



MEMORANDUM

DATE: August 13, 2014
For August 28, 2014 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte
Planning & Development Services
Director

SUBJECT: REZONING
PLANNING & DEVELOPMENT SERVICES REPORT
C9-14-05 Mar – Kino Parkway
R-2 to I-1 (Ward 5)

Issue – This is a request by Anthony Capps of AGC Architecture, on behalf of the property owners, Steven Mar of SAM Development, to rezone approximately 0.88 acres from R-2 to I-1 zoning. The rezoning site is located at the southeast corner of Kino Parkway and 14th Street (see Case Location Map). The preliminary development plan proposes an 8,533 square foot, 24 foot tall building for the manufacturing of electronic components.

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

Background Information

Existing Land Use: vacant

Surrounding Zones and Land Uses:

North: Zoned R-2; public right-of-way
South: Zoned R-2 and I-1; outdoor storage and warehouse
East: Zoned I-1; various commercial and industrial uses
West: Zoned R-2; recreation facility

Previous Cases on the Property: none

Related Cases:

C9-01-08 Barone Foods – Kino Parkway, I-1 to I-2 This was a rezoning request for 1.13 acres located adjacent to the northeast of the subject rezoning on the north side of 14th Street between Kino Parkway and Norris Avenue to allow the expansion of a Perishable Goods Manufacturing (meat processing) facility. On August 6, 2001, Mayor and Council adopted Ordinance No. 9593

and on July 9, 2002, on March 28, 2013, building permit T02CM0058 was issued, effectuating the requested I-2 zoning.

Applicant's Request – “We request the rezoning of this 0.88 acre vacant parcel from R-2 to I-1. This would allow this parcel to match the zoning and permitted uses of its adjacent and surrounding properties, which is mostly industrial uses.”

Planning Considerations – Land use policy direction for this area is provided by the *Arroyo Chico Area Plan* and *Plan Tucson*. The rezoning site is located within a designated business center as identified on the Future Growth Scenario Map of *Plan Tucson*. Business centers are major commercial or employment districts that act as major drivers of Tucson's economy, and include commercial, office, industrial, or retail uses. Within business centers, *Plan Tucson* calls for environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. Urban heat island effects should be mitigated by expanding and maintaining a healthy drought-tolerant low-water use urban forest. New development should utilize solutions and strategies included in the Design Guidelines Manual to provide an improved level of community design.

Pertinent land use policies of the *Arroyo Chico Area Plan* support rezoning of residential zoned properties for industrial uses when adjacent land uses are industrial, no variances are required, the site can be integrated with adjacent land uses (if feasible), and proposed industrial land uses are compatible with existing residential uses. Industrial Policy 4 supports light industrial infill development at this location, subject to principal activities being conducted within enclosed buildings, mitigating noises, odor and chemical emission impacts on adjacent uses, and limited hours of operation. Loading zones and trash-pickup areas to be screened and located away from residential uses. *Arroyo Chico Area Plan* transportation policies support upgrading the appearance of the built-environment along Kino Boulevard.

Property to the west and south of the rezoning site is owned by Tucson Unified School District (TUSD). To the west across Kino Parkway is an approximately 16 acre R-2 zoned recreation facility that also serves as flood control basin. TUSD storage and warehouse facilities with split R-2/I-1 zoning are located to the south with R-2 immediately to the south and I-1 beyond. To the east is a mix of TUSD outdoor storage/bus parking and small scale commercial and industrial uses, all zoned I-1. To the northeast is an industrial use (meat processing) zoned I-2. The property to the north is right-of-way (Kino Parkway) zoned R-2. The nearest residentially zoned and developed property is over 400 feet north and west of the rezoning site, on the west side of Kino Parkway.

