



CITY OF  
TUCSON

OFFICE OF THE  
CITY CLERK

June 27, 2016

Subject: Zoning: (C9-16-04) Bourn – Irvington Road, R-1 to PAD, City  
Manager's Report, Ordinance Adoption

Please be advised that at the regular meeting of May 17, 2016, the Mayor and Council voted to pass and adopt Ordinance 11360 subject to the conditions listed in Exhibit A to Ordinance 11360 (attached). This action by the Mayor and Council does not rezone your property. Your zoning will be reflected, and the base map will be changed, upon verification of substantial compliance with the requirements attached to Ordinance 11360.

If you have any questions regarding this matter, please contact the Planning and Development Services Department at (520) 791-5550.

Sincerely,

Roger W. Randolph  
City Clerk

RWR:SL:bf  
C9-16-04ltr

Attachment: Ordinance 11360

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cc: City Manager  
Planning and Development Services Department  
Pima County Assessor's Office, Land Appraisal Section

ADOPTED BY THE  
MAYOR AND COUNCIL  
May 17, 2016

ORDINANCE NO. 11360

RELATING TO ZONING: AMENDING ZONING DISTRICT BOUNDARIES JUST WEST OF INTERSTATE 19 (I-19) AT THE NORTHWEST AREA OF I-19 AND IRVINGTON ROAD IN CASE C9-16-04, BOURN – IRVINGTON ROAD, R-1 TO PAD; AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The zoning district boundaries just west of Interstate 19 (I-19) at the northwest area of I-19 and Irvington Road are hereby amended from R-1 to PAD as shown on the attached map marked Ordinance No. 11360 subject to compliance with the requirements attached hereto as Exhibit "A".

SECTION 2. Notwithstanding any provision of the Tucson Code relating to lot split approval, no grading, grubbing, filling, excavation, construction, or other physical alteration of the site in furtherance of the project contemplated by this Ordinance shall occur prior to the effective date of the PAD zoning classification.

SECTION 3. This Ordinance becomes effective thirty (30) days after it is adopted by the Mayor and Council and is available from the City Clerk.

SECTION 4. The provisions of this Ordinance, including the attached conditions, cannot be given effect individually, and to this end, the provisions of this Ordinance and the attached conditions are not severable.

SECTION 5. The various officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.


PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, May 17, 2016.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

REVIEWED BY:

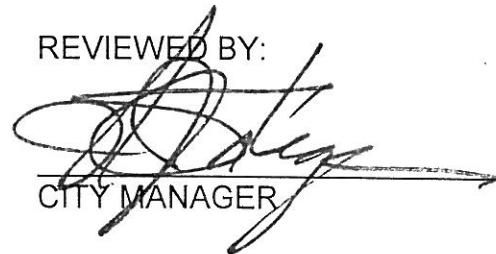
  
CITY MANAGER

EXHIBIT "A" TO ORDINANCE No. 11360

Requirements for Rezoning Case C9-16-04 Bourn – Irvington Road, R-1 to PAD as established by Mayor and Council on May 17, 2016.

This Ordinance is subject to the following conditions:

See Exhibit A: Irvington Commercial Center PAD

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**IRVINGTON COMMERCIAL CENTER  
PLANNED AREA DEVELOPMENT**

NWC IRVINGTON ROAD AND INTERSTATE 19  
TUCSON, ARIZONA

\*\*\*\*\*

Owner:  
IRVINGTON INTERSTATE PARTNERS, LLC  
20 E. CONGRESS ST., 3<sup>RD</sup> FLOOR  
TUCSON, ARIZONA 85701  
520-323-1005 EXT. 7628

\*\*\*\*\*

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# **SECTION 1 - INTRODUCTION**

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## **IRVINGTON COMMERCIAL CENTER** Planned Area Development

## A. Project Overview

The Irvington Commercial Center Planned Area Development (“PAD”) encompasses approximately 63 acres in an infill area within the City of Tucson (“City”) at the northwest corner of Irvington Road and Interstate 19 (the “Property”). The Property is situated along the International Trade Corridor, located approximately 62 miles north of the Mexico border and 3.6 miles south of the intersection of I-19 and I-10. The PAD provides employment opportunities and retail opportunities to support its strategic location along I-19 and to the surrounding neighborhoods within Ward I. Surrounding the Property are the Rose and Midvale Park Neighborhood Associations to the east of Interstate 19 and south of Irvington respectively. Other Neighborhood Associations within a mile of the Property include Sunset Villa (to the northeast), Santa Cruz Southwest (to the northwest), and Westside Development (to the northwest). The Property includes a portion of a second parcel owned by the City and developed with a Pima County park facility to support the Santa Cruz River Park (“River Park”). The Property was annexed into the City by Ordinance No. 2014 in 1960 and has been zoned R-1 (Residential) since original annexation. A change in zoning to Planned Area Development is requested for development of the Property to appropriately acknowledge its location and ability to provide services and jobs to the surrounding community. The Property will provide for a mix of commercial uses and employment including (but not limited to) retail, food service, hospitality, and office uses (the “Project”).

## B. Rationale and Benefits for Use of a PAD

A Planned Area Development zoning designation is designed to allow for comprehensively planned development with appropriate design standards. The primary purpose of this PAD is to ensure a cohesive development with design standards balanced with flexibility in developing the Property based on market demands. The development of the Property will be an asset to the immediate area and to the City by providing for diverse uses that serve a variety of needs in the community. The development is an infill project that is perfectly situated to serve the existing urban core, and provide a destination experience for travelers along I-19 and I-10. Along with the diversity in permitted uses, the PAD also encourages diversity in building massing and accessibility that adds architectural and contextual interest and excitement to the development. The development is the result of a master planning effort that appropriately utilizes a Planned Area Development zoning and development standards.

## C. Conformance with Plan Tucson

The PAD conforms to the policies of Plan Tucson, the City’s General & Sustainability Plan (“PT”). The redevelopment will provide for significant economic improvements to a highly visible and underutilized parcel of land along I-19 that can serve both the surrounding community and those traveling to and through the region. The Property is an infill project surrounded by large tracts of both undeveloped and developed residential and commercial properties and is identified in PT as an area of greater infill potential. The PAD will support a variety of commercial uses, and Tucsonans will appreciate the opportunities for employment as well as access to new and diverse commercial products and services. The Property is strategically located to capture a regional and international customer base.

The variety of retail, commercial, and food service uses imagined for this PAD will encourage use of the Property by residents and tourists alike, a concept eagerly supported by PT. With easy access to the River Park and, of course, the businesses on the Property, the PAD can serve as a primary destination for people from the city, county, region, and Mexico.

With its connection to the Linear Park, the Property anchors the neighborhood and revitalizes and stabilizes with an attractive built environment that also improves tax revenues and property values.

Following are a few of the focus areas and policies that are supported with this PAD:

**Redevelopment & Revitalization:**

- **Redevelop and revitalize in areas with the greatest potential for long-term economic development**

The Property is at an ideal location at the corner of I-19 and Irvington for the type of development proposed and is identified in Exhibit LT-7 as having Greater Infill Potential. The largely vacant Property will be redeveloped to provide a tax base for the City, jobs for the community, and a new shopping, hospitality, and entertainment destination for the region. Nearby developments provide a synergy of commercial and tourist uses that are compatible with the revitalization of the Property. This redevelopment will be an asset for the neighbors, the region and will provide an anchor for the River Park users.

**Land Use, Transportation, & Urban Design:**

- **Locate retail and services to allow easy access between uses and reduce dependence on the car**
- **Increase the use of transit, walking and bicycles**
- **Create continuous pedestrian and bicycle networks**

The Property creates a commercial environment on an otherwise vacant parcel with the potential for retail, hospitality, restaurant, office, and service uses in a cohesively-designed development that is easily accessible. The Property will be served by bus lines and is conveniently situated for access by vehicles using Irvington Road and Interstate 19. The uses on the Property will be linked by lighted sidewalks to promote more pedestrian use of the development and a more urban character. This “three dimensional” planning approach is supported by PT as a way of creating a community’s “sense of place.” Although no vehicular access will be provided across the wash to or from the residential neighborhood, Lamar City Acres, residents will be able to access the Property on foot or bicycle using the River Park. Bicycle and pedestrian access points will be provided from the River Park to the Property. Bicyclists will be able to use the Proposed Roadway through the Property, and bicycle parking will be provided to meet the needs of the biking community and satisfy the UDC bicycle parking requirements as described in Section 3 of the PAD. The overall design of the Property will be appropriate for the southwest and for the surrounding built environment.

**Economic Environment:**

- **Benefits to residents and attraction to visitors**
- **Safe, distinctive, well-maintained, and attractive community contributing to Tucson’s quality of life and economic success.**

The Property will provide commercial goods and services that benefit residents and visitors alike, jobs that will boost the local economy, and increased tax revenues that benefit the City as a whole. The redevelopment will enhance the attractiveness of the immediate area by revitalizing an underutilized, mostly vacant piece of land.

**Public Safety:**

- **Encourage design for private spaces that incorporates principles of defensible space.**

The Property will be designed with a central core that can be viewed from all businesses by use of adequate storefronts, carefully located landscaping, lighting that reduces shadows and dark areas, highly visible pedestrian and bicycle parking facilities, and security measures such as cameras and personnel. The backside of the buildings in the Property will also have adequate security lighting and will be designed to preclude access to the neighborhood to the north from the Property. The existing Michigan Wash at the north end of the Property also provides a secure buffer for the residents to the north.

## Tourism & Quality of Life

- **Support and promote tourism**

This PAD will allow for development of tourist-related businesses and activities on the Property with accessibility to the River Park. The Property will also provide economic stability, serve as a destination for residents and tourists alike, and increase tax revenues.

### Water Resources:

- **Integrate land use and water resources planning**

Passive water harvesting will be provided on the Property, and landscaping throughout the parking lots will help reduce the carbon footprint while offering an attractive environment. The wash area at the north end of the Property will be protected creating a substantial natural buffer for the residents.

## D. Santa Cruz Area Plan

The Property is located in the Santa Cruz Area Plan (“SCAP”) adopted by Mayor and Council in 1984. The SCAP’s goal is “to guide future development and coordinate governmental actions when developing the Santa Cruz River and its immediate environs as a major cultural and recreational resource, while stabilizing and improving adjacent neighborhoods.” General development policies relative to this Property include:

- Adopted redevelopment or zoning concept plans take precedence over general SCAP policies and should be consulted for detailed zoning or development decisions.
- New developments should be interrelated with the linear park system;
- Design and scale of new developments near existing neighborhoods should be compatible with existing neighborhood characteristics;
- Major washes and drainage ways should be left in their natural state unless there is a threat to private property or personal safety.

The Property is listed in the SCAP as Equestrian Unit (Parcel C) and lies north of Key Parcel 3 and east of Key Parcel 5. Policies for neither Key Parcels apply to any portion of the Property. While the SCAP indicates that the Property is in the airport environs 65-70 Ldn zone, Figure 5.6-B, AEZ Base Map 1 of the TIA Airport Environs Zone shows that the Property is north of the furthest reaches of this zone.

The SCAP acknowledges the Santa Cruz River area will continue to integrate commercial and industrial uses as part of the Santa Cruz community. The Property was formerly used for a pumping station by the City and is a storage property for construction materials.

Recommendations of the SCAP relative to this Property include:

- 1. Provide passive recreation opportunities including picnic facilities, playfields, and playgrounds to serve surrounding residential neighborhoods.** This development provides access to the River Park. In addition, John F. Kennedy Park lies less than a mile to the west of Lamar City Acres off Ajo. This park provides adequate picnic facilities, playfields, and playgrounds to serve the residents.
- 2. Consider allowing a southern equestrian terminus for the park.** Since the SCAP was adopted, equestrian trails and facilities with linkage to the channelized west branch were created further north of the Property along the Santa Cruz River. These facilities adequately serve the equestrian community, and this recommendation is no longer relevant for this Property.

**3. Remove City storage facilities on this Property to the location identified in the Ajo planning unit.** The City storage facilities will be removed and relocated by the City according to their current plans.

**4. Create a pedestrian linkage to the park for neighborhoods east of Interstate 19 by providing a pathway from the overpass to park trails following the natural wash south of Lamar City Acres.** A pathway leads from the existing pedestrian bridge to the River Park for the benefit of the neighborhoods east of Interstate 19. People can walk through Lamar City Acres, the single family residential neighborhood north of the Property, to access the River Park. General development policy 9 of the SCAP calls for major washes and drainage ways to be maintained in their natural state unless there is a threat to private property or personal safety. The area around the Michigan Wash south of Lamar City Acres would be left in its current state.

