

#### **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: 11/15/2022

\*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

#### \*Title:

P22CR00001 EXA ARCHITECTS INC - E. RIVER ROAD PLAN AMENDMENT AND REZONING

#### \*Introduction/Background:

The applicant requests a .77-acre concurrent plan amendment and rezoning from Low Intensity Urban 1.2 (LIU-1.2) to Higher Intensity Urban (HIU) and from CR-1 (Single Residence) to TR (Transitional) zoning, located on the north side of E. River Road approximately 560 feet east of the T-intersection of N. Camino Escuela and E. River Road for a 14-unit apartment complex with view decks and a pool on top of the covered parking.

#### \*Discussion:

The proposed apartment use is compatible with the adjacent office uses and equivalent in density to the apartments across River Road. The use should have minimal impacts on the surrounding properties and is not in conflict with any comprehensive plan policies for the area.

#### \*Conclusion:

The concurrent plan amendment and rezoning conform to the Comprehensive Plan and the Pima Coumty Zoning Code.

#### \*Recommendation:

Staff and the Planning and Zoning Commission recommend APPROVAL subject to standard and special conditions.

\*Fiscal Impact:

0

\*Board of Supervisor District:

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Department: Development Services - Planning	Telephone: 520-724-8800
Contact: Terrill L. Tillman, AICP, Principal Planner	Telephone: 520-724-6921
Department Director Signature:	Date: 10/24/22
Deputy County Administrator Signature:	Date: 10/24/2022
County Administrator Signature:	Date:



TO:

Honorable Supervisor Rex Scott, District 1

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services-Department-Planning Division

DATE:

October 25, 2022

SUBJECT:

P22CR00001 EXA ARCHITECTS INC - E. RIVER ROAD PLAN AMENDMENT

AND REZONING

The above referenced Concurrent Plan Amendment and Rezoning is within your district and scheduled for the Board of Supervisors' **TUESDAY**, **NOVEMBER 15**, **2022** hearing.

REQUEST:

For a **Concurrent Plan Amendment and Rezoning** to amend the Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) to Higher Intensity Urban (HIU) and to rezone from CR-1 (Single Residence) to TR (Transitional) zone on approximately .77 acres. The site is located on the north side of E. River Road approximately 560 feet east of the T-intersection of N. Camino Escuela and E. River Road addressed as **2103 and 2107 E. River Road**, in Section 20, Township 13 South,

Range 14 East, in the Catalina Foothills Planning Area.

(District 1)

**OWNERS:** 

EXA Architects, Inc.

Attn: Jose Ceja

4544 N. Camp Lowell Dr., Ste. 146

Tucson, AZ 85712

AGENT:

Jose Ceja

DISTRICT:

1

STAFF CONTACT: Terrill L. Tillman, AICP, Principal Planner

<u>PUBLIC COMMENT TO DATE</u>: As of October 18, 2022, one written comment in support of the request has been received.

<u>PLANNING AND ZONING COMMISSION RECOMMENDATION:</u> APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 8-0 (Commissioners Hook and Gungle were absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (CLS).

TD/TT/ds Attachments



#### BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P22CR00001

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#### FOR TUESDAY, NOVEMBER 15, 2022 MEETING OF THE BOARD OF SUPERVISORS

TO:

HONORABLE BOARD OF SUPERVISORS

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services Department-Planning Division

DATE:

October 25, 2022

#### ADVERTISED ITEM FOR PUBLIC HEARING

#### CONCURRENT PLAN AMENDMENT AND REZONING

## P22CR00001 EXA ARCHITECTS INC – E. RIVER ROAD PLAN AMENDMENT AND REZONING

EXA Architects, Inc. represented by Jose Ceja, request a **concurrent plan amendment and rezoning** to amend the Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) to Higher Intensity Urban (HIU) and to rezone from CR-1 (Single Residence) to TR (Transitional) zone on approximately .77 acres. The site is located on the north side of E. River Road approximately 560 feet east of the T-intersection of N. Camino Escuela and E. River Road addressed as **2103 and 2107 E. River Road**, in Section 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** 8 – 0 (Commissioners Hook and Gungle were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.

(District 1)

Planning and Zoning Commission Public Hearing Summary (September 28, 2022)

The public hearing was held virtually. The commissioners, staff, and the applicant attended and presented virtually or telephonically.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions.

The applicant presented additional information and visual presentation of the architectural design, access driveway and parking for the 14-unit apartment complex with view decks and a pool on top of the covered parking.

The public hearing was opened and there were no speakers; the public hearing was closed.

P22CR00001 Page 2 of 3

A commissioner commented that the project is outside of the conservation land system and the avoidance of the Hillside Development Zone and closure of one access drive makes sense. A commissioner commented that the plan is really well thought-out and fits nicely into the infill property on River Road.

A commissioner was concerned about the additional traffic and the congestion down the street, but the daily traffic increase would be limited. A commissioner agreed with the comment.

Commissioner Matter made a motion to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**; Commissioner Membrila gave second.

The commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL REZONING CONDITIONS** 8-0 (Commissioners Hook and Gungle were absent) subject to the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

- 1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
- 2. Transportation conditions:
  - A. The property owner(s) shall dedicate 30 feet of right-of-way for River Road.
  - B. The existing eastern driveway on River Road shall be abandoned and reconstructed to match adjacent conditions, at a minimum curb and sidewalk.
  - C. Prior to development plan approval, written proof of coordination with the City of Tucson Department of Transportation is required regarding traffic impacts to their roadway system.
- 3. Regional Flood Control conditions:
  - A. Reduction of increased peak discharge shall be maximized in depressed landscape areas. If reduction from post-developed to pre-developed levels cannot be achieved through stormwater harvesting, a request to waive the excess detention requirement shall be approved by the District prior to submittal of the site permit.
  - B. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
- 4. Regional Wastewater Reclamation conditions:
  - A. The owner(s) shall not construe any action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
  - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/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 shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.

