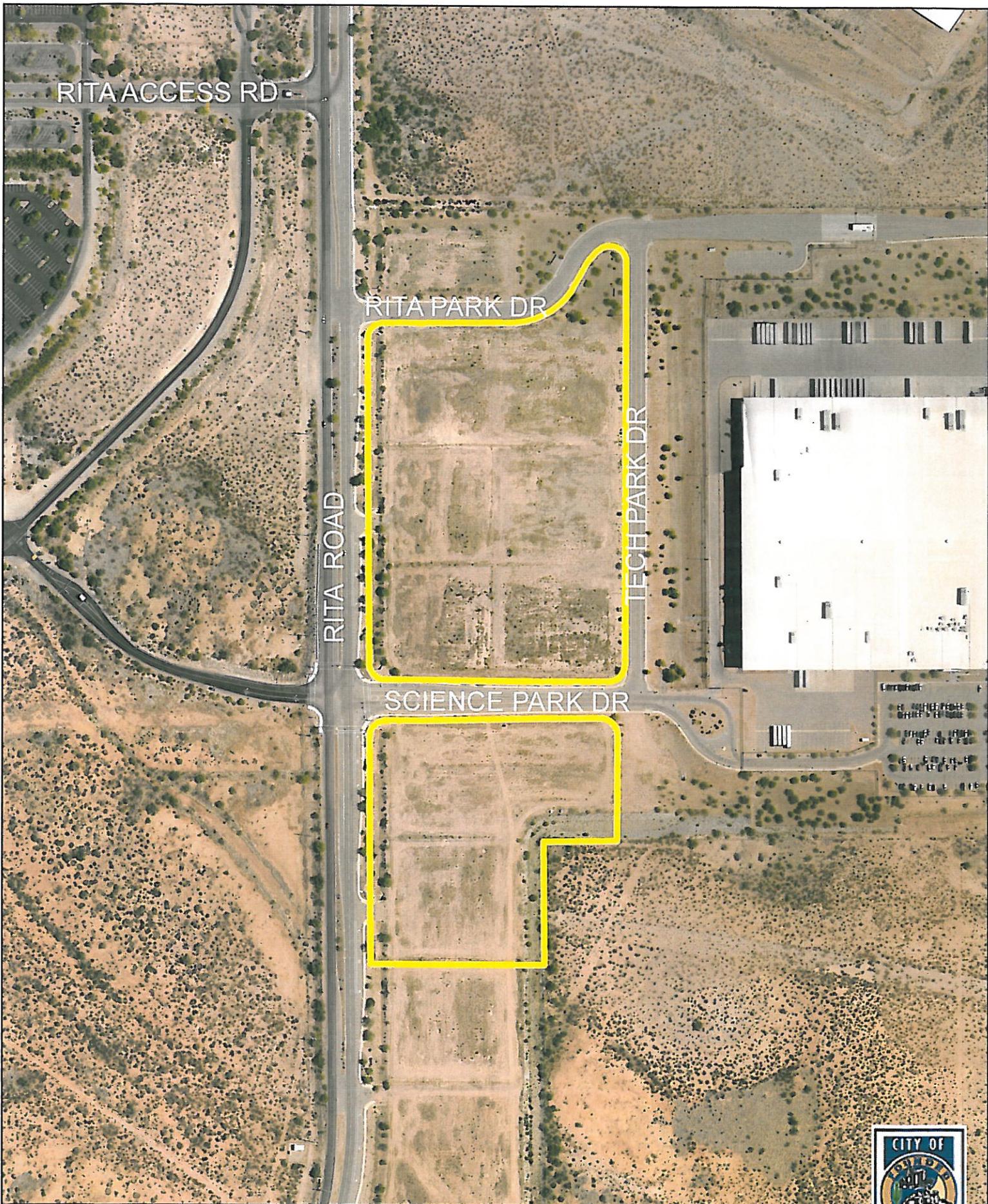
Zone Boundaries



Address: 8935 S. Rita Road
Base Maps: Sec.34 T.15 R.15
Ward: 4



created by: JR, 3/27/2017



C9-17-04 Rita Tech Park - Rita Road
2016 Aerial

0 150 300
Feet
1 inch = 300 feet



PUBLIC FACILITIES AND SERVICES REPORT FOR May 25, 2017
(as of May 1, 2017)

C9-17-04 Rita Tech Park Lots 2-9 – Rita Road, C-2 to I-1

CITY AGENCIES

Planning & Development Services – Community Planning: See attached comments dated 4/20/17
Planning & Development Services – Zoning Review: See attached comments dated 4/13/17
Planning & Development Services – Engineering: See attached comments dated 4/26/17
Tucson Water New Area Development: See attached comments dated 4/19/17
Tucson Water; Public Information & Conservation Office: See attached comments dated 4/25/17
Transportation – Transit - Sun Tran Review: See attached comments dated 4/25/17
Transportation – Engineering Review: See attached comments dated 4/26/17
Transportation – Regional Traffic Engineering: See attached comments dated 4/26/17
City of Tucson, Real Estate Program: See attached comments dated 4/14/17
Environmental Services: See attached comments dated 4/12/17

No Objections Noted

City of Tucson, Parks and Recreation
Transportation – Landscape Section
Planning & Development Services – Landscape Section
Tucson Fire Department
Community Services – Historic Preservation Officer
Tucson Police Department
Planning and Development Services – Signs Section

NON-CITY AGENCIES

Tucson Electric Power Company: See attached comments dated 4/17/17
PAG-TPD: See attached comments dated 5/1/17
Pima County Development Services, Addressing Section: See attached comments dated 4/27/17
Pima County Wastewater: See attached comments dated 4/26/17

No Objections Noted

Pima County Development Services, Planning Division
Arizona Department of Transportation
Tucson Unified School District
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, May 10, 2017 at <http://www.tucsonaz.gov/PRO/pro/devactionsrch.jsp>



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 Planning and Development Services Department 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: C9-17-04 Rita Tech Park Lots 2-9 – Rita Road, C-2 to I-1
Ward 4**

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 mp
Planning and Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

msp
C9-17-04

Expose this flap - Affix stamp and return



City of Tucson mp
Planning and Development Services
Department -Rezoning Section
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

msp
C9-17-04
IMPORTANT REZONING NOTICE ENCLOSED