



Preliminary Report

April 8, 2016

**CITY OF
TUCSON**
ZONING
EXAMINER'S
OFFICE

Brian Underwood
The Planning Center
110 South Church Avenue Suite 6320
Tucson, Arizona 85701

SUBJECT: C9-16-02 Cline-Darling – River Road
Re-zoning: from SR to O-2
Public Hearing: March 17/31, 2016

Dear Mr. Underwood,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case **C9-16-02 Cline-Darling- River Road –River (from SR to O-2)**. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This application is a request by The Planning Center representing EP Cline/ RC Darling to rezone 3.13 acres of land recently annexed by the City of Tucson from SR to O-2 zoning. O-2 zoning generally allows office, medical and civic land uses. The maximum building height is 26 feet. The case was first heard on March 17 and then continued to March 31 so that turn lane and perimeter wall issues could be discussed between applicant and an adjoining property owner.

At this writing, there is one written protest and one written approval. The protest is from an adjoining property owner and triggers a super majority vote of the Mayor and Council.

The subject rezoning is on the south side of River Road, east of the intersection North Camino Del Obispo and River Road. The proposed land use is for three office buildings totaling 32,000 square feet and 116 parking spaces. Two are one story and one two stories. The buildings are proposed to be located along the west and south property lines of the property. The subject property is currently developed as a single family residence (1,215 square feet) with a small accessory building (624 square feet). If the rezoning is approved, the existing buildings will be demolished.

The subject rezoning is within the boundaries of *Plan Tucson*, and the *Catalina Foothills Subregional Plan* but not within a specific adopted map detail. The request is in the Existing Neighborhood Building Block of *Plan Tucson's* Future Growth Scenario Map. This Building Block is largely built out but some development and redevelopment is expected. The proposed rezoning proposes development within the Building Block that is consistent with *Plan Tucson*.

While the *Catalina Foothills Subregional Plan* does not have an adopted map detail for this area, the land use pattern along River Road which includes a private school, and O-3 zoning to the west is consistent with this rezoning request.

The proposal is on River Road, which is a scenic arterial street on the City of Tucson's *Major Streets and Routes Plan* map, with a future right-of-way of 150 feet. It currently has a five-lane cross section near the proposal. The average daily trips for the River Road segment between Hacienda del Sol and Campbell Avenue is 39,743 (2015 Pima County). The proposal is estimated to generate about 552 trips per day during the week according to the traffic impact study submitted with the application.

Land Use Compatibility – Uses of similar zoning and intensity are in the vicinity as already noted. The proposal also abuts the Pima County Loop Multi-use Trail along its southern property line. The Planning and Development Services

Department's (PDS) special conditions require the property owner to work with Pima County about access from the property to the Loop Trail.

Drainage - The proposal will be subject to standards for stormwater detention and retention. The special conditions include a landscaping screen along the southern property line to reduce the visual impact of the development on the Loop Trail.

Road Improvements - The proposal indicates the preliminary development plan has a single access point onto River Road. The Department of Transportation recommends conditions 24 and 25 that require a left turn lane, an eastbound right turn lane respectively. The conditions were discussed among the Department, applicant and the adjoining neighbor to the east. There does not appear to be a consensus between the applicant and adjoining property owner. The Zoning Examiner evaluated the materials and testimony and finds that the amount of traffic from the proposal is minimal in the overall trips occurring on this particular segment of River Road and the proposal's added vehicle trips should not create delays or specific maneuvering problems.

Landscaping and Screening - The Zoning Examiner asked the applicant to continue to meet with the adjoining neighbors after the close of the public hearing to consider further mitigation measures. The adjoining property owner had concerns about noise from the road that the new development may create and the elimination of landscaping in the road median for the left turn lane. The applicant had an acoustical expert prepare an acoustical analysis that states the noise is a 'line source' emanating from the roadway beyond the proposed office complex and up to a twenty-foot wall along the rezoning site still may not be adequate to reduce the ambient noise.

The applicant proposes two alternative conditions to address the concerns (18 and 23) that both PDS and the Zoning Examiner see as reasonable accommodations to increase privacy along the eastern wall and increased overall landscaping buffering in the front of the proposal. First, there will be a six-foot versus standard five-foot wall along the proposal's eastern boundary and, second, the natural thirty-foot buffer along the front of the subject rezoning will be enhanced with additional desert vegetation in lieu of the vegetation removed from the road median to accommodate the new left turn lane.

Heat Island - The PDS recommends several conditions related to heat island mitigation. They include pervious pavement materials in pedestrian areas, cool-roof rated materials, and canopy trees in the parking lot.