## **E. Compatibility with Adjoining Land Uses**

The Property is bordered on the east by Interstate 19, on the west by a Tucson Airport Remediation Project (“TARP”) plant, on the north by a 100-foot wide strip of City-owned land occupied by the Michigan Wash. and on the south by the Tucson Spectrum (a regional shopping center south of Irvington Road). Lamar City Acres (a residential subdivision) is located north of the City-owned land north of the Property. Further west of the TARP plant is the Santa Cruz River and River Park. Much of the area within a mile around the Property is developed for residential and commercial uses. The PAD design will complement the existing commercial and residential developments, and serve the surrounding residential area with commercial services, office space, and potential employment opportunities. The Property is already appropriately separated from residential uses by the Santa Cruz River to the west, Michigan Wash to the north, and by Interstate 19 to the east. The development will allow for good visibility throughout the entire development, from Irvington Road, and from on-Property drives to facilitate safety and security.

## **F. Physical and Economic Suitability and Feasibility of the PAD**

The Property is largely undeveloped and cleared land. It is located with utilities surrounding but not yet extended to the Property. The Property is located along a busy freeway and an arterial street and is buffered from residences by two washes, making this a suitable location for a cohesively planned and developed commercial Property. Combined with other successful commercial developments and a large residential population on all sides, this is an ideal location for a major development offering new and expanded commercial possibilities.

# SECTION 2 - SITE ANALYSIS

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## IRVINGTON COMMERCIAL CENTER Planned Area Development

## A. Significant Natural and Built Property Constraints

The vast majority of the Property is relatively flat and approximately 1/3 of the Property has been cleared and re-graded. Minor improvements of a City facility at the south end of the Property will be removed.

A 500-1000 cfs wash, the Michigan Wash (aka Irvington Wash), crosses north of the Property traveling east-west within a separate property owned by the City. The Michigan (Irvington) Wash is recognized as a Watercourse Amenities and Safety Hazard (“WASH”) Ordinance-eligible watercourse per Tucson Development Standard Section 4. This is a Xeroriparian Low Habitat zone. The TARP plant is in operation on a parcel to the west of the Property (“TARP Property”) separating the Property from the Santa Cruz River to the west. The southwest corner of the Property connects with the Santa Cruz River trail system. The Santa Cruz River is considered a major segment of riparian habitat within and adjacent to the physical watercourse. The Santa Cruz River and the 50-foot trail system to the east of the river are not within the PAD boundary and will not be impacted by any future PAD development on the Property.

The Wyoming Wash is recognized as a WASH Ordinance wash with recognized 404 jurisdictional characteristics. The future bridge over the Wyoming Wash will take into account the sensitive nature of the Wyoming Wash.

To the east of the Property is Interstate 19, and to the south is Irvington Road.

A Xeroriparian C area is shown on the Property on the City’s and Pima County’s map guides. This riparian area has been graded over the years, and the TARP Property plant was built in the portion of the riparian area leading directly to the Santa Cruz River. The original vegetation of the riparian area has been greatly reduced, and the grading that has occurred has impacted connectivity of the riparian area itself and hydrologic function. Pima County’s MapGuide delineates this area on the Property as PC Riparian Habitat Class C. It is understood that within the City, riparian areas with a feeder wash of less than 100 cfs are not subject to Protected Riparian Area standards.

FEMA Floodplain impacts the Property at the southwest corner of the property where the Wyoming Wash crosses the project area. In addition, FEMA Floodplain impacts the Property along the north edge of the project area where the Michigan Wash is partially designated as FEMA Floodplain AE. The Preliminary Drainage Statement can be referenced for a current FEMA Firm Map denoting the aforementioned floodplain areas. See Appendix A.

## B. Major Transportation and Circulation Elements Serving the PAD

The Property will be accessed from Irvington Road, a 150-foot wide MS&R route, which runs along the southern border of the Property. Irvington Road is currently a four-lane roadway with a center turn lane. In addition to the one existing vehicular access point, two additional drive locations are proposed from Irvington Road. Two of the proposed access points are at existing signalized intersections: one at Calle Santa Cruz and the other at the main entrance to the Tucson Spectrum regional commercial center. A third right-in/right-out drive is shown between the two signalized intersections.

A traffic study for the project, dated October 15, 2014, was completed by Southwest Traffic Engineering, LLC. Work included establishing current traffic counts along Irvington Road, shown in the following table. As discussed in the report, traffic operations require mitigation to improve traffic flow at intersections regardless of this PAD development. Recommendations are provided in the report.

The Property will include a spine road that extends northward from the intersection of Irvington Road and Calle Santa Cruz (the “Proposed Roadway”). This Proposed Roadway will bridge over a Pima County Park developed as part of the River Park and continue along the west property line then curving eastward towards the future ramp along Interstate 19. The bridge will accommodate all forms of transportation necessary for the development and adjacent River Park, including pedestrians. The developer will work with the City and Pima County Parks and Recreation Department on alignment and configuration of paths and crossings.

An interchange exists from Interstate 19 to the east. ADOT is working on plans to build a new off-ramp from the freeway and redesign the interchange. The trail system along the Santa Cruz River also serves as a bicycle route, and Calle Santa Cruz has a striped bike route shoulder. The Proposed Roadway crossing the Property will allow for shared vehicular and bicycle travel and will be public to the north of the new bridge over Wyoming Wash. Both Interstate 19 and Irvington Road offer a SunTran bus route. A bus station is located on Irvington adjacent to the Property. No other public streets serve the Property.

Road Name	Irvington Road	Interstate 19
City Classification	Arterial	Interstate Highway
Existing ROW	150 feet	300 feet
Future ROW	150 feet	To be determined
Divided	No	Yes
Paved	Yes	Yes
Continuous	Yes	Yes
Travel Lanes	4	4
Speed Limit	35	55
Bike Route	Yes	No
Average Daily Trip (Existing)	24,085 (westbound) 22,310 (eastbound)	82,778*
Ownership	City	State of Arizona

\*ADOT Transportation Data Management System, 2014, NB + SB count

**C. Existing and Nearby Zoning (within 150 feet of Property)**

Reference the Section 2 Exhibits, Exhibit 2. The existing zoning on the Property is R-1 (Residential). The shopping center to the south of Irvington Road is zoned C-2 (Commercial). The TARP Property, Santa Cruz River, City-owned property north of the Property, and the residential developments to the west of the river and





further north are zoned R-1 (Residential). Across the freeway to the east (over 150 feet from the Property) are R-1 (Residence), R-2 (Residence), C-1 (Commercial), and C-2 (Commercial) zones. Nearby Neighborhood Associations are mapped in the Section 2 Exhibits, Exhibit 7.

#### **D. Adjacent Parcels and Structures (within 150 feet of Property)**

To the north of the Property and across the City-owned parcel and Michigan (Irvington) Wash are eight residential lots. Seven of the residential lots are constructed. The eighth lot is owned by Santa Cruz Water Company (City of Tucson) and contains a water well. Immediately west of the Property is the TARP plant. The main building is approximately 8,000 square feet in size. An approximately 2,300 square-foot building is located just to the south of the main building. The total TARP Property is approximately 65,000 square feet (1.5 acres). No other structures of any significance are located on adjacent parcels.

#### **E. Off-Property Open Space, Recreational Facilities, Parks, and Trails**

Reference the Section 2 Exhibits, Exhibit 5, for a mapping of open spaces/parks within a mile of the Property. The River Park, a significant recreational open space, is adjacent to the Property to the west. Robles Pass at Tucson Mountain Park begins just about one mile west of the Property. Oaktree Park is located approximately one mile to the southwest of the Property, and Rudy Garcia Park and the Rodeo Grounds are approximately one mile to the east. Kennedy Park is located one mile to the northwest. Smaller parks within a mile include Rodeo Wash Parks I and II and Rose Elementary School's recreation area. Equestrian facilities can be found northwest of the Property along the Santa Cruz River. The asphalt river path along the Santa Cruz River bank includes railing along the top of the bank for safety and delineating the boundary.

#### **F. Public, Educational, Community, and Cultural Facilities**

Reference the Section 2 Exhibits, Exhibit 5 for a mapping of facilities. The Property is in the Tucson Unified School District. Three schools are within one mile of the Property: Lynne-Urquides Elementary School (one mile to the northwest), McCorkle K-8 School (about one mile to the west), and Rose Elementary School (one mile to the east). The El Pueblo branch of the Public Library is located about a mile to the east off Irvington Road, and the Mission branch is approximately one mile to the northwest off Ajo Road. There is no medical marijuana facility within a mile of the Property. There are no hospitals within a mile of the Property. The nearest facility, just over a mile away, is the Department of Veterans Affairs Medical Center on 6<sup>th</sup> Avenue. The nearest fire station is approximately 1.3 miles to the southwest of the Property. The Santa Cruz Police Substation is over 3 miles east of the Property on Park Avenue.

#### **G. Existing Drainage**

Existing drainage within the Property is conveyed as sheet flow from the east to the west and ultimately to the Santa Cruz River. The project is impacted by off-Property concentrated storm water discharge at various ADOT constructed storm water crossings constructed through the Interstate 19 right-of-way. Along the north Property boundary there is a considerable concentration of storm water flow that discharges from the ADOT Interstate 19 right-of-way and is conveyed along the north Property boundary within an existing, unimproved drainage channel, the Michigan Wash. This drainage channel discharges directly to the Santa Cruz River near the west Property boundary. It should be noted that an existing TARP facility will remain between the west Property boundary and the Santa Cruz River. As a result, all existing drainage improvements related to the TARP facility will remain and need to be discussed as a part of the proposed design solutions. Drainage reports evaluating off-Property and on-Property existing drainage conditions will be required as a part of future development under the provisions in this PAD.

## **H. Overlay Zone Ordinances and MS&R Ordinance**

Irvington Road serves the Property along the southern edge. Irvington Road is a 150-foot wide arterial street where it borders the Property traveling westward. No other major street occurs around the Property. Calle Santa Cruz is an 80-foot collector street south of Irvington. The Proposed Roadway constructed with this project will tie into Calle Santa Cruz. No other overlay zones affect this Property.

## **I. Inventory of Existing Structures, Roads, etc.**

The Property contains City-owned maintenance facilities and buildings that will be removed with the new development. No public or paved roadways exist on the Property. Access to the TARP plant is by means of a private paved dirt driveway. With this project, access will be by means of the Proposed Roadway.

## **J. Storm Water Drainage and Utilities**

Box culverts or underground storm drain culverts will be required for the new development. New public water lines will be required for this project. Tucson Water serves the Property.

## **K. Wastewater**

There is an existing 12" VCP Public Sewer that runs north to south along the west boundary of the Property. The Pima County Regional Wastewater Reclamation Department ("RWRD") will require review and approval of any intentions to tap the aforementioned 12" VCP sewer. There is also a 21" VCP Public Sewer main that runs along the east Property boundary with a series of existing stub outs for future connection. It should be noted that RWRD will not typically allow for new taps to 21" sewer main lines and therefore, the eastern boundary will rely on the existence of those stub outs. During the future widening of Interstate 19 these stub-outs need to be considered for extension if they are to be removed in conjunction with the ADOT widening project. This project will most likely tie into the 12" VCP sewer main along the west Property boundary. No effluent will be used for the benefit of the project.

## **L. Existing Infrastructure and Public Services**

While infrastructure and public services are provided around the Property as noted in this report, there are currently no infrastructure or public services located within the Property.

## **M. Hydrology**

In the future condition, discharge from the Property will be primarily the same as the existing condition. Due to proximity to the Santa Cruz River, this project may not have the detention/retention requirements typically set forth in the City Drainage and Hydrology Manual per Section 2.3 of the Pima County/City Storm Water Retention Manual. Additionally, due to results of recent geotechnical analysis, the Property is not ideal for proper percolation needed for successful storm water harvesting within landscaped areas. Large retention basins or drainage basins that rely on percolation into the soil surface for positive drainage should be discouraged, whenever possible. These details result in this project's not requiring retention measures within the PAD.

Only detention may be waived under Criterion 1 due to proximity to the regional watercourse as determined by individual drainage report review for a specific development. Although detention (in lieu of retention) may be provided, retention in any form will not be allowed due to soil conditions at the Property, proximity of the Property to the existing utility structure, and proximity to the Santa Cruz River bank protection. Positive gradients on all constructed drainage systems including any water harvesting landscaped areas should be provided.

For additional hydrology discussion, reference the Preliminary Drainage Statement prepared for this PAD document (Appendix A).