The rezoning site is bounded by Kino Parkway on the west, 14th Street on the north, Campbell Avenue on the east, and Arroyo Chico Wash on the south. Kino Parkway is identified as a Gateway arterial street with a 150 foot cross section on the *Major Streets and Routes Plan* map. The Campbell Avenue right-of-way is 60 feet wide adjacent to the rezoning site, 14th Street is 80

feet wide. Both Campbell Avenue and 14th Street are local streets. Vehicular access is from Campbell Avenue. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 34 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The rezoning site is a remnant parcel created when property was acquired by the City of Tucson for Kino Parkway in the 1980's. It is located where Kino Parkway bends back onto the Campbell Avenue alignment as it crosses over the Arroyo Chico Wash. As a result, the rezoning site is an irregular trapezoid shape, narrower at the north end with inward curving property lines on the south and west (adjacent to Arroyo Chico Wash and Kino Parkway respectively). The adjacent public rights-of-way and surrounding institutional, commercial, and industrial uses provide substantial separation between the rezoning site and the nearest residential development, virtually eliminating the potential for this project to create negative impacts on residential development in the area.

The adjacent rights-of-way also increase the visibility of the rezoning site and the proposed 24 foot tall building. The rezoning site is located on the outside of a curve in Kino Parkway, further increasing its visibility. Because of its high visibility, and the designation of Kino Parkway as a Gateway Route, the design should establish a common theme for buildings and walls, rooftop mechanical equipment should be screened, and the roofline should include a variety of lines and planes to provide visual interest. All four sides of the building should have an equal level of architectural detailing. Perimeter masonry screen walls should incorporate a design treatment with two or more materials like stucco, tile, brick, or similar material, in a visually interesting pattern. Dumpsters and outdoor storage should be screened from view with a masonry screen wall. Outdoor storage should not extend above the height of the screen wall.

Drainage/Grading/Vegetation – Arroyo Chico Wash is a Watercourse, Amenity, Safety, and Habitat (WASH) wash. The WASH Ordinance establishes a 50 foot wide study area adjacent to the top of the wash bank. Within the study area, vegetative resources and wildlife habitat is to be preserved in its natural state. Arroyo Chico Wash at this location has a concrete bottom and vertical concrete sides. The preliminary development plan submitted in support of the rezoning request identifies the 50 foot study area, a portion of which is public right-of-way. No development is proposed within the study area. Drought-tolerant native low-water use canopy trees, an average of 25 feet on center, should be incorporated into the design of the Gateway route landscaping along Kino Parkway.

Road Improvements/Vehicular Access/Circulation – The preliminary development plan depicts 26 parking spaces. Per the Uniform Development Code (UDC), nine parking spaces are required. Excessive paving contributes to the urban heat island effect which raises the temperature of urban areas. This development is within an area identified by the Arizona Health Services as a High Heat Vulnerability Index Area. Increasing the reflectivity of paved surfaces and/or, providing shade reduces heat absorption and the heat island effect. If parking in excess of UDC

requirements is provided, it should be mitigated through the use of pervious paving, shaded with additional trees, or covered with reflective roofing (use of solar panels would be acceptable).

Conclusion – The proposed rezoning is consistent with, and supported by the *Arroyo Chico Area Plan* and *Plan Tucson* which supports industrial development at this location. Subject to compliance with the attached preliminary conditions, approval of the requested I-1 zoning is appropriate.

8/28/2014

Preliminary Conditions

PROCEDURAL

1. A development package in substantial compliance with the development package and required reports dated 3/26/2014 is 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. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning with a site inspection.

LAND USE COMPATIBILITY

8. Outdoor storage of equipment of materials shall not exceed a height greater than perimeter fence/and wall.
9. Buildings shall not exceed twenty four (24) feet in height.

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Preliminary Conditions

10. The final development package submittal shall include building elevations submitted to PDS Community Planning for review. The elevations shall display consistent use of varying materials on all four sides of the proposed building.
11. The dumpster enclosures shall be screened with a masonry wall a minimum of six (6) feet in height. Colors and materials shall be complimentary to the buildings and/or perimeter walls.
12. All perimeter masonry walls and dumpster enclosures shall be graffiti-resistant material that incorporates two (2) or more of the following visually appealing design treatments, such as the use of decorative materials like stucco, tile, stone, or brick; a visually-interesting design on the wall surface; and/or a varied wall alignment (job, curve, notch, setback, etc.). Graffiti to be removed within five working days of discovery.
13. Landscape buffer area located between the on-site perimeter masonry wall and Kino Boulevard, adjacent to the west property line shall include one native thornless canopy tree for every twenty linear feet of frontage along Kino Boulevard.
14. All outdoor security lighting to be full cutoff directed down and shielded away from residential parcels and public right-of-way. Outdoor lighting layout and lighting fixture detail shall be submitted as part of the development plan.