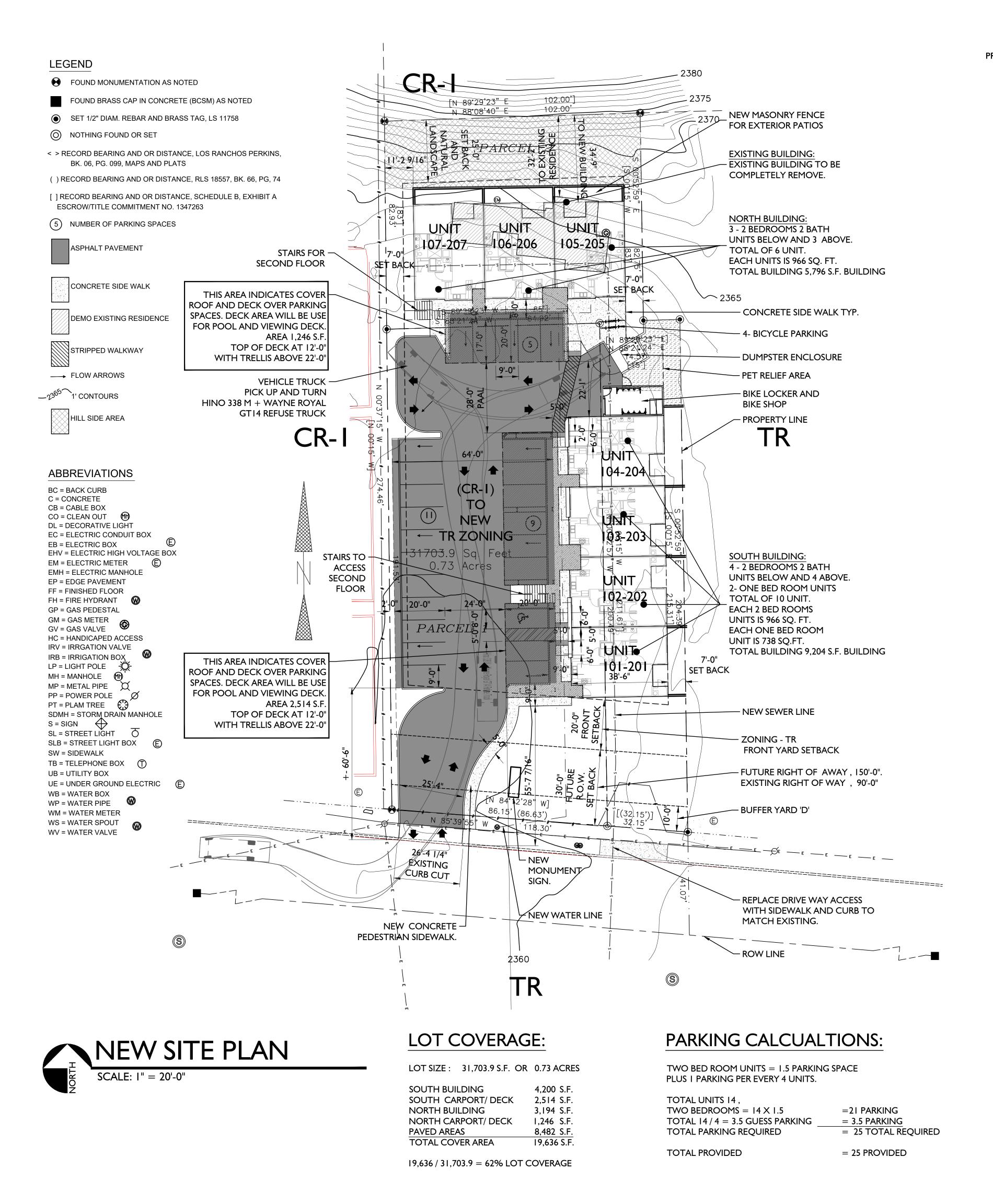
P22CR00001 Page 3 of 3

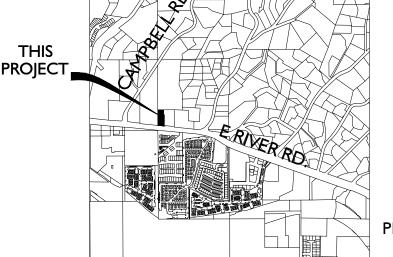
D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.

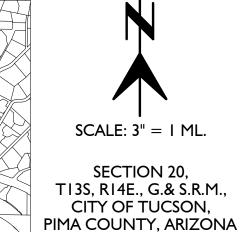
- E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
- F. The owner(s) 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 sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
- 5. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
- 6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
- 7. Adherence to the sketch plan as approved at public hearing.
- 8. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
- 9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
- 10. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

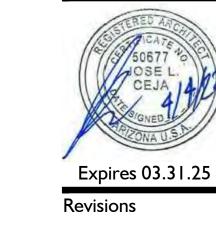
TD/TT/ds Attachments











## **LOCATION MAP**

## **SCOPE OF WORK:**

TWO NEW GROUND UP BUILDINGS. ONE IS A 10 UNIT BUILDING THE SECOND IS A 6 UNIT BUILDING, THIS WILL INCLUDE COVER CARPORT.

## PROPERTY INFORMATION:

OWNER MAIL NAME AND ADDRESS: EXA ARCHITECT INC.

PROPERTY ADDRESS: 2103 E RIVER RD TUCSON AZ 85718

2107 E RIVER RD TUCSON AZ 85718

PROPERTY INFORMATION:
PARCEL A NUMBER: 108-23-083A
PARCEL B NUMBER: 108-23-0820
S/T/R: 13S 14E SECTION20

LEGAL DESCRIPTION:
SUBDIVISION:
LOT A SIZE: 17,313 SQ.FT.
LOT B SIZE: 16,649 SQ. FT.
TOTAL= 33,962 SQ. FT.