## **N. Topography and Slope**

As indicated previously, the Property is relatively flat. The cross slope of the majority of the Property is approximately 2% going east to west and south to north. The Property slopes primarily to the west toward the Santa Cruz River. More significant slopes can be found along the wash at the north end of the Property which turns south to the east of the Property line at the northeast corner for approximately 520 feet. The wash along the north varies in width from about 30 feet at the east to approximately 85 feet wide at the west end. A short extension of the wash extends approximately 250 feet south from the midpoint of the wash. Grades within this area are approximately 33%.

## **O. Wildlife**

No wildlife habitat was observed on the Property. For existing vegetation, reference section S.

## **P. Geology and Soils**

A Geotechnical Report by ConformaTECH was completed on October 27, 2014 for the Property. The study anticipated typical buildings found in malls and shopping centers and some multi-story construction, large areas of asphalt concrete for parking and driveways and concrete paving for loading and some driving areas, a bridge over the tributary at the southwest corner of the Property, and detention basins. Fifteen borings were taken around the Property in widely spaced locations. Considerations that were identified include:

- Deposits of soils that classify as clays, silts, and sands;
- The clays are generally low or medium in plasticity;
- Some lime cementation varying from weak or moderate were found at the shallow Property soils;
- Deep sands encountered were non-plastic and were un-cemented;
- No free groundwater was encountered.

According to the report, the clays have low to moderate swell potential under anticipated floor slab and foundation loading conditions. Surface soils in the eastern side of the Property have a moderate settlement potential under anticipated foundation loading conditions and moderate to high settlement potential under heavier foundation loading conditions. The clay soils have poor pavement support capability due to the plasticity and fines content of the soils, and clayey sands have poor pavement support capacity due to low density and settlement potential when wetted. Nearly all the soils have a collapse potential varying from low to moderate under a sustained wetted condition. Engineered fill will be required to minimize the potential for excessive settlements. Spread footing foundations and concrete slabs on structural fill are recommended for all buildings. A copy of the report is included in Appendix 1.

## **Q. View Sheds and Visual Analysis**

There are long distant views to the Catalina Mountains to the north and Tucson Mountains to the west from Irvington Road south of the Property. The view to the Catalina Mountains is most noticeable from the northeast corner of the Property as views are partially blocked by landscaping at the southwest corner and by other existing development on the Property. New development may obscure some of the views to the both mountain ranges across the Property for a relatively short distance along Irvington, but these views can be considered of little significance. There are no other important views from or across this Property. Reference the Exhibit 2 Exhibits, Exhibit 4, for view sheds.

**R. Cultural (Archaeological and Historical) Sites**

An Archaeological Data Recovery Plan was produced by Westland Resources in 2014 for the Property. Data recovery excavations were done from July 28 to August 11, 2014, consisting of trenches to as deep as 10 feet. Twenty-four archaeological features were discovered including possible pit houses, historical road thermal and non-thermal pits, remains of the basement to an old structure, and other cultural material. The initial field work suggests that the area was occupied in prehistoric and historical eras. Based on surface artifacts, the earliest occupation may have been during the Middle Archaic period or Early Agricultural period and possibly a Hohokam occupation in the Early Rincon and Tanque Verde phases. What appears to be pit houses may date to the prehistoric occupations. These are common with other findings along the Santa Cruz River Basin and adjacent areas. Evidence suggests that the area was re-occupied starting in the late 19<sup>th</sup> century, this report is included in Appendix 2. A map of the excavations appears on Figure 1.

**S. Existing Vegetation**




The vegetation within the PAD is representative of the Arizona Upland Subdivision of Sonoran Desert scrub. Specifically, this Property is characterized by sparse vegetation with limited isolated areas of Mesquite and Acacia species located at runoff collection points. Previous disturbance to the Property has aided in decline in of vegetation.

**Predominant Species**

The following species were identified within the PAD:

- |                           |                     |
|---------------------------|---------------------|
| Cercidium microphyllum    | Foothills Paloverde |
| Prosopis velutina         | Velvet Mesquite     |
| Acacia constricta         | Whitethorn Acacia   |
| Larrea tridentata         | Creosote Bush       |
| Opuntia sp.               | Cholla Cactii       |
| Celtis ehrenbergiana      | Desert Hackberry    |
| Baccharis sarothroides    | Desert Broom (weed) |
| Miscellaneous Wildflowers |                     |

**legend**

-  xeroriparian habitat c
-  100 - 500 cfs
-  500 - 1000 cfs

No special status including federally listed threatened, endangered species or highly safeguarded species of plant life were identified on the Property.

Irvington (Michigan) Wash exists along the northern boundary and approximately 500 feet along the eastern edge creating a natural buffer between existing uses and the proposed PAD. The vegetation is typical of urban washes consisting of predominantly Mesquite, Acacia and Palo Verde and is in poor to fair condition. Three additional minor drainage ways cross the Property and appear to connect with Irvington (Michigan) Wash or the Santa Cruz River. Two of these unnamed washes feed two depressed areas that has fair to good vegetative material.



Along the western edge of the PAD are the COT TARP Plant and the River Park. The southern portion of the PAD is bounded by Irvington Road and to the east border is I-19 Corridor. All of these areas show signs of previous disturbance and very little significant vegetation.

Mapguide indicates a 'Xeroriparian Habitat C' zone exists on the Property as shown in Exhibit A. 'Xeroriparian Habitat C' is typified as vegetation habitats that occur along minor watercourses with smaller plants and lower overall vegetative volumes. The majority of the area designated 'Xeroriparian Habitat C' shows signs of significant disturbance with vast areas with little to no vegetation. Two distinct pockets of mesquite/acacia groupings exist within the 'Xeroriparian Habitat C' in depressed areas that are fed by under 500cfs drainage channels (no name). The 'Xeroriparian Habitat C' vegetation is isolated and truncated from any meaningful critical riparian habitat as defined in the COT UDC 5.7.2.

These photographs are indicative of the general vegetative densities and quality. Reference Exhibit B for photo locations.



Photo 1: Example of previous disturbance, vegetation sparse and stressed.



Photo 2: Example of vegetation in one of the truncated "riparian" areas.



Photo 3: Example of previous disturbance, view of TARP.



Photo 4: Example of vegetation in one of the truncated "riparian" areas, highest quality.

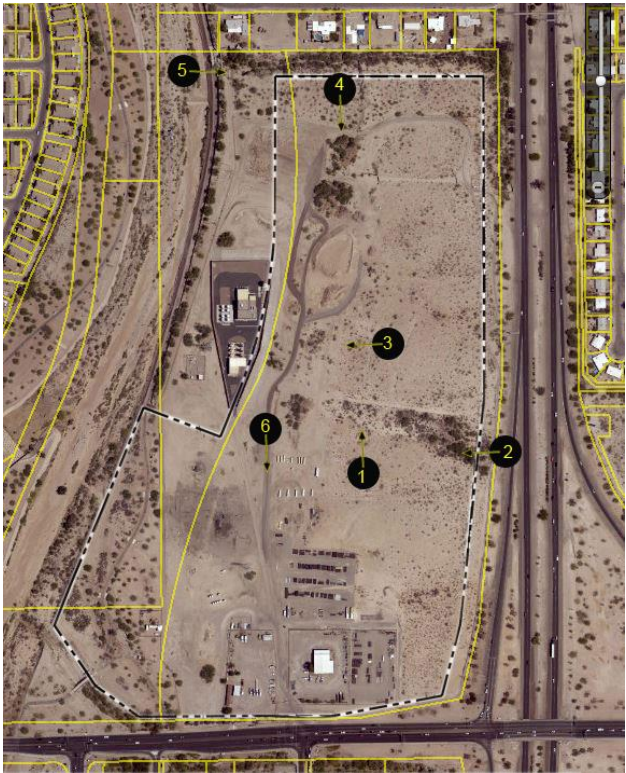


Exhibit B



Photo 5: Example of vegetation in one of the truncated "riparian" areas.



Photo 6: Example of Property disturbance.

## Summation

Historically the Property has been disturbed by past and current activities, such as the TARP facility, and its value from a critical riparian habitat is largely unremarkable. With the exception of the two areas previously mentioned, the value from both environmental and aesthetic perspectives is minimal. However, properly maintained, the Irvington (Michigan) Wash (located north of the PAD boundary) is a natural area that could be an asset for the entire community. This PAD will allow for enhancing vegetation in the Michigan (Irvington) Wash area along the north Property line. The PAD Property as a whole offers little environmental value and can be developed without loss of significant habitat resources, with the exception of Michigan (Irvington) Wash, which is outside the boundary of the PAD.

# SECTION 2 - EXHIBITS

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## IRVINGTON COMMERCIAL CENTER Planned Area Development