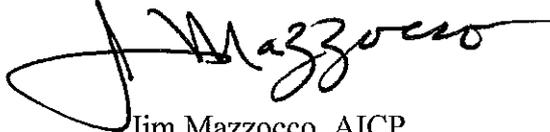
CONCLUSION

The proposal is consistent with *Plan Tucson* and the *Catalina Foothills Subregional Plan*. It reflects redevelopment along a major arterial which already has similar uses. The recommended special conditions including the six foot wall and enhanced roadway vegetative buffer are appropriate to mitigate typical land use impacts for a small office complex.

RECOMMENDATION

The Zoning Examiner recommends approval of the rezoning from the SR zone to O-2 zone subject to the PSDS recommended conditions.

Sincerely,

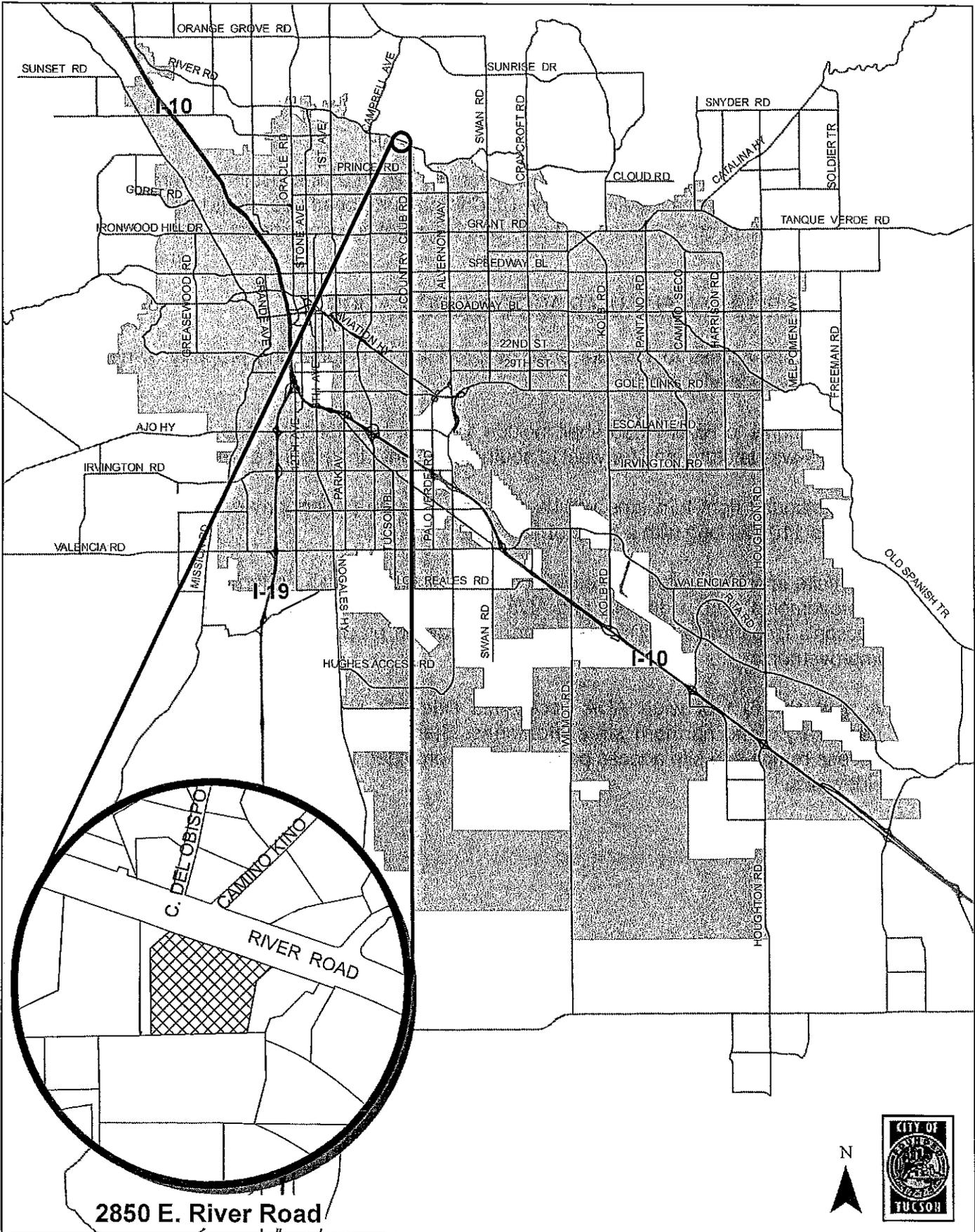
A handwritten signature in black ink, appearing to read "J. Mazzocco". The signature is fluid and cursive, with a large loop at the beginning.