ZONING: CR-I TO CONVERT TO TR REQUESTING HIU (HIGHER INTENSITY URBAN)

TR SET BACKS: FRONT 20'-0" REAR 25'-0" SIDES 7'-0"

## **CONTACTS INFORMATION:**

ARCHITECT:

EXA ARCHITECTS
4544 E CAMP LOWELL SUITE 146
TUCSON, AZ 85712
PHONE: 520-877-3177
CONTACT: JOSE CEJA

# **BUILDING SQUARE FOOTAGE:**

SOUTH BUILDING:
EACH UNIT 966 S.F.
4 UNITS BELOW
4 UNITS ABOVE
TOTAL 8 UNITS
8X966 = 7,728 S.F.
TWO STORY BUILDING 28'-0" TOP OF PARAPET
ROOF LINE AT 24'-0" ABOVE FINISH FLOOR.

NORTH BUILDING:
EACH UNIT 966 S.F.
3 UNITS BELOW
3 UNITS ABOVE
TOTAL 6 UNITS
6X966 = 5,796 S.F.
TWO STORY BUILDING 28'-0" TOP OF PARAPET
ROOF LINE AT 24'-0" ABOVE FINISH FLOOR.

TOTAL SQUARE FOOTAGE:

SOUTH BUILDING 7,728 S.F.

NORTH BUILDING 5,796 S.F.

BIKE ROOM 312 S.F.

TOTAL BUILDING S.F. 13,836 S.F.

## **BUILDING HEIGHT:**

HEIGHT LIMIT EXCEPTIONS. THE HEIGHT LIMITS OF THIS CODE SHALL NOT APPLY TO: BARNS, CHIMNEYS, CONVEYORS, CUPOLAS, DERRICKS, FLAGPOLES, PARAPET WALLS EXTENDING NOT MORE THAN FOUR FEET ABOVE THE HEIGHT LIMIT OF THE BUILDING, SILOS, SMOKESTACKS, POWER TRANSMISSION TOWERS, WINDMILLS, POWER TRANSMISSION POLES, AND VEGETATED ROOF SYSTEMS BEGINNING AT THE HEIGHT ABOVE THE WATERPROOF MEMBRANE SAFETY RAILINGS, ENCLOSED ACCESS STAIRWAY OR ELEVATOR WITH A MINIMUM TWENTY-FOOT SETBACK FROM ROOF EDGES, VEGETATIVE CONTAINERS, AND VEGETATION;

EX<del>a</del> AF

Project: 22022
Date: 08.16.2022
Scale: Noted
Sheet:

**AI.0** 

10 PEQUEI 2103 & 2107 E RIVER RD. TUCSON AZ. 85718

These drawings are the instruments of service and the property of EXA ARCHITECTS, INC\_ all designs and other information on the drawings are for the purposes of this project and shall not be used otherwise without the expressed written permission of EXA ARCHITECTS, INC. Copyright 2020 All rights reserved

4544 East Camp Lowell suite #1 Tucson, Arizona 857 520.877.3177 pho 520.457.5830 i www.exaarchitects.cc Case #: P22CR00001

Case Name: EXA ARCHITECTS, INC. - E. RIVER ROAD PLAN AMENDMENT AND REZONING

Tax Code(s): 108-23-083A & 108-23-0820

#### **AERIAL EXHIBIT**



0 145 290 580 Feet

# PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION Notes: Map Scale: 1:4,000 Map Date: 8/5/2022 - ds



# CONCURRENT PLAN AMENDMENT AND REZONING

## PLANNING AND ZONING COMMISSION STAFF REPORT

HEARING DATE	September 28, 2022
CASES	P22CR00001 EXA Architects INC – E. River Road Concurrent Plan Amendment/Rezoning
PLANNING AREA	Catalina Foothills
DISTRICT	1
LOCATION	The site is located on the north side of E. River Road approximately 560 feet east of the T-intersection of N. Camino Escuela and E. River Road.
ACREAGE	.77 acres (+/-)
REQUEST	To amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) to Higher Intensity Urban (HIU) and to rezone from CR-1 (Single Residence) to TR (Transitional) zone for 14-two story apartment units.
OWNER/AGENT	EXA Architects Inc., Jose Ceja

#### APPLICANT'S REQUEST

The applicant is requesting a concurrent comprehensive plan amendment and rezoning for a .77 (+/-) acres of land located on the north side of E. River Road, approximately 560 feet east of the T-intersection of N. Camino Escuela and E. River Road for a 14-unit apartment complex and covered parking with a view deck and pool on top.

#### **STAFF REPORT SUMMARY**

Staff recommends **APPROVAL WITH CONDITIONS** for a plan amendment to Higher Intensity Urban (HIU) and a rezoning to TR (Transitional) zoning subject to standard and special conditions. The proposed use is a compatible use to adjacent office uses and equivalent in density to the apartments across River Road. The use should have minimal impacts on the surrounding properties and is not in conflict with any of the policies of the Comprehensive Plan for the area.

#### **PUBLIC COMMENT**

As of September 13, 2022, no public comment has been received.

Published and mailed notice of the proposal along with the website posting of staff's report will occur a minimum of fifteen days prior to public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors

#### **COMPREHENSIVE PLAN**

The current land use designation is Low Intensity Urban 1.2 (LIU-1.2). The LIU-1.2 land use designation plans for low-density residential uses and other compatible uses and to provide incentives for residential conservation subdivision to provide more natural open space. Density bonuses are provided in exchange for providing open space. There is no minimum residences

per acre (RAC) density and the maximum RAC is 1.2 without a density bonus. The LIU-1.2 plan density bonus allows a maximum RAC of 2.5 with a minimum of 45% open space.

The proposed land use designation is Higher Intensity Urban (HIU) which designates areas for a mix of medium to high-density residential, townhomes, condominiums and apartment complexes, and other compatible uses. These areas have direct access to major transportation corridors and other arterials and are within walking or bicycling distance from major commercial services and employment centers. HIU has a minimum density of 8 RAC and a maximum in accordance with the planned zoning designation of TR. TR does not limit the allowable density for commercial apartments. The planned 14-unit apartment uses conform to the proposed HIU designation with an 18 RAC, is located along the major River Road corridor, and has direct pedestrian and bicycling access to commercial services nearby.