EXHIBIT 1: LOCATION MAP



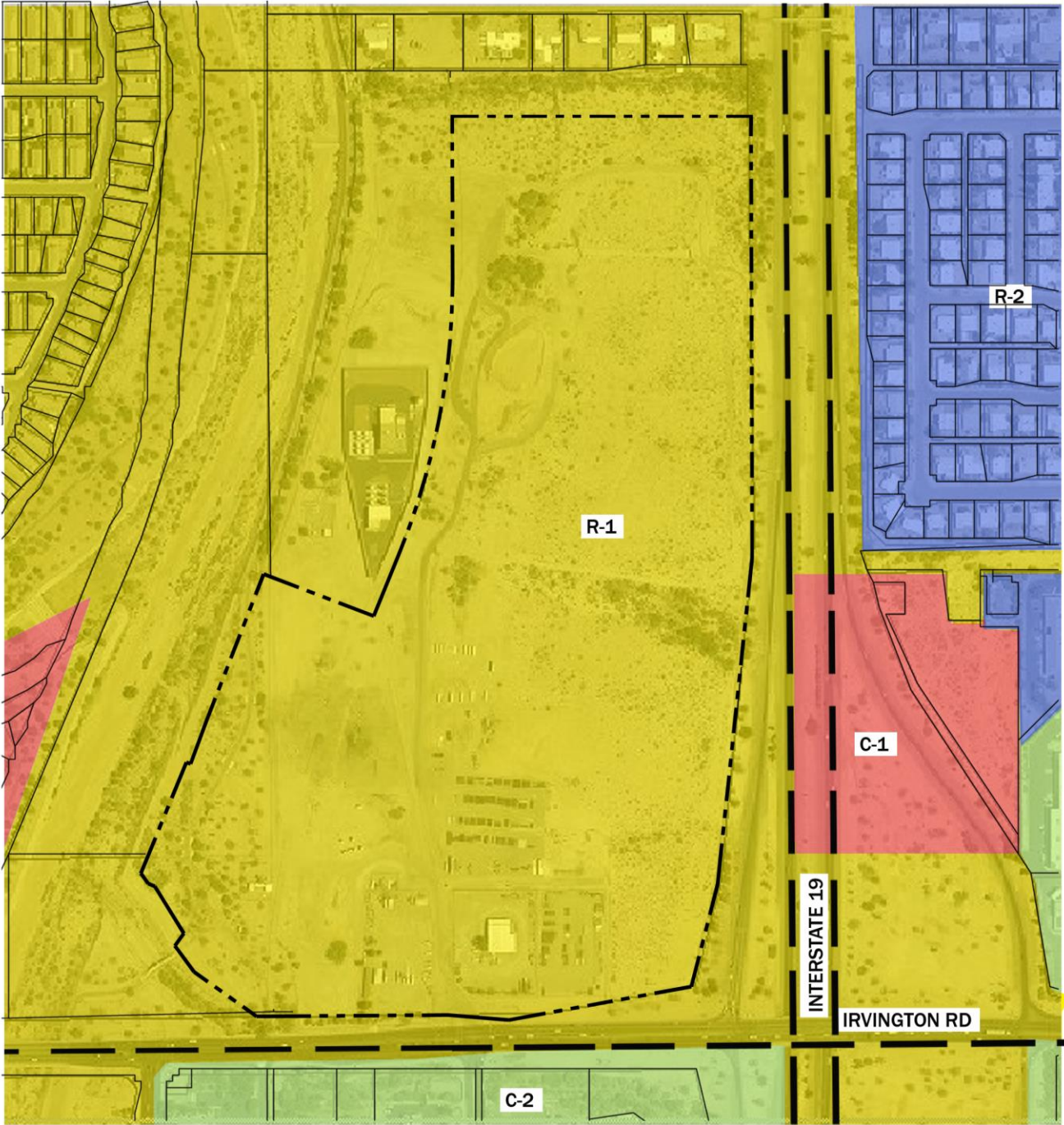
LEGEND

- JURISDICTION BOUNDARY
- INTERSTATE
- SITE BOUNDARY





EXHIBIT 2: EXISTING ZONING



LEGEND

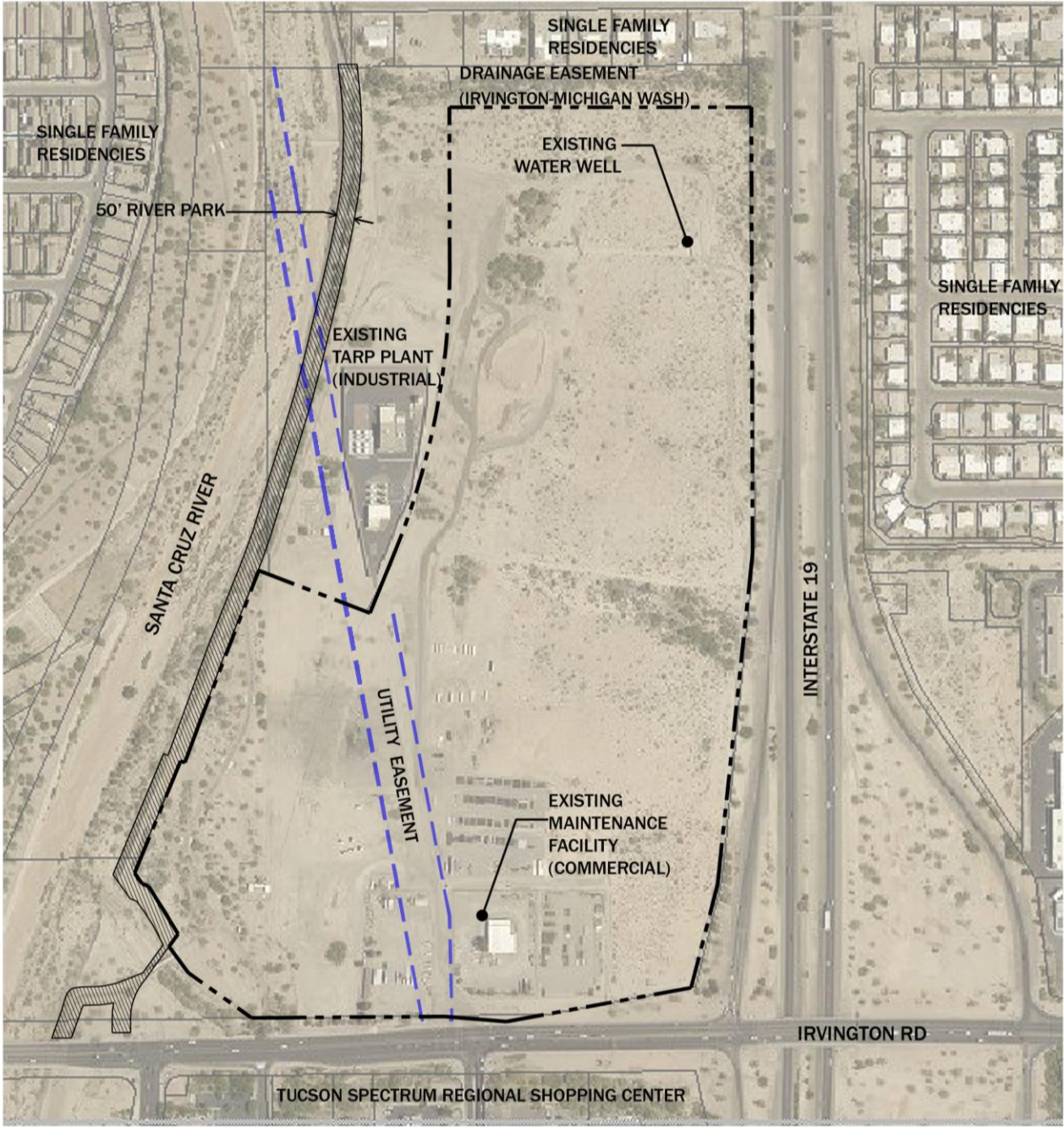
CITY OF TUCSON ZONING (EXISTING)

- INTERSTATE
- - - SITE BOUNDARY

R-1		C-1	
R-2		C-2	



EXHIBIT 3: EXISTING ON-PROPERTY LAND USES



LEGEND

-  UTILITY EASEMENT
-  SITE BOUNDARY
-  RIVER PARK

AERIAL DATE: 2014



EXHIBIT 4: PHOTOS



NORTH  
NOT TO SCALE

EXHIBIT 4: SITE PHOTOS



PHOTO 1: EAST VIEW



PHOTO 2: SOUTH VIEW



PHOTO 3: NORTH VIEW



PHOTO 4: WEST VIEW



PHOTO 5: EAST ON IRVINGTON



PHOTO 6: NORTH ON I-19

EXHIBIT 4: SITE PHOTOS



PHOTO 7: WEST ON IRVINGTON



PHOTO 8: MICHIGAN (IRVINGTON) WASH



PHOTO 9: MICHIGAN (IRVINGTON) WASH



PHOTO 10: VIEW WEST

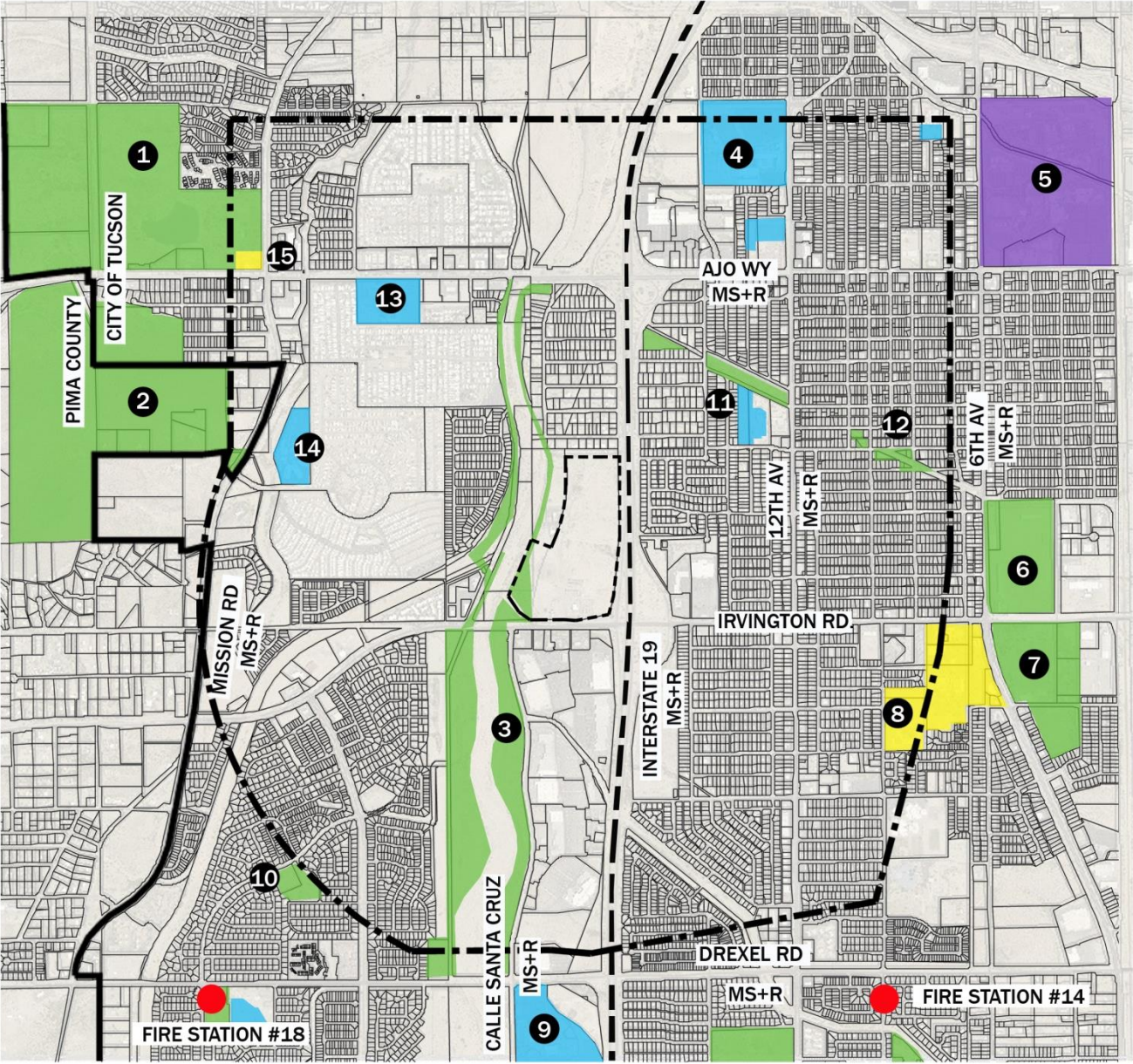


PHOTO 11: VIEW TO NORTHWEST FROM IRVINGTON



PHOTO 12: VIEW TO WEST TARP PLANT

EXHIBIT 5: COMMUNITY FACILITIES



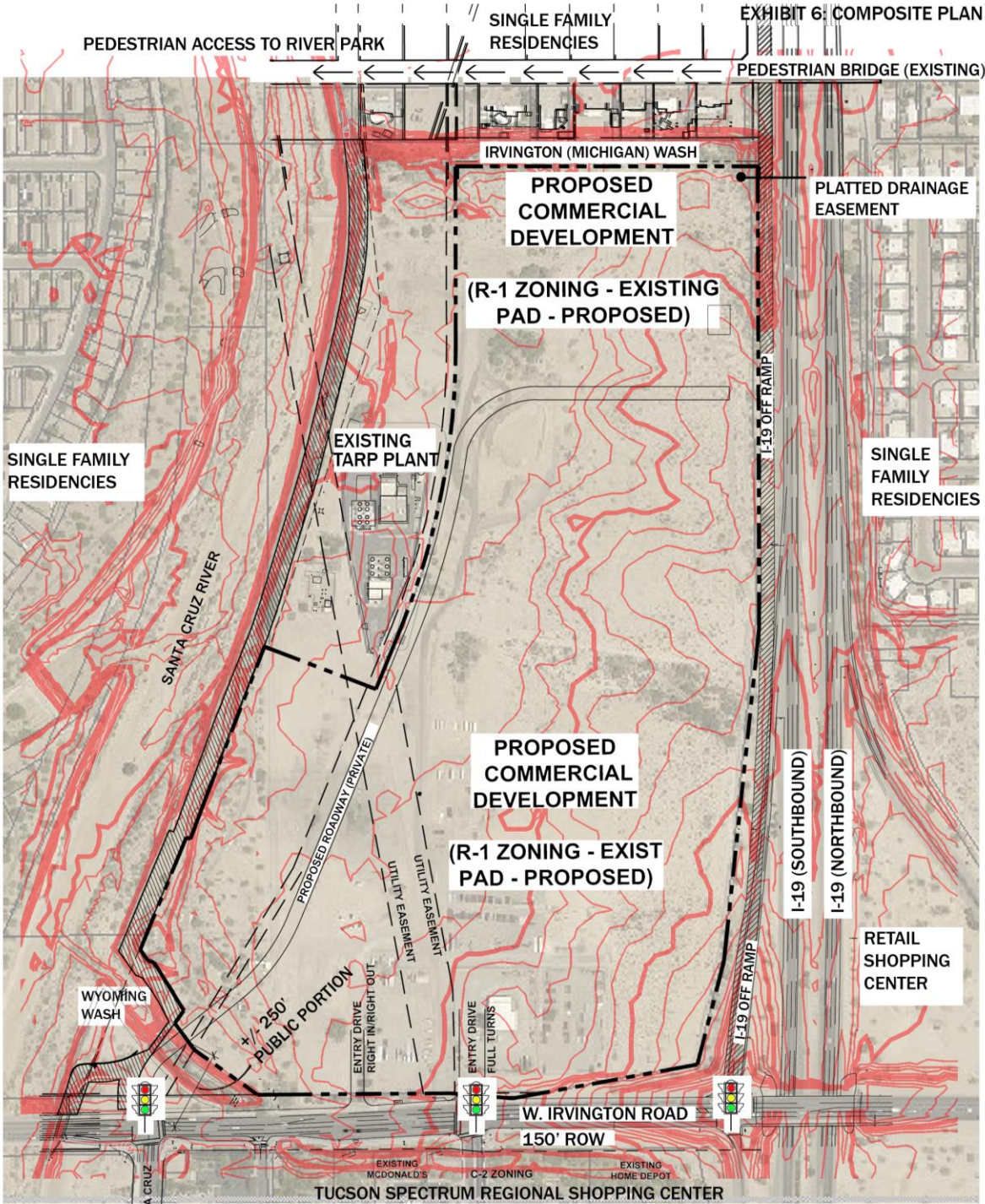
LEGEND

	JURISDICTION BOUNDARY		PARKS		COMMUNITY CENTER
	INTERSTATE		SCHOOLS		HOSPITAL
	SITE BOUNDARY				
	1-MILE RADIUS				



1. KENNEDY PARK 2. ROBLES PASS 3. SANTA CRUZ RIVER PARK 4. PUEBLO HIGH SCHOOL 5. VETERANS AFFAIRS HOSPITAL  
 6. RODEO GROUNDS 7. RUDY GARCIA PARK 8. EL PUEBLO COMMUNITY CENTER 9. PIMA COUNTY COMMUNITY COLLEGE  
 10. OAKTREE PARK 11. ROSE ELEMENTARY SCHOOL 12. RODEO WASH PARK 13. LYNN URQUIDES ELEMENTARY SCHOOL  
 14. MCCORKLE K-8 SCHOOL 15. MISSION BRANCH LIBRARY