DRAINAGE/GRADING/VEGETATION/HEAT ISLAND MITIGATION

15. The submittal of a drainage report that addresses onsite and offsite drainage and its impact on the proposed improvements. The drainage report shall determine the extent of encroachment on the existing regulatory floodplain and decide the proposed building finished floor elevation in accordance with the Floodplain Ordinance.
16. Ponding water within proposed parking areas shall not exceed 0.5 foot in depth.
17. Mature trees, trunk diameter 4' above ground that is greater than 8" and in fair to good health, will be preserved in place; if this is not possible, trees are to be assessed utilizing an acceptable valuation assessment methodology, equivalent to standards of the International Society of Arborists. Funds will be set aside in an established Tree Bank, such as Trees for Tucson, to be used for revegetation/landscape enhancement and/or improvements of public street rights-of-way or residential neighborhoods or parks within a radius of 2 miles.
18. Roofing material to be either Energy Star rated or rated as a cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emittance

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Preliminary Conditions

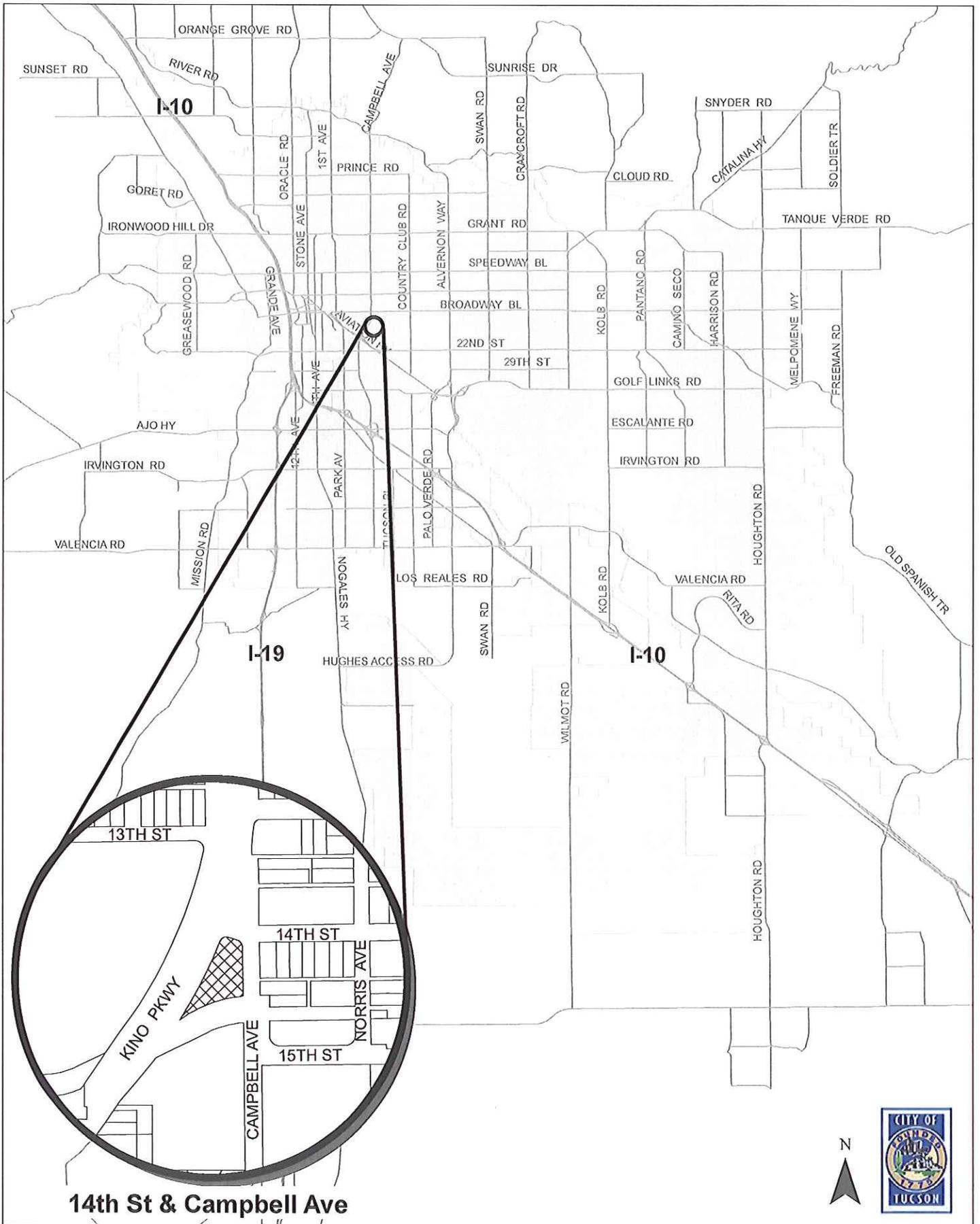
greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.