Special Area Policy S-2, Catalina Foothills applies to the subject site and limits the height of structures to 24 feet without Board of Supervisor approval. This project plans for a height of 24 feet with a 4 foot parapet wall to shield mechanical structures from view, for a combined maximum height of 28 feet. Approval of the rezoning will conform the height to the special area policy.

#### SURROUNDING LAND USE AND ZONING DESIGNATIONS

North LIU-1.2/CR-1 Catalina School District Offices/Bus Yard/ Commercial

Ranch House Lodge

South MIU/TR Townhomes/Apartments

East LIU-1.2/TR Office/Steakhouse

West LIU 1.2/MIU/CR-1 Catalina School District Offices/Bus Yard

The area is characterized by a mix of commercial and residential uses. Commercial retail and services, a post office, Catalina School District office and bus yard, professional offices, restaurants, a church and high-density residential apartment and townhomes are nearby or adjacent to the subject site. Low-density residential uses exist further northeast. Pedestrian and bicycle access to commercial services exists along the River Road frontage. Recreational opportunities exist with nearby access to the Chuck Huckelberry Loop south of River Road and the Rillito Regional Park approximately three-fourths of a mile to the west. Access to the Rio Vista Natural Resource Park exists from the Chuck Huckelberry Loop approximately one-half mile southeast of the subject site.

## <u>PREVIOUS COMPREHENSIVE PLAN AMENDMENT AND REZONING CASES ON THE PROPERTY AND THE GENERAL AREA</u>

#### Previous land use plan amendment and rezoning requests:

The subject property has not had a previous land use plan amendment or rezoning.

#### Recent activity:

Most of the properties along the River Road major thoroughfares have been rezoned, excepting flood ways and washes. Many of the rezonings were for low-density CR-1 (Single Residence) zoning and high-density TR (Transitional) commercial residential and office development.. Some of the rezonings were for CB-1 (Local Business), CB-2 (General Business) for commercial uses. Most of the rezoning occurred over the course years beginning in the late 1950's through the 1980's. The rezonings resulted in a proportionate mix of residential and commercial uses. Many of the rezoned properties adjacent and near to the site have been annexed into the City of Tucson. There have been no recent comprehensive plan amendments nor rezonings in the area because the area is mostly developed.

#### MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The subject property lies outside the Maeveen Marie Behan Conservation Lands System.

#### **PLANNING REPORT**

A concurrent plan amendment and rezoning is allowed when 50% or more of the perimeter of the subject site abuts properties with a zoning district or comprehensive plan designation that allows a density equal to or greater than requested and will minimally impact the surrounding properties. The TR zoning request is equivalent to the adjacent properties to the east and south, which are zoned TR and comprise 50% or more of the subject site's perimeter. The applicant is planning a 14-unit apartment building and covered parking with a view deck and pool on top.

Staff supports the rezoning request because there will be minimal impacts to surrounding properties and the request is not in conflict with any special area or rezoning policies. The site is comprised of two parcels of land, the eastern parcel is approximately .37 acres and the western parcel is approximately .40 acres, both zoned CR-1 zoning which requires a minimum size of .83 acres. Both of the parcels are undersized and created as a result of the River Road widening. Currently there is one home located in the easternmost lot of the .77 acre site which will be razed. The site is surrounded by the Catalina School District Administrative Offices with Bus parking and repair, a commercial office, high-density apartments and townhomes. The proposal is a suitable and compatible use to the existing uses in the surrounding area. The site is considered an infill development and will nominally increase the use efficiency of the site and existing infrastructure. The northernmost portion of the site contains areas of Hillside Development Zone (HDZ) that will be avoided. The remainder of the site is mostly flat, was previously mass graded and contains little on-site vegetation.

Access to the site will be via an existing access drive from the Major Street and Scenic Route of River Road. Currently two access driveways exist, the western driveway will remain and the eastern driveway will be closed. The maximum allowable height of structures along the River Road scenic route is 24 feet. The preliminary development plan demonstrates an overall height of 28 feet. The two-story apartments are planned for 24 feet to the top of the roofline with a 4 foot parapet wall to shield mechanical structures from view. The zoning code allows for a 4 foot exception for parapet walls, so the proposed conforms to the code. The apartments will be required to be earth tone in color to meet the requirements of structures located within 200 feet of a scenic route. A minimum 10- foot-wide bufferyard "D" is required adjacent to the River Road scenic corridor and the northern boundary of the site abutting CR-1 zoning. The 25-foot-wide area of HDZ that will remain natural along the northern boundary of the site will be utilized as the required rear yard bufferyard.

A concurrent plan amendment/rezoning would preclude future applications for a zoning district that is more intense. Any future changes would require a separate comprehensive plan amendment and rezoning.

#### Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS						
Department/Agency	Concurrency Considerations Met: Yes / No / NA	Other Comments				
TRANSPORTATION	Yes	Minor concern, subject to conditions				
FLOOD CONTROL	Yes	No objection, subject to conditions				
WASTEWATER	Yes	No objection, subject to conditions				
PARKS AND RECREATION	N/A					
WATER	Yes	No comment				
SCHOOLS	Yes	No comment				

#### FLOOD CONTROL REPORT

The Regional Flood Control District has the following comments:

- 1. A Flood Control Resource Area (FCRA) does not impact this property.
- 2. New development is required to provide some method of peak discharge and/or volumetric runoff reduction. Detention facilities can be omitted from project design if a waiver is granted by the District. Waivers can be granted when the parcel to be developed is less than 1 acre in size, is located within close proximity to a major watercourse; is of low residential density and maintains the natural drainage patterns; or when other engineering justification is accepted by the District. Even though this project is eligible for a waiver due to parcel size, the main point of increased discharge due to development appears to be the public right-of-way where increased flows could create an adverse impact. Collection of flows within the streetscape landscape buffers instead of discharge directly to the right-of-way will decrease impacts. District engineering software provides a method to quantify peak discharge reduction by stormwater harvesting in the streetscape buffers.
- 3. This development shall provide the retention volume necessary to retain the first-flush runoff volume from the proposed impervious and disturbed areas. Rezoning condition #3B will ensure the site will distribute first flush retention throughout the site.