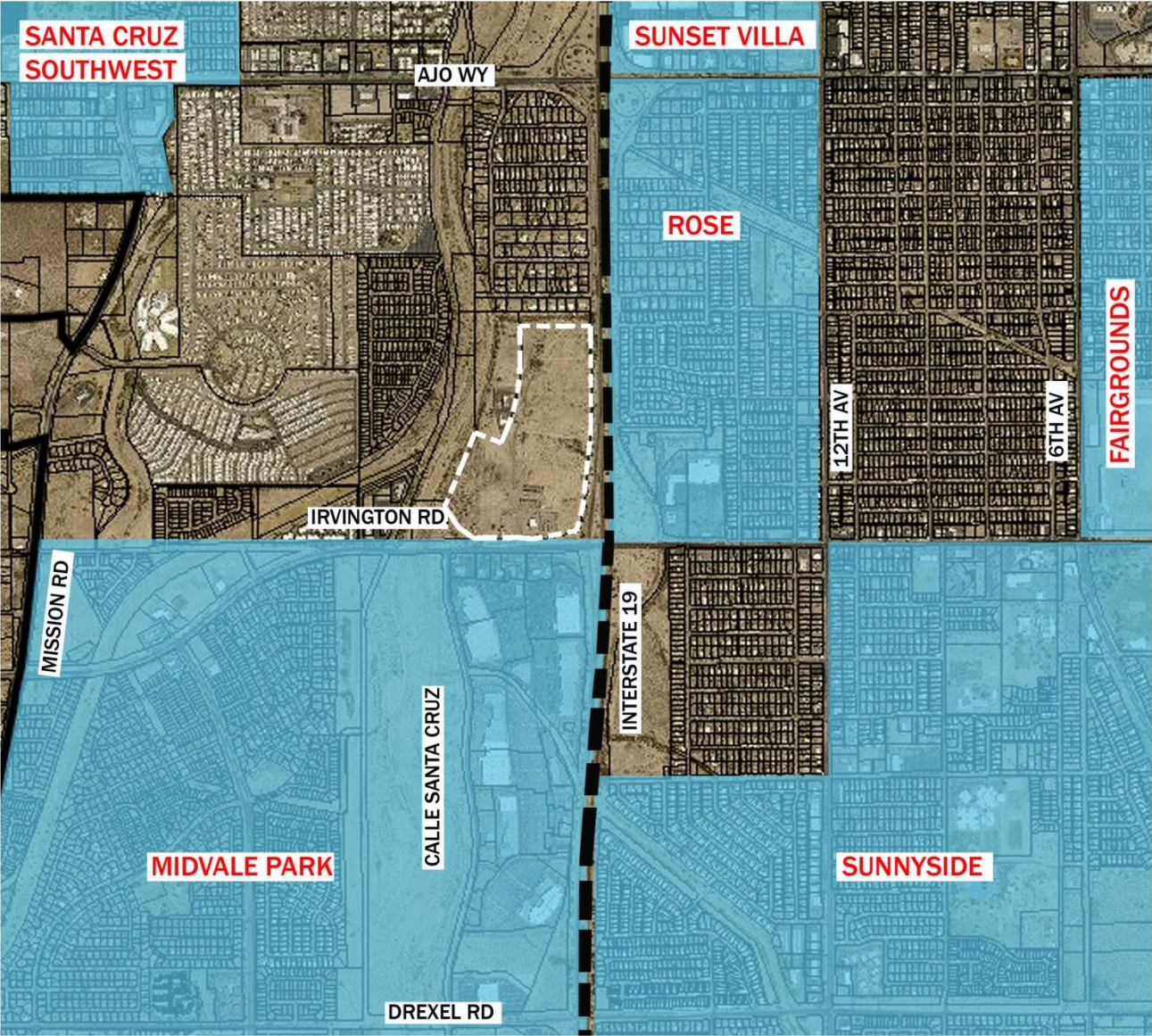


LEGEND

-  SIGNALIZED INTERSECTION
-  TOPOGRAPHY
-  RIVER PARK
-  NORTH  
NOT TO SCALE



EXHIBIT 7: NEIGHBORHOOD MAP



LEGEND

- JURISDICTION BOUNDARY
- INTERSTATE
- SITE BOUNDARY

NEIGHBORHOOD





# **SECTION 3 - PAD PROPOSAL**

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## **IRVINGTON COMMERCIAL CENTER** Planned Area Development

## A. PAD Overview

The Irvington Commercial Center PAD will provide a vibrant commercial development to serve the immediate neighborhood along with visitors and the rest of the region driving along our major interstate system. This PAD provides a conceptual Property plan that suggests development in five conceptual Development Areas. See Exhibit 9, Page 35. This PAD was developed in part based on known Property constraints.

Development Areas are referred to as 1, 2, 3, 4, and 5 below and on the Exhibit. The actual order of development and boundaries of Development Areas may vary due to market demands and responses to those market conditions. The following descriptions are conceptual and subject to change.

For any Development Area that occurs prior to Development Area 1, on- and off-Property work will include the portion of the Proposed Roadway required to access that Development Area including the bridge over Wyoming Wash, substitution of substantially similar improvements at the southwest corner of the Property (including multi-use path, other paths, bike/pedestrian bridge, pedestrian plaza, restroom building, landscaping and irrigation, and a park maintenance yard), the portion of the Proposed Roadway serving that Development Area, and any additional driveway(s) required for access from Irvington Road.

All River Park improvements are to be designed and constructed to conform to the requirements of the Pima Regional Trails System Master Plan as well as all applicable COT and Pima County Parks standards. All construction drawings for the River Park improvements are to be reviewed and approved by COT Parks and Recreation as well as Pima County Natural Resources, Parks and Recreation staff prior to construction. All utility improvements required for each Development Area will be designed and extended during the development package process for that area.

- **Development Area 1:** Approximately 11 acres that will be developed with smaller commercial pads that require the visibility afforded by Irvington Road frontage. Access will be from two driveways onto Irvington Road at the easternmost existing signalized intersection and an intermediate right-in/right-out drive. On-Property work to be completed with Development Area 1 includes the two easternmost driveway access points with their west-bound right turn lanes from Irvington Road. No modification to the Wyoming Wash bridge will be required for this Development Area.
- **Development Area 2:** Approximately 8 acres located near the southwest corner of the Property, this area will serve as an extension of Area 1 uses that may not require direct frontage on Irvington Road.
- **Development Area 3:** Approximately 21 acres in the center of the PAD. Vehicular and pedestrian circulation routes will tie this Development Area together with Areas 1, 2, 4, and 5.
- **Development Area 4:** Approximately 12 acres located toward the center of the Property and south of the east-west extension of the Proposed Roadway. The Proposed Roadway will be completed with this Development Area.
- **Development Area 5:** Approximately 11 acres located on the far north portion of the Property and north of the east-west extension of the Proposed Roadway.

## B. Permitted and Excluded Uses

### 1. Permitted Uses

Permitted uses for the entire Property shall include all uses that are listed as permitted or as special exception uses in the C-2 zone of the City Unified Development Code (“UDC”), except as modified in this PAD.

Notwithstanding any specific provisions of UDC Section 4.9.9.D or elsewhere in the UDC to the contrary, the following provisions of this PAD shall govern Large Retail Establishments (“LRE”):

LRE, as defined in the UDC, shall be permitted anywhere on the property except that General Merchandise Sales and Retail Sales shall not be combined with Food and Beverage Sales (as defined in the UDC) except where one of the Land Use Classes (General Merchandise Sales or Retail Sales) consists of less than 10% of the gross floor area.

Because the PAD District is established through the Zoning Examiner Legislative Procedure, no separate or additional approval (including but not limited to Special Exception Land Use, Design Review Board, Zoning Examiner Legislative Procedure, or otherwise) will be required for any proposed LRE that is in compliance with this PAD. All proposed LREs shall be reviewed and approved in accordance with the Development Package Review process.

Additional permitted uses:

- Major Trade Service & Repair (with a minimum 100 foot setback from the property line of a residential use.)
- Food Service with Alcoholic Beverage Service as an accessory use to a Food Service (Loudspeakers or music, live or recorded, shall not be permitted within 100 feet of a residential use).
- A microbrewery as an accessory use to a Food Service, alcoholic beverage service, or large bar.
- Large bar.

2. **Accessory Uses**

Land uses accessory to the Permitted Uses are allowed within the PAD subject to UDC Section 6.6.

3. **Excluded Uses**

The following uses shall be excluded from the PAD:

- All uses within the Restricted Adult Activities Use Group
- Golf Course
- Billboards
- Cemetery
- Correctional Use
- Medical Marijuana

## C. Development Standards

For the purpose of setback requirements and other development standards, the PAD shall be considered as a single parcel regardless of the ultimate parcel configuration within the PAD area. All new development within the PAD shall conform to applicable building, fire and other life safety standards.

For the purposes of administration or interpretation of this PAD, the UDC, or any other provision, any reference to distances from a residential zone shall only apply if the residential zone is occupied by residential units. Any measurement of setback distances as described above shall be measured from the residentially-used property line only. The UDC and/or use-specific standard regulation for residential zones shall not apply if the residentially-zoned property is used or intended for commercial, industrial, open space, or other non-residential use.

**TABLE C.1.0: Development Standards**

	<b>Permitted Uses</b>
<b>Minimum Property Area</b>	<b>None</b>
<b>Minimum Lot Width</b>	<b>None</b>
<b>Maximum Lot Coverage</b>	<b>None</b>
<b>Maximum Building Height</b>	<b>120 feet from finished grade</b>
<b>Minimum Building Separation</b>	<b>Per Building Code (lot lines internal to the PAD boundary shall not be considered lot lines for purposes of building and fire codes)</b>
<b>Minimum Setback from North Property Line</b>	<b>0*</b>
<b>Minimum Setback from East Property Line</b>	<b>0</b>
<b>Minimum Setback from Irvington Road</b>	<b>21 feet from back of future curb or Building Height (whichever is greater)</b>
<b>Minimum Setback from West Property Line</b>	<b>0</b>
<b>Setback from Drainage Basins</b>	<b>See Section 3.C.12</b>

\* This setback recognizes the location of the north property line, which is approximately 100 feet south of any adjacent residential uses. Between the north property line and the residential uses is 100 feet of natural buffer owned by the City that also includes the Michigan Wash. The City will be allowed legal access to this setback area for purposes Public Drainage, Maintenance and Access. The access shall be defined through the privately developed Property as a part of the development process and granted by Property owner.



1. **Vehicular Parking:** Parking shall be provided at 1 space per 300 square feet for all permitted use. All other provisions of UDC Section 7.4 shall apply. The PAD shall meet 100 percent of the required parking by the City UDC and PAD at the time of issuance of the last Certificate of Occupancy for the last new building to be built on-Property.