Jim Mazzocco, AICP
Zoning Examiner

ATTACHMENTS:

Case Location Map
Rezoning Case Map
Rezoning Conditions
cc: City of Tucson Mayor and Council

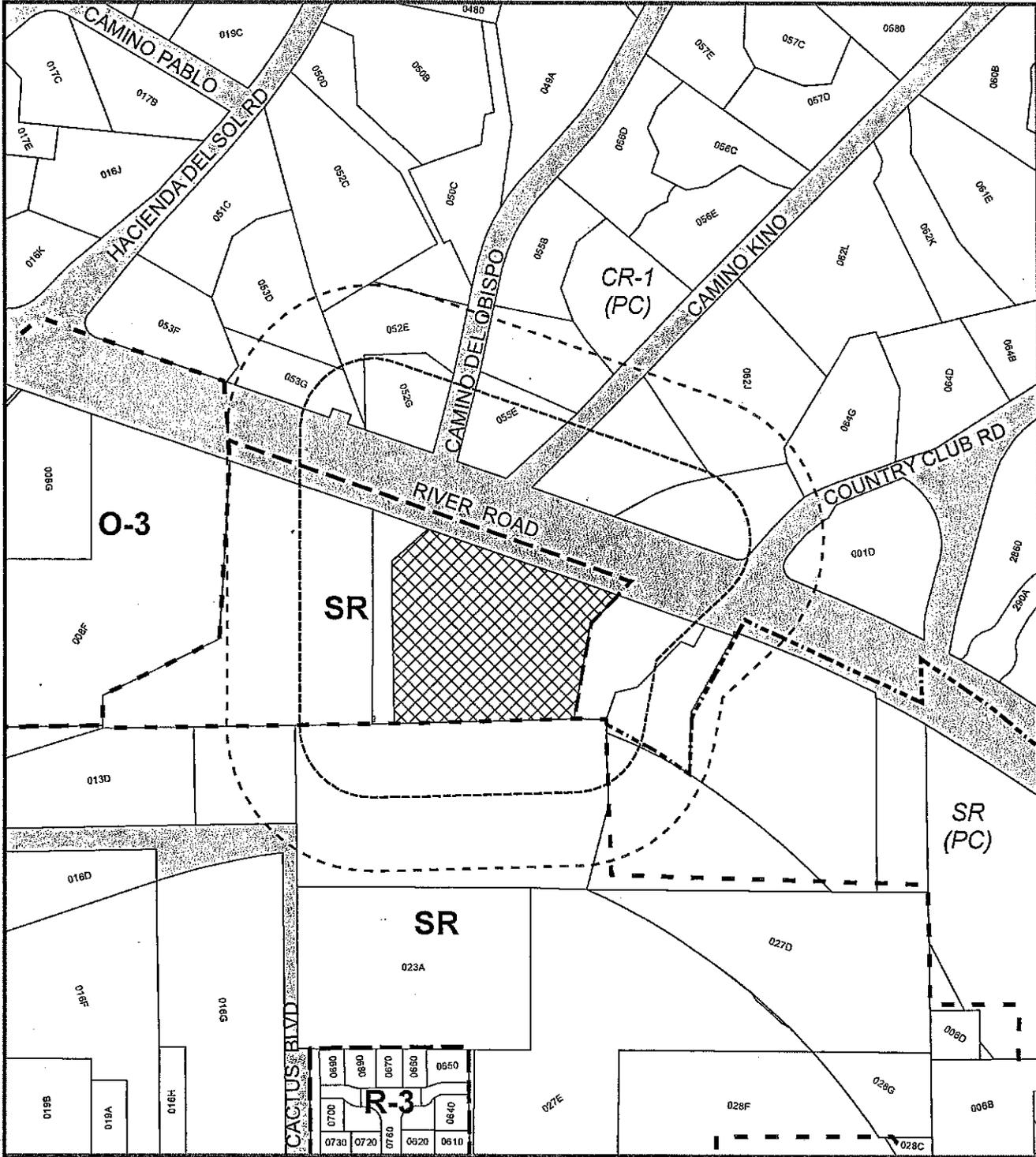
C9-16-02 Cline-Darling - River Road

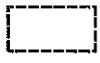


2850 E. River Road



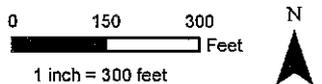
C9-16-02 Cline-Darling - River Road
Rezoning Request: from SR to O-2



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



Address: 2850 E. River Road
 Base Maps: Sec.20 T.13 R.14
 Ward: 3



PROCEDURAL

1. A development package in general compliance with the preliminary development package dated 1/15/16 and required reports dated 3/2/16, covering the rezoning site 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. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
7. Rezoning site is subject to C15-15-05 River and Kino Annexation District approval.