The Flood Control District has no objection subject to rezoning conditions #3A – B.

#### TRANSPORTATION REPORT

River Road, adjacent to the rezoning site, is a paved four-lane roadway with a two-way left turn lane, paved shoulders, curb, sidewalk, and a posted speed limit of 40 miles per hour (mph). The adjacent right-of-way is owned by Pima County, however, the City of Tucson maintains River Road in this area through an Intergovernmental agreement (IGA). River Road has a planned 150 feet right-of-way width per the Major Streets Plan, and the existing right-of-way width along the site frontage is 90 feet. The most recent traffic count for River Road is 41,891 average daily trips (ADT) with an approximate capacity of 37,810 ADT.

There are two existing driveways from the project site to River Rd. The western driveway as shown on the Preliminary Development Plan (PDP) will remain and the eastern driveway will be

closed. Due to roadway capacity, a traffic letter was requested to determine if a westbound right-turn lane will be warranted with this rezoning. The letter indicates that a westbound right-turn lane is not warranted. The letter also indicates that less than 100 ADT will be generated by the proposed multi-family development. The traffic letter shall be provided with the submittal of the development plan for formal review and approval.

River Road is functioning over capacity at the rezoning site, but this project is expected to generate less than 100 ADT which does not create a significant increase in new daily trips for River Road. There is a minor transportation concurrency concern due to the River Road capacity. The Department of Transportation recommends approval subject to rezoning conditions #2A – C.

#### WASTEWATER RECLAMATION REPORT

The existing public sewer system consists of an 8-inch sewer line that runs along the south side of River Rd. A Type I capacity letter must be obtained to confirm capacity availability in the system before submitting any development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review and approval. Allocation of capacity is made by the Type III Capacity Response.

The PCRWRD has no objection subject to rezoning conditions #4A-F.

#### **CULTURAL RESOURCES REPORT**

Cultural Resources has no objection subject to condition #6.

#### NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

#### **US FISH & WILDLIFE REPORT**

US Fish & Wildlife has no comment.

#### TUCSON WATER DISTRICT REPORT

City of Tucson Water has no comment.

#### SCHOOL DISTRICT

The Tucson Unified School District (TUSD) has been contacted by the applicant even though it is not required with a non-site analysis plan amendment and rezoning.

#### FIRE DISTRICT REPORT

Rural Metro Fire District has no comment.

## <u>IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:</u>

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

- 1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
- 2. Transportation conditions:
  - A. The property owner(s) shall dedicate 30 feet of right-of-way for River Road.
  - B. The existing eastern driveway on River Road shall be abandoned and reconstructed to match adjacent conditions, at a minimum curb and sidewalk.

- C. Prior to development plan approval, written proof of coordination with the City of Tucson Department of Transportation is required regarding traffic impacts to their roadway system.
- 3. Regional Flood Control conditions:
  - A. Reduction of increased peak discharge shall be maximized in depressed landscape areas. If reduction from post-developed to pre-developed levels cannot be achieved through stormwater harvesting, a request to waive the excess detention requirement shall be approved by the District prior to submittal of the site permit.
  - B. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
- 4. Regional Wastewater Reclamation conditions:
  - A. The owner(s) shall not construe any action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
  - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/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 shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/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.
  - F. The owner(s) 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 sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
- 5. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
- 6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate

vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

- 7. Adherence to the sketch plan as approved at public hearing.
- 8. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
- 9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
- 10. The property owner shall execute the following disclaimer regarding Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully,

Terrill L. Tillman Principal Planner

c: Jose Ceja, Principal, EXA Architects

Case #: P22CR00001 Case Name: EXA ARCHITECTS, INC. - E. RIVER ROAD PLAN AMENDMENT AND REZONING Tax Code(s): 108-23-083A & 108-23-0820 Subject Site 300' Notification Area Zoning Boundary  $(\mathsf{R})$ CR-1 TR CR-1  $(\mathbf{c})$ (R)Int 1/4 cor Sec 20, T13S R14E E RIVER RD CB<sub>-</sub>1 TUCSON CITY LIMITS TUCSON CITY LIMIT\$ E CAMINO RIO STAL RAPIDS LN (R)E CAMINO CANCION 580 Feet 145 290 Area of proposed rezoning from CR-1 to TR PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION Notes: PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10 Planning & Zoning Hearing: 9/28/22 (scheduled) Board of Supervisors Hearing: TBA PIMA COUNTY DEVELOPMENT SERVICES Base Map(s): 24 Map Scale: 1:4,000 Map Date: 8/5/2022 - ds