A Zoning Documentation Table showing vehicular and bicycle parking and loading tabulations shall be provided with each Development Package submittal. The same table, updated for all changes made with each phase of development, shall be shown in each Development Package submittal using the following or similar format:

**Zoning Documentation Table**

LOT	TENANT	CASE NO.	USE	PROPERTY AREA	BLDG. AREA	VEHICLE PARKING		ACCESS PARKING		LOADING		SHORT TERM BICYCLE		LONG TERM BICYCLE		NOTES
						REQ	PROV	REQ	PROV	REQ	PROV	REQ	PROV	REQ	PROV	
<b>TOTALS</b>																

2. **Bicycle Parking:** The PAD will comply with the Bicycle Parking requirement of UDC Section 7.4, Motor Vehicle and Bicycle Parking with the following exceptions:
  - **Short-Term Bicycle Parking**
    - Short-term bicycle parking shall be within seventy-five (75) feet of a public entrance to a building as measured along the most direct pedestrian access route.
    - Where buildings have more than one public entrance or a Development Area has more than one building, short-term bicycle parking shall be distributed so that at least one short-term bicycle parking space is within seventy-five (75) feet of each public entrance.
    - Short-term bicycle parking may be located across the PAAL from a public entrance as long as it meets all other criteria established herein.
  - **Long-Term Bicycle Parking**
    - Long-term bicycle parking for the PAD may be reduced up to 10 percent.
    - Bicycles may be kept inside buildings at the discretion of tenants with no special design requirements.
    - Spaces provided outside buildings may be grouped to serve more than one business with no proximity limitations.
3. **Parking Area Access Lanes (PAAL):** PAAL's shall be a minimum of twenty (24) feet wide for a two-way PAAL and twenty (20) feet wide for a one-way access aisle.
4. **Drive Through Lanes:** Drive thru lanes shall be a minimum of nine (9) feet wide. The bottom of roof or canopy structures over a drive through shall be a minimum of ten (10) feet above the drive lane.
5. **Paving Materials:** Vehicle use areas shall be constructed utilizing materials and construction techniques in accordance with the recommendations of the geotechnical engineer and concurrence from City Engineering staff.
6. **Accessibility:** Development within the PAD, including vehicle parking spaces, pedestrian walkways, building entrances, curb ramps, sidewalks, detectable warnings, and marked crosswalks within the PAD shall comply with accessibility requirements of the 2012 IBC and ICC/ANSI 117.1, 2003 Edition. A clearly defined accessible pedestrian pathway shall be provided to Irvington Road and to each building on the Property. See Section 3.C.13.e for additional standards.



7. **Loading Zones:** The PAD shall comply with the Loading Requirements of UDC Section 7.5 except as noted below:
  - A shared loading space may be located within 250 feet of the use it serves.
  
8. **Solid Waste and Recycling Material Collection and Storage:** All required Solid Waste and Recycling material collection and storage shall be screened from sidewalks, PAAL's, and public and private roadways by use of six (6) foot high constructed enclosures. Buildings may also be used to block views to collection and storage areas. Collection and storage locations shall allow for safe access and maneuverability within the development. Enclosures for the storage of containers shall be designed in accordance with the Environmental Services development standards per UDC Section 8, Solid Waste and Recycle Disposal Collection and Storage.
  
9. **Wastewater:** Prior to submittal of the future Development Package ("DP") to the City, the owner/developer shall obtain a Type I Capacity Letter from RWRD verifying that capacity exists in the downstream public sewer system. The following items shall constitute applicable RWRD rezoning conditions:
  - 1) The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
  - 2) The owner/developer shall obtain written documentation from the RWRD 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, preliminary sewer layout, 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 enter into a written agreement addressing the option of funding, designing, and constructing the necessary improvements to the 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 RWRD.
  - 3) The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - 4) The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the RWRD in its capacity response letter and as specified by RWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - 5) The owner/developer shall fund, design, and construct all off-Property and on-Property sewers necessary to serve the rezoning area in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - 6) The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations including the Clean Water Act and those promulgated by ADEQ before treatment and conveyance capacity in the downstream public sewage system will be permanently committed for any new development within the rezoning area.
  
10. **Traffic:** A revised Traffic Impact Analysis (TIA) will be required by ADOT prior to any development if construction activity has not initiated by end of year 2020.

Other than Irvington Road, no other public streets serve the Property. Full turns will be provided at Irvington Road at the Calle Santa Cruz extension and in line with the Spectrum entrance. A third drive from Irvington Road between the two full-turn drives will allow only right-in/right-out access. Traffic lights will be provided at both full turn driveways.

A bus pullout and shelter shall be provided on the westbound side of Irvington Road. TDOT shall provide design specifications when requested by the Property owner.

**11. Drainage Requirements:**

Note: Updated drainage statements, in conformance with the master drainage report, shall be submitted for each development plan associated with this PAD. Access will be provided to the City for public drainage maintenance and access through the development.

- A. Michigan (Irvington) Wash: This section applies only to Development Area 5. The City acknowledges that the Michigan (Irvington) Wash is outside the boundaries of the Property.
  - 1. The watershed/basin management area for Michigan (Irvington) Wash watershed is considered non-designated basin management area. Detention is typically required; however, detention will not be required for this project based on Criterion 1. Retention is typically required; however, retention will not be required for this project due to the unfavorable soil conditions.
  - 2. FEMA Floodplain is not to be disturbed.
  - 3. Erosion Hazard Setback will be established per the project specific Drainage Reports required for the future development within the provisions of this PAD. Erosion Hazard Setback evaluation shall follow current standards for review and approval at the time this PAD is approved.
  - 4. The Property's north boundary sits over 50 feet from the south bank of the Michigan (Irvington) Wash. If any portion of the Property is deemed to be within 50 feet of the south bank, the project will meet the criteria of the City WASH Ordinance by maintaining a minimum of 50 feet from the south bank of the Wash and limited disturbance will be allowed. No ERR will be required for any work in proximity to the Michigan (Irvington) Wash. The developer may supplement vegetation if additional existing vegetation is available from elsewhere on the Property during the construction of the developable area of this PAD. A TSMR will not be required for up to 5% disturbance of the WASH Ordinance set aside area determined to be 50' from the south bank of the Michigan (Irvington) Wash. This 5% disturbance calculation will not include any area required to accommodate utility construction or construction of access for pedestrians, bicycles or vehicles.
  - 5. ADOT right-of-way contributes storm water to the Michigan (Irvington) Wash. This conveyance is outside the ownership boundary of the privately-owned development area and will remain undisturbed under the provisions of this PAD. No direct permitting through ADOT is anticipated as a part of this project.
  - 6. Drainage Maintenance Requirements for the Michigan (Irvington) Wash shall be the responsibility of the City or other entity deemed the owner of the property outside of the privately developed project area and within close proximity of the Michigan (Irvington) Wash.
  
- B. Wyoming Wash: This section applies only to Development Areas 1 and 2.
  - 1. The watershed/basin management area (Wyoming Wash Watershed) is a balanced basin management area. Detention is typically required, however detention will not be required for this project based on Criterion 1. Retention is typically required; however retention will not be required for this project due to the unfavorable soil conditions.
  - 2. A WASH-ERR will be required for the area directly adjacent to the Wyoming Wash and this area is subject to the provisions of the City WASH Ordinance.
  - 3. Wash treatment requires Mayor and Council approval for concrete bank protection. Approval of this PAD constitutes the Mayor and Council approval of the bank protections as described below. Concrete bank protection of the north side of the Wyoming Wash is anticipated as a part of private development project being completed under the provisions of this PAD. This

bank protection method should be outside of the 404 Jurisdictional Wash area associated with the Wyoming Wash and maintain, to the greatest extent possible, the existing alignment of the Wyoming Wash. This bank protection treatment will effectively reduce the Erosion Hazard Setback for the north side of the Wyoming Wash to 0'. Currently the 100-yr floodplain is contained entirely within the existing banks of the Wyoming Wash and therefore, following the bank protection no landscape mitigation will be required in the area directly adjacent to the north bank of the Wyoming Wash.

4. A 404 compliance statement is required with the Tentative Plat Package submittal.
  5. Drainage will not be disrupted as a result of runoff from Development Areas 1 and 2. Maintenance requirements for the Wyoming Wash shall be the responsibility of the City of Tucson, or other entity deemed the owner of the property outside of the privately developed project area and within close proximity of the Wyoming Wash.
- C. Other Floodplain Areas: This section applies only to Development Areas 3 and 4.
1. No ERR will be required for work in other floodplain areas defined or related to this section of the PAD.
  2. Off-Property flow impacting Development Areas 3 and 4 shall be directed and controlled on-Property in the developed condition to be redirected away from the existing TARP site. In no case can impact to TARP be greater than the capacity of the existing TARP channel and outlet bordering the east and north sides of the TARP site. Flows within Development Areas 3 and 4 may be conveyed within storm drain at the discretion of the Property developer.
  3. Drainage Maintenance Requirements within Development Area 3 and 4 shall be the responsibility of the Property owner and as reviewed and approved as a part of Master Drainage Report submittal.
12. **Setbacks from basins:** The Setbacks will be determined by a soils report for setbacks between any areas subject to storm water infiltration and pavement structures and building structures. All future stockpiling, if utilized, will be subject to City criteria. Any sediment transport into jurisdictional floodplain areas will be required to be removed so as not to reduce conveyance capacity of watercourses.
13. **Design Guidelines:** The Property will be designed in a style compatible with surrounding developments and the southwest environment with inviting, contemporary architectural styles to form a cohesive whole. The following guidelines apply to all permitted uses on the Property:
- a. **Vehicular Access:** The Property shall provide three motor vehicle access points from Irvington Road..
  - b. **Landscape Buffers:** The residential uses to the north are adequately buffered by Michigan (Irvington) Wash within the property owned by the City. No additional buffering on the north Property line is required. A ten (10) foot landscape buffer meeting UDC requirements will be provided along Irvington Road and the freeway frontage. No buffer shall be required between the Property and any adjacent residentially-zoned property.
  - c. **Screen Walls:** When otherwise required in this PAD, screen walls shall be constructed of masonry, concrete materials, metal, or similar materials and shall incorporate any combination of one or more of the following: various textures, materials, patterns, or colors. Screen walls for other than truck docks and more than seventy (70) feet long shall have offsets of at least 8 inches at no more than twenty (20) foot intervals. Perimeter walls shall be provided if required by the UDC. The terms "screen wall", "fence", "perimeter wall", or "screen" may be considered the same for purposes of this PAD.
  - d. **Outdoor Storage Areas:** The Property shall mitigate visual and noise impact on nearby residential uses by locating Outdoor Storage Areas on-Property and at least one hundred (100) feet from any residential use A six (6) foot high screen wall is required to screen



Outdoor Storage Areas adjacent to a public roadway, unless the Outdoor Storage Area is otherwise screened by buildings, landscaping, or freeway sound walls.

- e. **Pedestrian Flow:** The Property shall provide pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development to project a friendly, inviting image. Pedestrian paths providing access to main building entrances shall have an unobstructed width of at least six (6) feet. A pedestrian pathway along the Proposed Roadway linking the entire Property and Development Areas to Irvington Road and off-Property transit stops shall be a minimum eight (8) feet clear. This walkway shall be 65-75% shaded. Along other walkways, shading shall be provided by use of canopy trees, building overhangs, freestanding shade structures, or other means.
- f. **Customer Drop-Off Areas:** Any customer drop-off/pick-up provided should be integrated into the design and shall not conflict with traffic lanes or pedestrian paths. Drop-off/pick-up areas parallel to a PAAL shall be minimum nine (9) feet wide. Drop-off/pick-up areas perpendicular to a PAAL shall be a minimum twenty (20) feet deep and nine (9) feet wide. Drop-off/pick-up areas shall have signs clearly identifying their intentions.
- g. **Entryways:** The building design shall provide design elements that orient customers and that add aesthetically pleasing character to buildings by providing clearly-defined, highly-visible customer entrances.
- h. **Delivery and Loading Spaces:** Delivery trucks shall not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours (between 9 p.m. and 5 a.m.) with motors and/or refrigeration/generators running, unless the area where the trucks are parked is set back at least 100 feet from residential uses. This setback shall not apply if the main building is located between the truck parking and the residential use. Depressed delivery and loading zones used by semi-trailer trucks shall be screened from public streets, public sidewalks, or adjacent PAAL's by use of a screen wall as described in this PAD except that the screen shall be at least eight (8) feet high, measured from the loading dock floor elevation, to screen activity at the loading dock. An adjacent building can also serve as the screen. No screen is required along the Proposed Roadway on the Property.
- i. **Traffic Impacts:** ADOT has authority to request a traffic document within a distance of one mile of any ADOT facility for a proposed commercial development. For this project, a comprehensive Traffic Impact Analysis was submitted as part of this PAD process. Should any substantial changes be made as to uses or other assumptions in that Analysis, the City may require an updated traffic impact statement at the time of Development Package review.
- j. **Outdoor Lighting:** All outdoor lighting shall comply with the City Outdoor Lighting Code.
- k. **Outdoor Sales Display/Ancillary Uses:** In order to mitigate any negative impacts of outdoor activities (including but not limited to outdoor merchandise display and sales, outdoor storage, and outdoor snack bar and eating areas) to any nearby residential use, the outside activity shall be set back at least 100 feet from the residential use.
- l. **Hazardous Materials:** Any hazardous material users shall provide a Hazardous Materials Management Plan and Hazardous Materials Inventory Statement as provided in the Tucson Fire Code.
- m. **Building Form and Colors:** Buildings shall provide architectural features that contribute to the visual interest at the pedestrian scale. These features shall reduce the massive aesthetic effect by breaking up the building wall (front, side, or rear) with color, texture change, wall offsets, reveals, or projecting ribs. Varying building forms and masonry, synthetic stone, concrete masonry, painted/textured concrete tilt panels, stucco, EIFS, stone, tile, painted or rusted metal, and glass materials may be used to provide interest and variation. A variety of regional colors are recommended with an emphasis on subtle earth tones with accents. Bright or deep accent colors are encouraged and should be used appropriately.