LAND USE COMPATABILITY

8. Building facades shall consist of four sided architectural character and detail comparable to the front façade, including but not limited to color palette, non-glare roof material/lines, and exterior materials and to complement residential development in the area. A color palette and dimensioned elevation drawings on 11"x17" shall be submitted as part of the development plan submittal to demonstrate compliance with this condition.
9. On-site pedestrian access to the Loop Multi-Use Path along the Rillito River shall be provided for employees at the site to walk or bicycle to work or for exercise during the day.

10. The dumpster enclosures shall be screened with a masonry wall a minimum of six (6) feet in height and 50 feet from all residentially used or zoned properties. Colors and materials shall be complimentary to the buildings and/or perimeter walls.
11. A minimum ten foot (10) wide landscape border, to be maintained by the developer, shall be provided along the entire south property line as indicated on the PDP dated 1/15/16.
12. All screen 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, rustic metal, tile, stone, or brick; a visually interesting design on the wall surface. Metal portions should be painted to match the existing screen wall color, if a natural rustic color is preferred or used, a sealant over the material shall be used.
13. All buildings are limited to a maximum 26feet in height. A variety of rooflines shall be utilized in the architectural design.
14. The owners/developers shall ensure that graffiti is removed within 72 hours of discovery.
15. An integrated outdoor lighting plan, in compliance with the Outdoor Lighting Code (OLC), shall be included in the development plan package. The plan shall show even lighting distribution over the entire proposed site.
16. All pedestrian paths required to cross or occur within PAALS shall be identified clearly and distinguished from vehicular areas by materials such as but not limited to; brick, concrete pavers, scored or patterned colored concrete, textured and raised surfaces, or other materials as may be approved by the Department of Planning and Development Services staff.
17. Primary hours of operation shall be limited to 6am – 10pm.
18. A six-foot wall shall be provided along the eastern boundary of the property, in which the northernmost eighty-foot section of the wall shall be constructed with unpainted CMU in a variety of decorative colors, or finished with a stone veneer.

DRAINAGE/GRADING/VEGETATION/HEAT ISLAND MITIGATION

19. A Drainage Statement shall be submitted, including details of onsite and offsite drainage, flow stability, and the provision of water harvesting and/or runoff retention.
20. Tree root zone have a minimum of 300 cubic feet (no deeper than 3') of uncompacted soil (less than 90% compaction); if utilizing structured/engineered soil where 95% or greater compaction permitted, then 600 cubic feet of soil (no deeper

than 3') shall be required. Owner/applicant is responsible for providing a special inspection and delivering results to City for the following condition: Provide materials with building permit application and reference rezoning case number C9-16-02.

21. Owner/applicant is responsible for providing a special inspection and delivering results to City for the following condition. Provide materials with building permit application and reference rezoning case number C9-16-02. New or replacement roofing material shall be Energy Star rated, or cool roof rated with Initial Solar Reflectance Greater than or equal to 0.65, and minimum infrared emittance to be 85% or more. Placement of and utilization of energy from solar panels on roofs is an acceptable alternative.
22. There shall be no greater than a ten percent (10%) surplus over the number of vehicle parking spaces required by the *UDC* for the proposed use. Additional spaces may be mitigated on a one to one basis with the planting of additional native canopy trees.
23. Enhanced landscaping shall be provided within the 30-foot scenic buffer area along the northern property boundary. Native plants, plants from the Drought Tolerant Plant List, or a combination of both shall be utilized within the buffer to beautify the project frontage on River Road while maintaining, as close as possible, the natural state of the 30-foot scenic buffer area.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

24. Future cross access to the site shall be provided to neighboring property owners upon future redevelopment.
25. Improvements to River Road shall include 110 foot long left turn lane and 180 foot long two-way left turn lane for west to south access into the project driveway.
26. An eastbound right turn lane will be required into the project driveway. Driveway shall be 110 feet long with a taper of 180 feet.
27. All offsite improvements required with this development such as the driveway, alley improvements, curb, sidewalk, and ADA ramps shall be coordinated with the City of Tucson's Department of Transportation to establish proper location(s) of the offsite improvements.
28. A new six (6) foot wide ADA accessible sidewalk shall be constructed where necessary along northern street frontages. Standard width transition, wheelchair access ramps and site access points shall be provided when connecting to existing sidewalks.