19. Parking provided in excess of the minimum required shall be covered with reflective roofing (use of solar panels would be acceptable), or paved with light colored paving materials such as concrete or cool paving coating over asphaltic surfaces. Porous paving or porous pavers would also be an acceptable alternative.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

20. A right of way permit or a Private Improvement Agreement (PIA) with the City of Tucson Department of Transportation will be required for any work completed in the right of way, including any possible utility updates.
21. The installation of standard width sidewalks along 14th Street and Campbell Avenue frontages.
22. Access to Kino Parkway and directly to 14th Street shall be prohibited.

C9-14-05 Mar - Kino Parkway



14th St & Campbell Ave



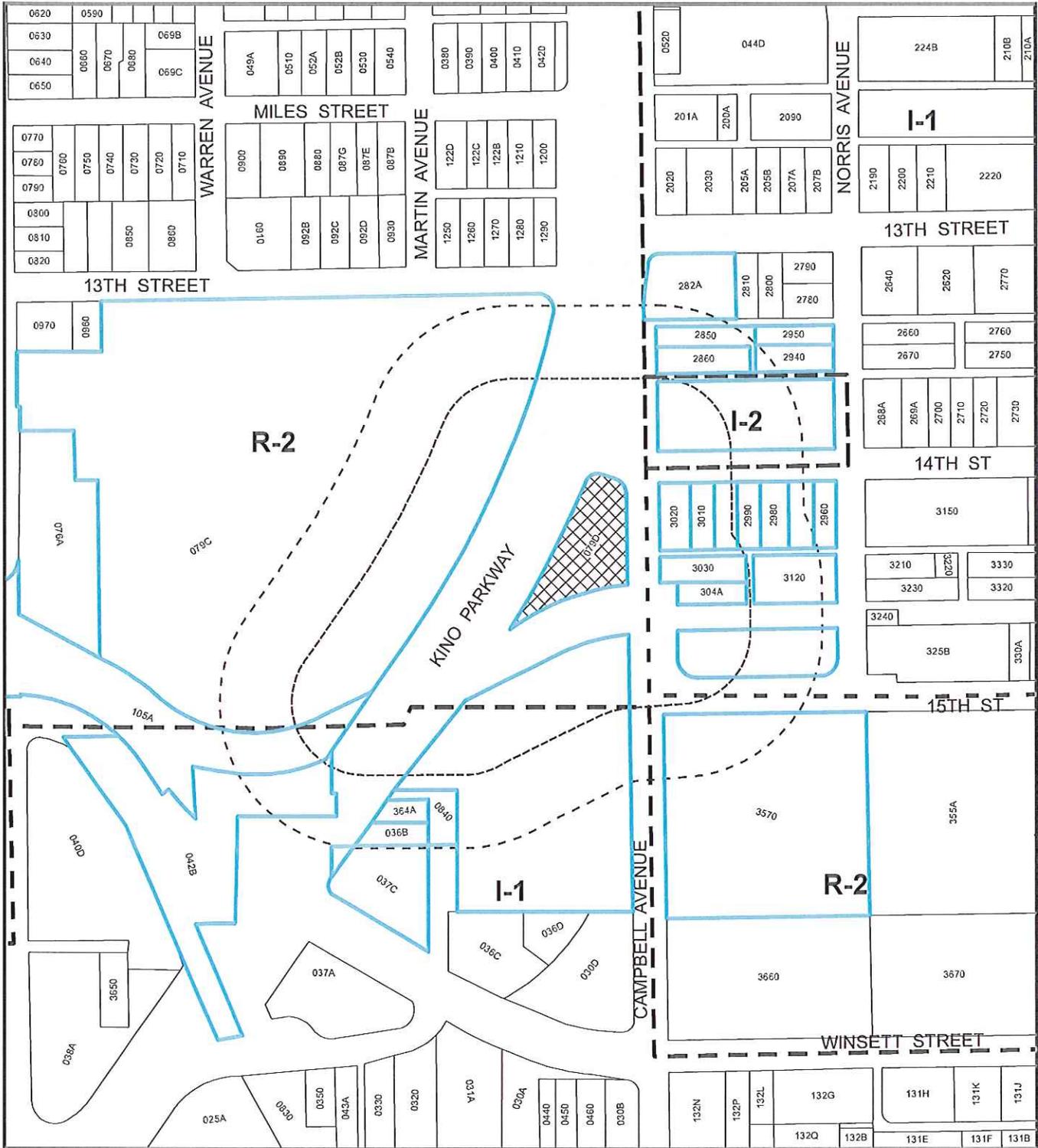
C9-14-05 Mar - Kino Parkway
2012 Aerial

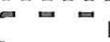
0 50 100 200
Feet
1 inch = 200 feet



C9-14-05 Mar - Kino Parkway

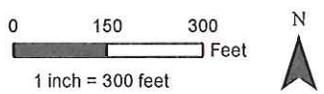
Rezoning Request: from R-2 to I-1



-  Area of Rezoning Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: SW Corner 14th St/Campbell Ave
 Base Maps: Sec.18 T.14 R.14
 Ward: 5



created by: JR, 7/2/2014

PUBLIC FACILITIES AND SERVICES REPORT FOR August 28, 2014
(as of July 22, 2014)

C9-14-05 Mar – Kino Parkway, R-2 to I-1

CITY AGENCIES

Planning & Development Services – Engineering: See attached comments dated 7/10/14.
Planning & Development Services – Community Design: See attached comments dated 7/18/14.
Planning & Development Services – Zoning Review: See attached comments dated 7/10/14.
Transportation – Engineering: See Traffic Engineering comments dated 7/14/14.
Transportation – Traffic Engineering: See attached comments dated 7/14/14.
Office of Conservation & Sustainable Development: See attached comments dated 7/16/14.
Tucson Parks and Recreation: See attached comments dated 7/21/14.

No Objections Noted

Planning & Development Services – Sign Code
Planning & Development Services – Zoning Enforcement
Community Services – Historic Preservation Officer
Environmental Services
Tucson Police Department
Planning & Development Services – Landscape
Tucson Fire Department
Tucson Water Department

NON-CITY AGENCIES

PAG-TPD: Estimated traffic generation of proposed development: 34 vehicle trips per day.
Pima County Wastewater: See attached comments dated 7/14/14.

No Objections Noted

Arizona Department of Transportation
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base
Tucson Electric Power
Tucson Unified School District

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, August 13, 2014 at http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html



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: C9-14-05 Mar – Kino Parkway, R-2 to I-1
Ward 5**

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

C9-14-05

Expose this flap - Affix stamp and return



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

C9-14-05
IMPORTANT REZONING NOTICE ENCLOSED

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