- n. **Screening of Mechanical Equipment:**
  - 1) Roof or ground-mounted mechanical equipment shall be screened to mitigate noise and views from public roadways, PAAL's, and sidewalks within thirty (30) feet measured horizontally from the equipment at the ground level. .
  - 2) Ground-mounted screens shall be of sufficient height to screen the view and block the noise of the equipment.
- o. **Roof Materials:** Acceptable materials for exposed roofs include standing seam metal roofing and roof tiles. Asphalt shingle tiles, wood shakes, and rolled membrane roofing that is visible to the public are not acceptable. Cool roof technologies shall be employed on all roofs.
- p. **Sustainability:** In an effort to be more sustainable and energy efficient, the following tenant interior considerations are suggested but not required:
  - 1) Paint products containing low volatile organic compounds not exceeding 50 g/L (flats) or 150 g/L (non-flats).
  - 2) Carpeting and padding meeting the testing and product requirements of the Carpet and Rug Institute's Green Label Plus Program, carpet adhesive having a VOC limit of 50 g/L.
  - 3) Cabinetry adhesives containing no added urea-formaldehyde resins
  - 4) Partition framing of metal studs with recycled content.
  - 5) FSC-certified wood framing members, flooring, sub-flooring, wood doors and finishes.
  - 6) HVAC units that meet LEED energy and refrigerant specifications.
  - 7) Skylights and exterior windows to improve interior light quality and reduce electrical consumption.
  - 8) Low flow water fixtures.
  - 9) Construction waste management.
  - 10) Use of recycled building materials.
- q. **North Boundary Fence:** A 5-foot wrought iron (or similar) fence will be provided along the north property line. This fence shall not be required at the time of development of Development Area 5 if, at that time, ADOT has determined that noise mitigation will be provided near the northern boundary (possibly adjacent to the residences on the north side of Irvington/Michigan Wash) and/or other circumstances exist that alleviate the requirement of the fencing. The determination of whether the north fencing is required will be made by the PDSD Director administratively as a minor amendment.

**14. Architectural Review Committee:**

Subsequent to PAD approval and at the time Declarations are recorded for the Property, the Property owner shall establish an Architectural Review Committee ("ARC") to review and approve architectural design within the Property for compliance with the Development Standards in Section 3 of this PAD and any additional design criteria for the Property. Materials used in the building and Property features will be compatible with the desert environment, complement existing development in the area, and contain architectural details that provide interest and character to the development. The design guidelines will be approved by the ARC.

The ARC shall review all proposed architectural plans. Through a self-certification process, the ARC will provide a letter of approval to the City at time of development package submittal.

The ARC shall remain in place through 100 percent completion of the initial build out of the development. Beyond that point, the ARC's function will be established in the Declarations.

**15. Administration and Interpretation:**

Section 3 of this PAD has been structured to allow the City clear guidance in applying and interpreting the specialized land use and zoning framework for the PAD. The PAD will not modify or change any existing City adopted building codes or other ordinances, except for those portions of the UDC, Administrative Manual, and Zoning Map specifically modified in this PAD. The PAD shall be generally administered under the authority of the Director of the Planning and Development Services Department (PDSD).

If future supplemental PAD changes or interpretations become necessary, they shall occur as follows:

- Whenever a conflict arises between the PAD and the UDC, the PAD shall control.
- When the PAD does not specifically address a particular topic, the UDC and Administrative Manual shall control within the overall intent of the PAD.

**16. Amendments to the PAD:**

The PAD may be amended, and an amendment shall be categorized as either a minor amendment or a major amendment.

*Minor Amendments: Criteria & Process*

The PDSD Director may administratively approve minor changes to the PAD, as defined below, provided such changes do not conflict with the overall intent, goals and objectives of the PAD.

The following shall be considered minor changes subject to administrative approval by the PDSD Director:

- Addition of new information to the PAD, maps, or text that does not change the effect of any regulation, development standard, or guideline;
- Modification to the proposed development provided that the Development Standards in Section 3(C) are maintained;
- The addition of permitted or accessory uses not specifically listed in Section 3(B) that are determined to be sufficiently similar in type and nature to those listed as permitted;
- Adjustments to the Development Standards in Section 3(C) of this document that are not harmful to the interests of the larger community or adjacent neighborhoods, or which are not explicitly stated in the PAD but are consistent with the guiding goals and objectives of the project and do not create any public health or safety issues;
- Changes to the currently described public or private infrastructure that is necessary to properly serve the intended development, and that is not primarily intended to increase the development capacity, nor alter the guiding goals and objectives of same;
- Adjustments to any aspect of Section 3 of this PAD that is required in order to comply with changes in local, state or federal safety and/or health codes; or
- Any other items not expressly defined as major change to the PAD, as described in the UDC Section 3.5.5(J)(2)(c).

*Major Amendments: Criteria and process*

Major amendments to the PAD shall be those changes or modifications that materially alter the guiding goals and objectives as presented in the PAD.

The PDSD Director will determine if a proposed amendment would result in a major change per the criteria established in this PAD and UDC Section 3.5.5(J)(2)(c). Major amendments to the PAD shall be processed in accordance with UDC Section 3.5.3, Zoning Examiner Legislative Procedure.

## D. Landscape

The PAD will comply with the Landscape and Screening requirements per UDC 7.6, with the following modifications:

1. Depressed delivery and loading zones used by semi-trailer trucks shall be screened from public streets, public sidewalks, or adjacent PAAL's by use of a screen wall as described in this PAD except that the screen shall be at least eight (8) feet high, measured from the loading dock floor elevation, to screen activity at the loading dock. An adjacent building can also serve as the screen. No screen is required along the Proposed Roadway on the Property.
2. At least two pedestrian/bicycle connections to the River Park will be provided. Existing River Park amenities impacted by the development of the PAD shall be replaced conforming to the requirements of the Pima Regional Trails System Master Plan as well as applicable City and Pima County Park standards.
3. Along the north boundary of the Property, no interior landscape border shall be required.
4. Existing vegetation within the Xeroriparian C / PC Riparian Habitat Class C on the Property is not subjected to the Protected Riparian Area standards. Therefore, existing vegetation within this area of the Property may be used to enhance the vegetation along the Michigan (Irvington) Wash and along the TARP Property boundary if determined viable for relocation and reasonable for salvage at the Property owner's sole discretion. A Native Plan Preservation Plan ("NPPO") will be completed for the PAD. The TARP plant had an exemption to the Floodplain Ordinance for disturbing the riparian floodplain. A hydrology study must be performed at the time of development for the exact determination of floodplain limits in the central area of the PAD.
5. The Property is subject to City Commercial Rainwater Harvesting requirements.
6. Salvageable existing plant material shown on the NPPP will be transplanted to open spaces and landscape borders within the PAD Property limits.
7. Drought tolerant, low water use plant material that enhance the Sonoran Desert landscape shall be used.
8. Coordinate above and below-ground utilities in landscape plans to avoid conflicts.
9. All landscape shall be irrigated by an automatic underground irrigation system.
10. The following landscaping standards will enhance the development through the use of one or more of the following methods:
  - a. Access to public areas of interests such as parks, plazas and trail nodes will be enhanced through the use of colorful plantings.
  - b. Include outdoor public spaces with special amenities that encourage use, such as benches, overhead shade, seating areas, mail boxes and bicycle facilities.
  - c. Incorporate seating, landscape and gathering areas that contribute to the outdoor use and open space enjoyment of the area in spaces between buildings in the development.
  - d. Use plant material and placement to reduce the heat island effect if possible.
  - e. Use accents and colorful plant material to enhance the border along Irvington Road.
11. Tree root zones/Planting Areas: If provided, contiguous planting areas will provide minimum 300 cubic feet, at a depth no greater than 3 feet, for tree root zone area. The PAD recognizes that the average life-span of a parking lot tree is seven years and that adequate root zones are necessary. A twenty-foot canopy tree needs a 1,500 square foot minimum root zone, average depth of 3 feet. Root zones can be maintained while having pavement around trees that have minimum pavement openings (i.e., use of structural/engineered soil or frames/grid structures filled with soil that support vehicular travel paving).

## E. Traffic Circulation

A comprehensive traffic impact analysis, prepared by Southwest Traffic Engineering, LLC, for the PAD (the "TIA"), is a stand-alone companion document to this application that has already been accepted by the City Department of Transportation. The TIA contains recommendations for improving the traffic circulation around the Property in correlation with development. The TIA recommendations acknowledge that the developer's mitigation obligations are limited only to traffic impacts created by the development of the Property, and do not extend to those traffic conditions that currently exist.

The TIA recommendations include the following traffic improvements to be completed in conjunction with development of the Property:

- At the intersection of Irvington Road and the Spectrum main entrance, the addition of a westbound right turn lane into the Property with a minimum of 225 feet of vehicle storage space;
- At the intersection of Irvington Road and Calle Santa Cruz, the following improvements:
  - The addition of a westbound right turn lane into the Property with adequate vehicle storage space;
  - Restriping of the eastbound left turn lane into the Property to provide a minimum of 125 feet of vehicle storage space; and
  - Restriping and retiming of the vehicle control lights to allow for northbound traffic on Calle Santa Cruz to enter the Property.

## F. Signage

Signage currently lies outside of the scope of the PAD regulations, so the signage that will be located within the PAD will be effectuated pursuant to City Code, Ch. 3 (the "Sign Code"). Specifically, the developer will create a customized signage proposal for the entire PAD ("Sign Plan"). In creating the Sign Plan, the developer will meet the Sign Code regulations wherever possible, and process any variances where needed.

In the event the Sign Code is amended to permit specific sign regulations to be established within a Planned Area Development zoning district, comprehensive sign regulations and standards that encompass all signage in the PAD will be created and submitted for review and approval in accordance with the UDC. These regulations and standards will include, but not be limited to, wall signs, freestanding signs, and freeway signs for informational, directional, and advertising purposes. The comprehensive sign regulations and standards will complement the overall design theme of the PAD to the greatest extent possible and promote the identity of the PAD regionally as a premier Tucson destination.

## G. Historical

Prior to any incidental site ground disturbance and development package submittal, including grading and stockpiling permits, for the portion of Development Areas 2 and 3 west of the proposed roadway, the applicant will provide documentation and approvals from City of Tucson Historic Preservation Office that archaeological clearance has been completed for the site area and provide archaeological clearance documentation and approvals for any additional acreage acquired from the City for development. Archaeological clearance has already been obtained for the rest of the Property.

## H. Tucson International Airport

Prior to submittal of a development package, applicant shall check with Tucson Airport Authority regarding any disclosure statements or other forms required by the entity.