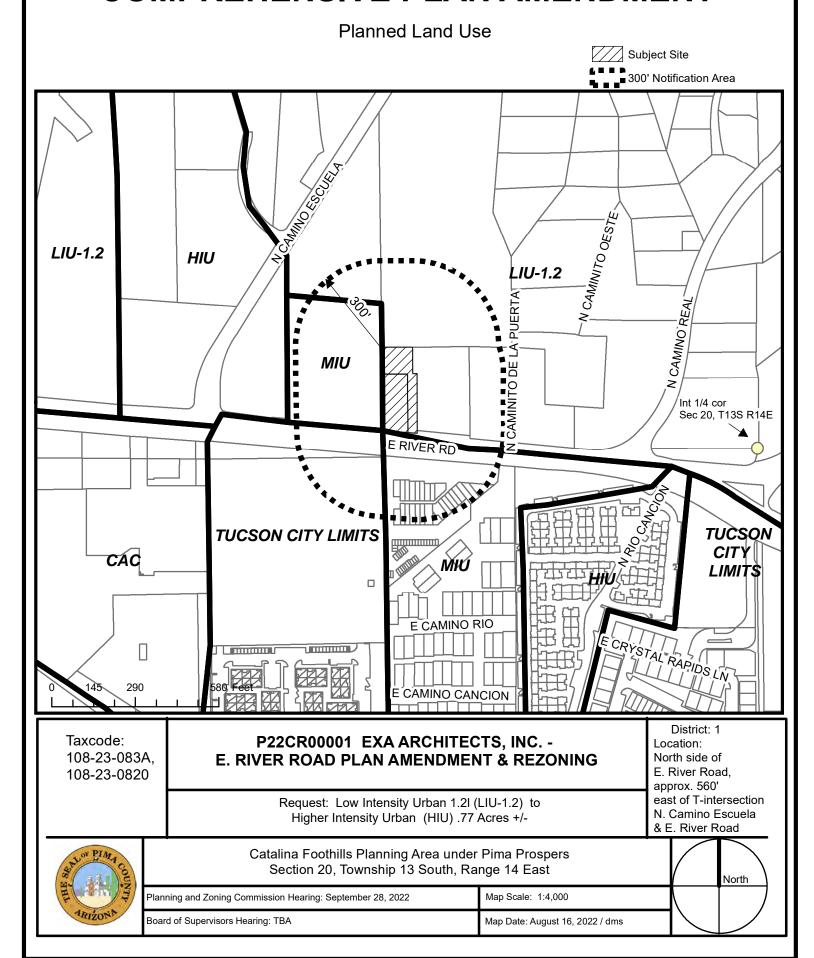


#### **Higher Intensity Urban (HIU)**

Objective: To designate areas for a mix of medium to high density housing types, such as higher density single-family development, townhomes, condominiums and apartment complexes, as well as other compatible uses, such as offices, hotels, research and development, and other similar uses. These areas have direct access to major transportation corridors and other arterials and are within walking or bicycling distance from major commercial services and employment centers. They generally do not abut land in low intensity urban categories. Small-scale residential compatible retail services are allowed on the first floor of a multi-story building, provided that they are accessed from an arterial and are oriented away from lower density residential development.

- Residential Gross Density: Minimum- 8 RAC; Maximum- as allowed by the requested conforming zoning district
- Residential Gross Densities for TDR Receiving Areas: Minimum- 8 RAC; Maximum- 18 RAC

### **COMPREHENSIVE PLAN AMENDMENT**



## Kimley » Horn

July 26, 2022

Jose Ceja Exa Architects 4544 E. Camp Lowell Drive, Suite 146 Tucson, AZ 85712

Tel: 520-440-4941 jose@exaarchitects.com



#### RE: Traffic Letter for Rio Pequeno Multifamily Development, Tucson, AZ

This traffic letter is prepared to support the development of a 14-unit multifamily development east of Campbell Avenue on the northside of River Road at 2103 E River Road, Tucson, Arizona.

This traffic letter is in response to the following comments from Pima County on the development:

- The proposed development will not meet the driveway separation requirement of the Pima County Subdivision and Development Street Standards. The applicant shall obtain shared access with any of the adjacent developments.
- Given the increase in traffic, the applicant shall identify if an auxiliary westbound right-turn lane may be required.

The traffic letter summarizes the Pima County driveway spacing requirements, trip generation, trip assignment, and auxiliary lane warrant at the development entrance to justify the existing driveway proposed for use.

This traffic letter and right-turn warrant are prepared consistent with the 2016 Pima County Subdivision and Development Street Standards (SDSS).

#### PROPOSED DEVELOPMENT

Exa Architects prepared a site plan (Attachment 1) for the approximately 0.8-acre subdivision with 14 multifamily dwelling units. The development location is shown on a vicinity map in Figure 1.

#### SITE ACCESS

The site on which the proposed multifamily development is proposed has two existing driveways to River Road. The development proposes to maintain the western driveway and close the eastern driveway. The construction of shared access with one of the neighboring developments was discussed with both property owners and was found not feasible on the west side due to existing utility constraints. The site is illustrated in **Figure 2**.

#### **EXISTING CONDITIONS**

River Road is a five-lane roadway that runs east/west with bike lanes and a sidewalk on both sides adjacent to the site. The posted speed limit for the roadway is 40 miles per hour (MPH), and the roadway is classified as a medium volume arterial by Pima County Major Streets Plan.

#### **FUTURE IMPROVEMENTS**

There are no future improvements scheduled in the area.



Figure 1 - Site Location

#### PIMA COUNTY DRIVEWAY SPACING REQUIREMENT

The Pima County SDSS Section 5 Commercial and Industrial Site Design covers design standards for driveways at commercial/industrial sites. Subsection 5.1 Driveway Location includes the following requirements:

- Spacing for driveways on a 40 MPH roadway is 185 feet;
- Pima County encourages shared access; and
- The maximum number of driveways for any lot shall be limited to two per three hundred feet of frontage along any single street.

The SDSS also covers connectivity standards in subsection 4.3 Street Layout and Connectivity which states the following requirements:

• The minimum number of required external connections is 1 for up to 30 lots.

The existing driveway is approximately 30 feet from the Catalina Foothills School District driveway to the west (155 feet short of spacing requirement) and approximately 150 feet from a small office building containing a tax service and Wells Fargo Private Bank driveway to the east (35 feet short of the requirement). See **Figure 2** for existing driveway spacing.



Figure 2 – Existing Driveway Spacing

#### TRAFFIC COUNT DATA

Existing traffic data for River Road was obtained from the Pima Association of Government (PAG) Transportation Data Management System (TDMS), Location ID A-280. The data used in this report is from Wednesday, October 2, 2019.

The collected data on River Road shows the following daily and peak hour traffic volumes:

- Daily Traffic Volume 34,957 vpd
- AM Peak Hour (7:30am-8:30am) 2,942 vph
- PM Peak Hour (5:00pm-6:00pm) 3,227 vph

A copy of the collected data is found in Attachment 2.

The 2019 collected traffic volume is shown in Figure 3.

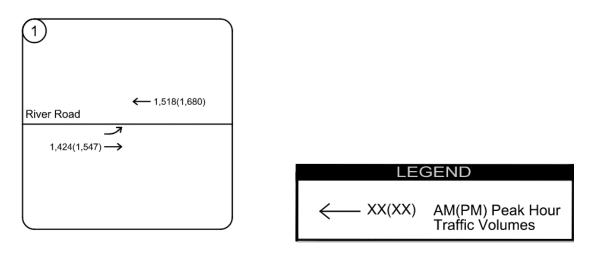


Figure 3 - Collected 2019 Traffic Volume

#### **Growth Rate**

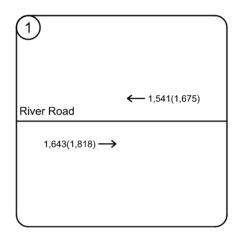
A growth rate was determined using PAG TDMS historic counts at two locations using data between 2016 and 2019. A growth rate of 2% is to be applied to the 2019 volume data to grow it to existing 2022 volumes; see **Table 1** for data and growth rates.

Table 1 - Growth Rates

Location ID A-280						
2016	G Rate					
31,490	34,957	40/				
31,595	35,405	4%				
Location ID PCS-34						
Loca	ation ID PC	S-34				
2018	2019	S-34 G Rate				

#### Background 2023 Opening Year Traffic Volume

The background 2023 opening year volumes were developed by applying the 2% annual growth rate to the 2019 historic counts; see the existing volumes in **Figure 4**.



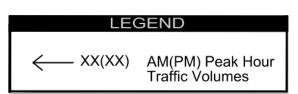


Figure 4 – Background 2023 Opening Year Traffic Volume

#### TRIP GENERATION

The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, was used to obtain daily and peak hour trip generation average rates and inbound-outbound percentages for the proposed land use. These rates were used to estimate the number of daily and peak hour trips attributed to the proposed development. Trip generation rates for the multifamily development landuse code are included in **Attachment 3**. For the multifamily development units, trips were calculated based on the number of dwelling units and using the average rate:

#### Multifamily Detached Housing (Trips per Dwelling Unit)

ITE Land Use 220: Multifamily detached housing

Daily rate: 6.74 trips / dwelling unit (50% in / 50% out)
AM peak rate: 0.40 trips / dwelling unit (24% in / 76% out)
PM peak rate: 0.51 trips / dwelling unit (63% in / 37% out)

The proposed single-family development is estimated to generate approximately **94** daily trips, with **6** trips occurring during the AM peak hour and **7** trips occurring during the PM peak hour. Trip generation totals are provided in **Table 2**.

**Table 2 – Trip Generation Summary** 

ITE Land Use	Intensity	Units Daily Total	Daily	AM Total			PM Total		
ITE Land USE			Total	In	Out	Total	In	Out	Total
220 – Multifamily Housing (Low-Rise)	14	Dwelling Units	94	1	5	6	4	3	7

#### **Trip Distribution**

Daily trips were distributed based on the surrounding roadway system, and existing land uses. **Table 3** shows the proposed trip distribution for the project.

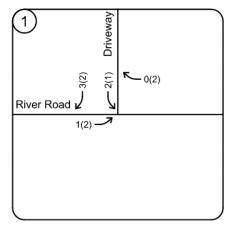
Table 3 - Trip Distribution

Direction	Percent To/From
East	50%
West	50%

#### Traffic Assignment

Trips generated by the development were assigned to the roadway network based on the trip distribution and likely travel patterns to and from the site.

Figure 5 shows the peak hour traffic assignment at the proposed development access in 2023.



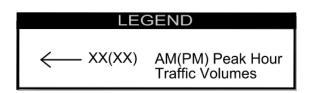
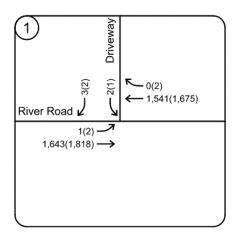


Figure 5 –2023 Assignment Traffic Volumes

#### **TOTAL TRAFFIC**

The background 2023 opening year traffic volumes were added to the 2023 project trip assignment to create 2023 total traffic volumes at the proposed access drive. Total 2023 peak hour traffic volumes are summarized in **Figure 6**.



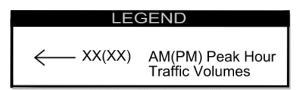


Figure 6 – 2023 Total Traffic Volumes

#### Time-of-Day Evaluation

The time-of-day evaluation looks at the AM and PM peak hour in and outflow at the development driveway and the driveways adjacent to the proposed multifamily development. On the west side of the development is a school administration building and on the east side is a Wells Fargo.

Based on the ITE trip generation and the land uses, the following percentages of peak hour volume are entering and exiting at each of the three driveways (school district office, multifamily development, and small office building).

LUC	<b>Location Relative to</b>	Al	М	PM		
LUC	Development	ln	Out	In	Out	
220 - Multifamily Housing	-	24%	76%	63%	37%	
528 - School District Office	30 feet West	76%	24%	17%	83%	
712 - Small Office Building	150 feet East	82%	18%	34%	66%	

The data shows the volume percentage during the adjacent street's peak hour, the AM peak (7:00am to 9:00am), and the PM peak (4:00pm to 6:00pm). This shows that the driveways on either side of the development have opposite in and outflows during the peak hour, which is expected to reduce the number of conflicts expected if they were to have the same peak in/outflows for each peak hour.

#### RIGHT TURN LANE WARRANT ANALYSIS

Right turn lane warrant analysis was completed for the proposed use of the existing access drive on River Road using the 2023 total traffic volumes. The analysis uses Appendix A-3 of the 2016 Pima County Subdivisions and Streets Development Street Standards. Based on the turning movement volumes in the 2023 total traffic volumes, a right turn lane is not warranted in either the AM or PM peak hour; see **Table 4** for volumes used in analysis and **Figure 7** for graph comparison.