## I. Definitions

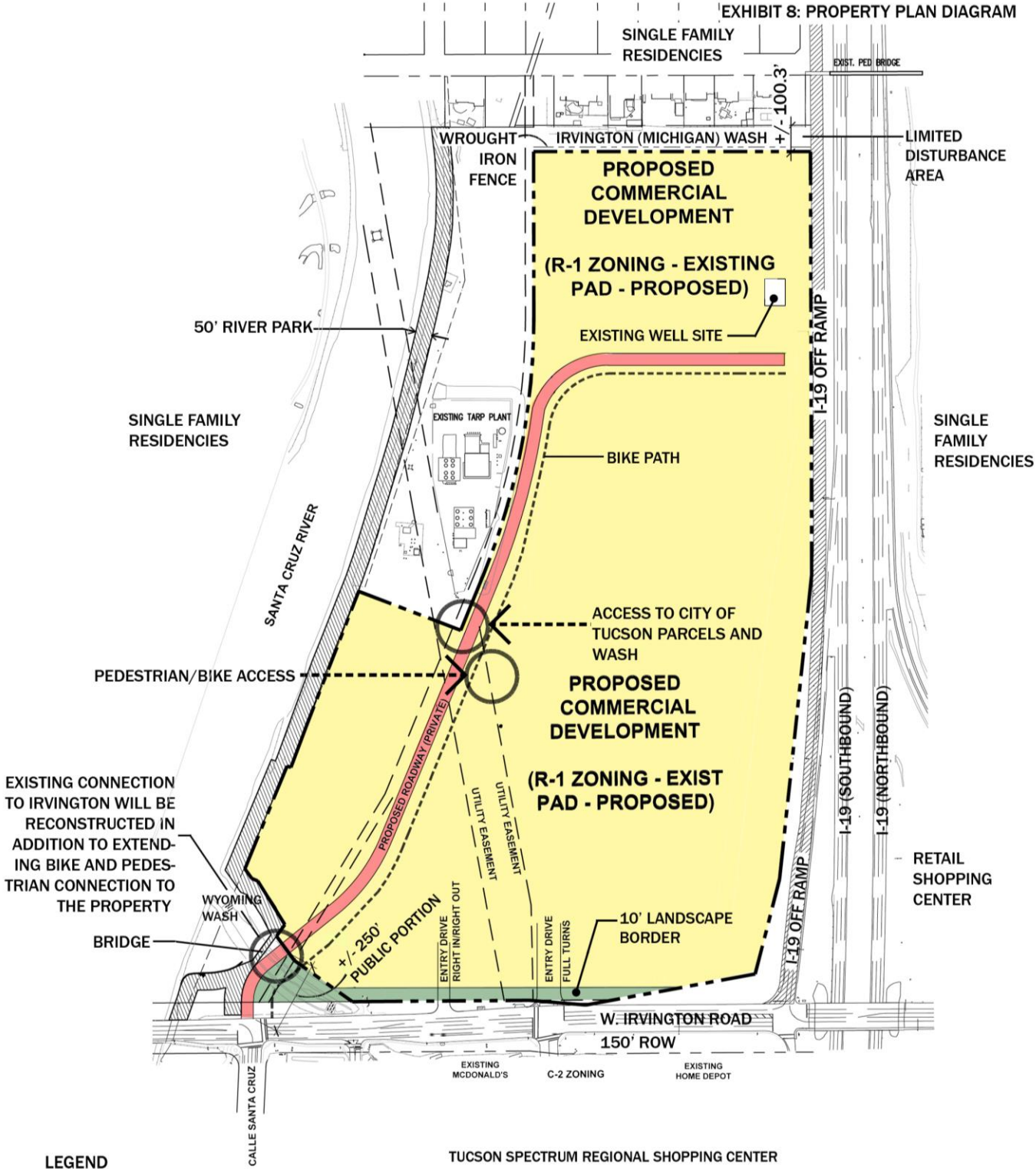
- **Architectural Review Committee:** A committee as defined in the Property's declaration documents, whose function is to review and approve all details of project design to ensure the Property is developed in accordance with the approved design standards.
- **Development Areas:** Development Areas 1 – 5 as shown on Exhibit 9, Development Area Plan. The areas are not phases. Development in these areas may occur as dictated by the market and will not necessarily occur according to the designated development area number.
- **Drainage Facilities / Storm Water Drainage Facilities:** Drainage facilities that include, but are not limited to, engineered swales and channels, water harvesting areas, detention/retention ponds, and underground pipe systems. The purpose of drainage facilities is to provide for the protection of abutting and off-Property properties that would be adversely affected by any increase in runoff attributed to the development.
- **Open Space:** An area not occupied by buildings and non-pervious materials.
- **Outdoor Storage:** The location of goods, wares, merchandise, commodities, debris, or any other item outside a completely enclosed building for a continuous period typically longer than 24 hours

# SECTION 3 - EXHIBITS

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## IRVINGTON COMMERCIAL CENTER Planned Area Development

EXHIBIT 8: PROPERTY PLAN DIAGRAM



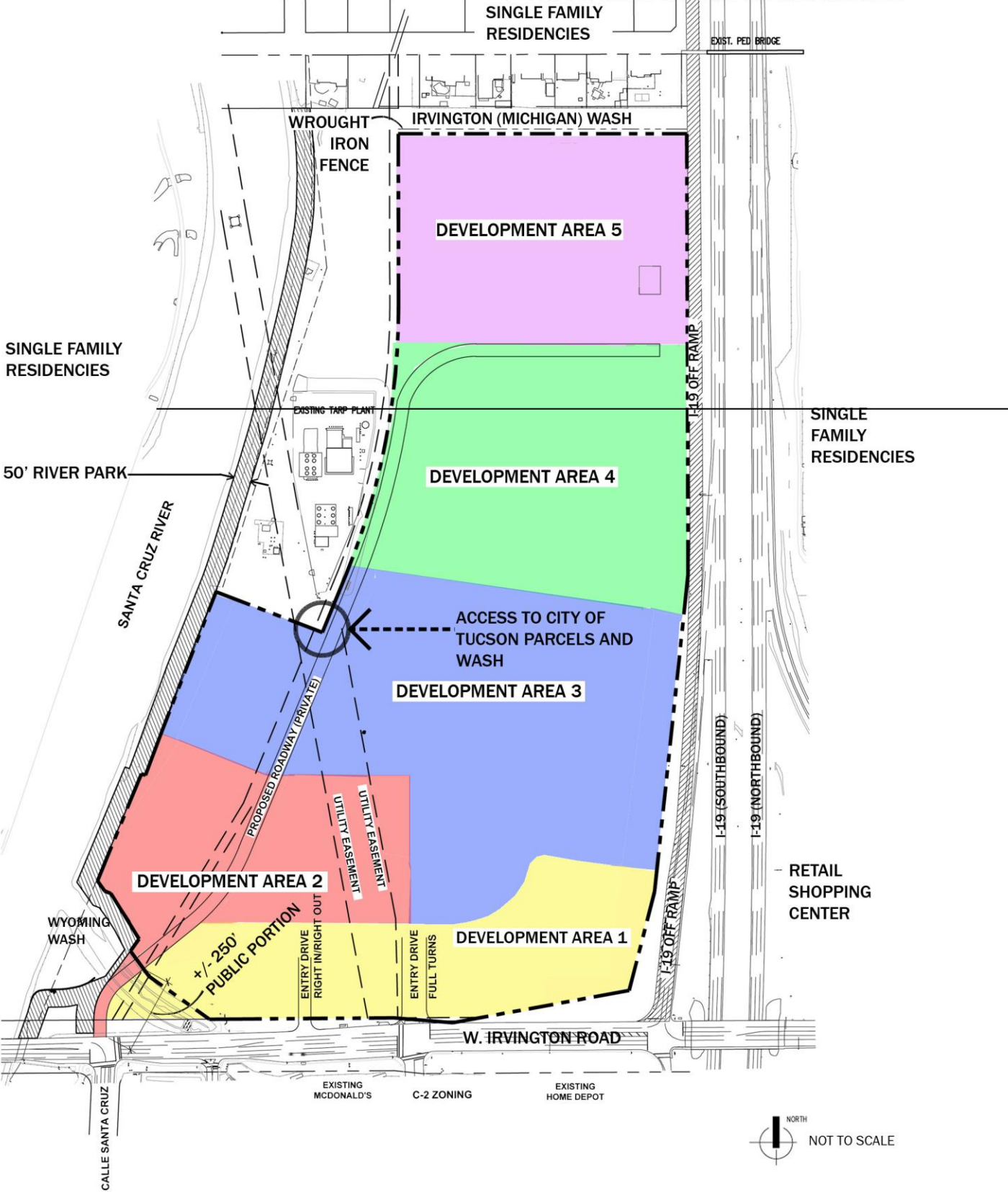
LEGEND

- COMMERCIAL
  - PROPOSED ROADWAY
  - LANDSCAPE BORDER
  - RIVER PARK
- NORTH  
NOT TO SCALE

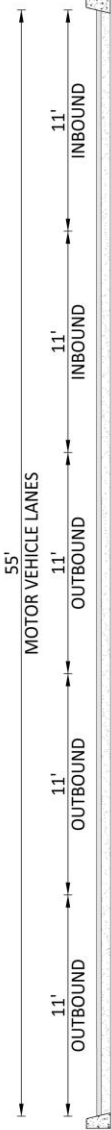




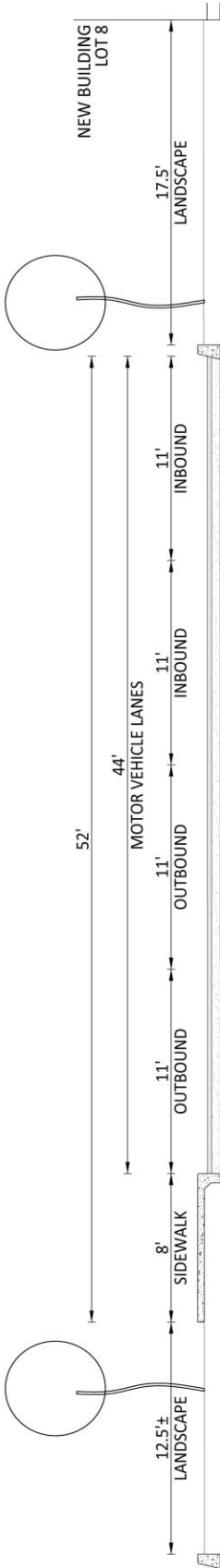
EXHIBIT 9: DEVELOPMENT AREA BOUNDARIES



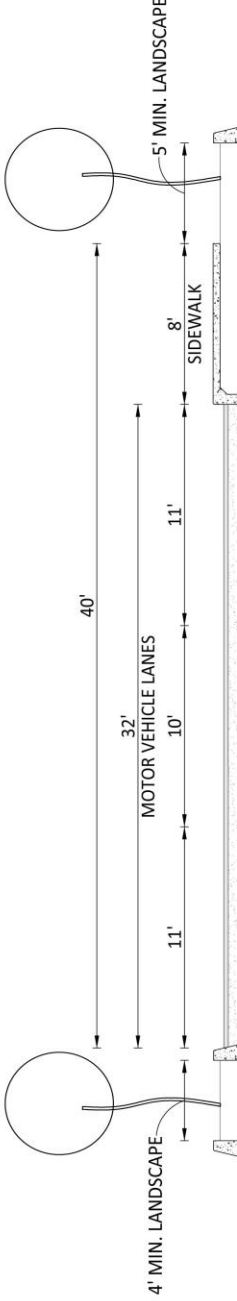
**EXHIBIT 10: CONCEPTUAL CROSS SECTIONS OF PROPOSED ROADWAY**  
NOT TO SCALE



**DRIVEWAY SECTION - NORTH OF CALLE SANTA CRUZ ENTRANCE**  
5-LANE PUBLIC INTO PROJECT  
SCALE: 1"=5'

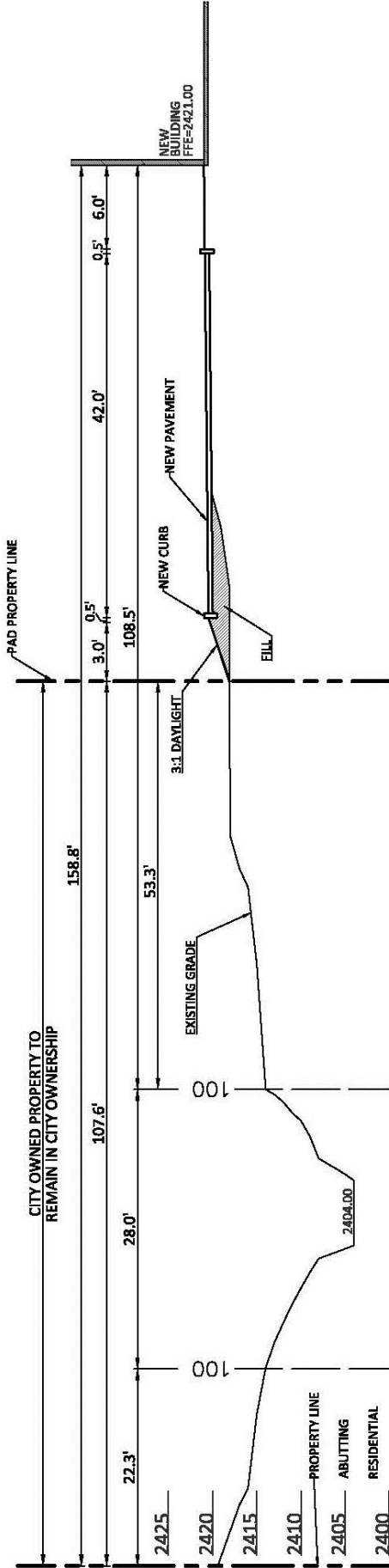


**DRIVEWAY SECTION - NORTH OF CALLE SANTA CRUZ ENTRANCE**  
4-LANE INTERNAL TO PROJECT  
SCALE: 1"=5'



**DRIVEWAY SECTION - INTERNAL LOOP**  
INTERNAL PRIVATE LOOP  
SCALE: 1"=5'

**EXHIBIT 11: CROSS SECTION AT  
MICHIGAN (IRVINGTON) WASH  
(LOOKING EAST)  
NOT TO SCALE**



# **SECTION 4 - APPENDIX**

## **IRVINGTON / I-19 COMMERCIAL CENTER** Planned Area Development