Table 4 - Right-Turn Lane Analysis

Analysis		AM Peak Hour		AM	PM Peak Hour		PM Criteria	
Access Drive Year	Year	Major Road Volume (one direction) veh/ln		Criteria Met?	Major Road Volume (one direction) veh/ln	Right- Turn Vol	Met?	
River Road	2023	771	0	No	838	2	No	

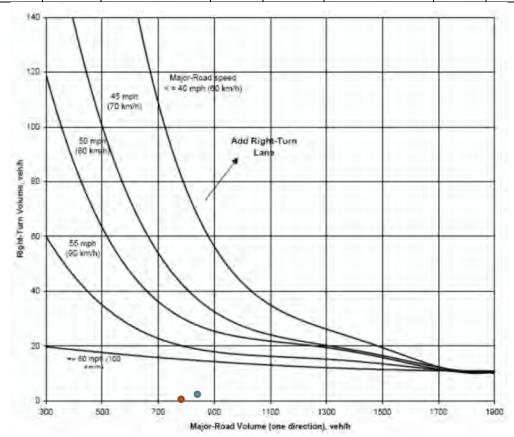


Figure 7 - Pima County Right-Turn Warrant

#### SHARED USE DRIVEWAY EVALUATION

The feasibility of a shared-use driveway was evaluated on both the west and east sides of the property. To the west is the Catalina Foothills School District building and on the east side is an office space owned by St Philips Plaza.

Access on the west side of the property via a shared-use driveway is not feasible because of existing overhead utilities. There is a utility pole that splits the property and a pad-mounted transformer that would need to be relocated, see **Figure 8**.



Figure 8 – Pima County Right-Turn Warrant

Exa Architects reached out to the neighboring development on the east side to discuss the possibility of a shared-use driveway.

The small office building driveway (east of the development) is part of St Phillip's Plaza. Per discussion with them, they are unwilling to allow apartment access through their driveway. In addition, the lease agreement with Wells Fargo prohibits them from making such changes and modifications. They went on to say they do not object to the development and are in favor of it but cannot entertain the easement.

Based on utility conflicts and discussion with the neighboring property, shared-use access at this location is not feasible; see **Attachment 4** for the adjacent property response.

#### SUMMARY OF FINDINGS AND RECOMMENDATIONS

The following is a summary of findings and recommendations.

The proposed multi-family development is estimated to generate approximately **94** daily trips, with **6** trips occurring during the AM peak hour and **7** trips occurring during the PM peak hour.

A westbound right-turn lane is not warranted on River Road per the 2016 Pima County Subdivisions and Streets Development Street Standards for the 2023 traffic volumes.

The developments will have an opposite influx of volumes during the peak hours. Multifamily housing has a majority of AM trips exiting and PM trips entering. In contrast, the school district

office and small office building have a majority of AM trips entering and PM trips exiting. This is expected to reduce the conflicts at the accesses.

The option of a shared-access was evaluated. A shared driveway with Catalina Foothills School District (west of development) is not feasible because of the utility conflicts along the property line. On the east side, St Philips Plaza owns the small office building and is unwilling to allow apartment access through their driveway but supports the development.

Based on the above findings and low peak hour volumes (AM peak 6 vph and PM peak 7 vph), it is recommended that the development uses the existing driveway being proposed on the west side of the property.

Pima County requested coordination with the City of Tucson prior to acceptance. The City of Tucson Department of Transportation and Mobility (DTM) has reviewed the results of the traffic study and the site plan, and the DTM does not expect any negative impacts on the surrounding roadway network. Email correspondence with the COT DTM is shown in **Attachment 5**.

#### **Attachments**

Attachment 1 - Site Plan

Attachment 2 - Traffic Counts

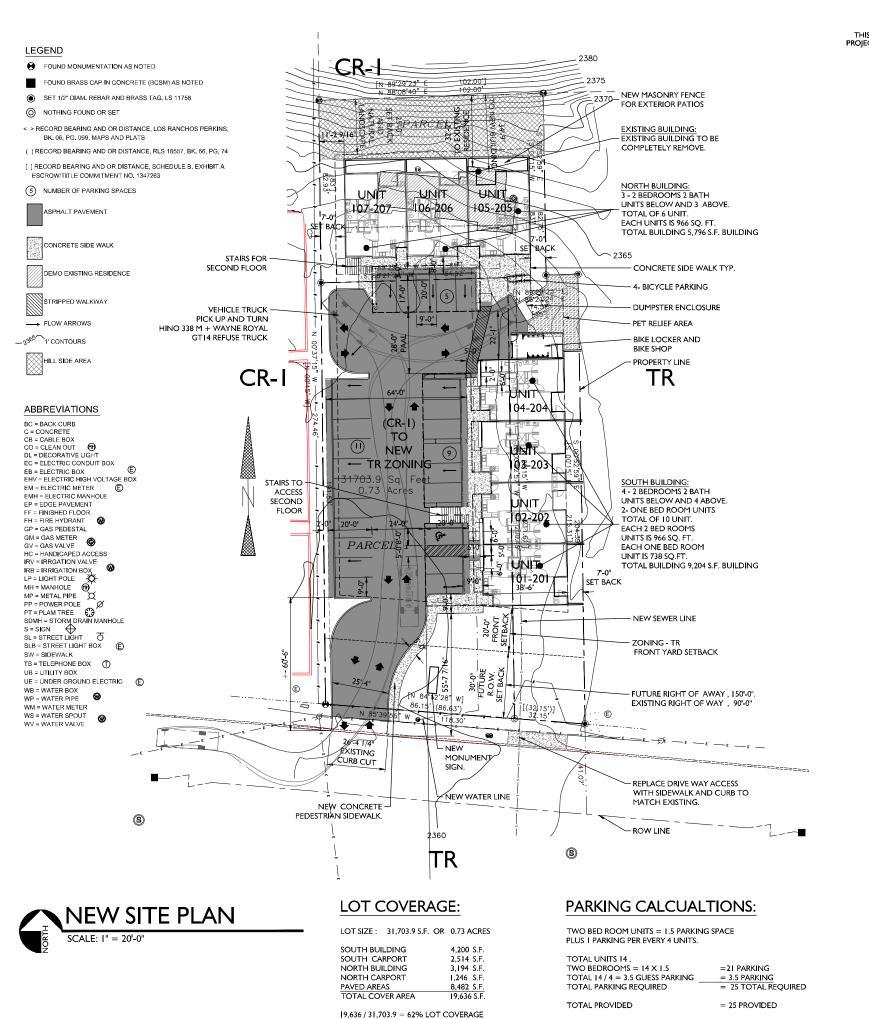
Attachment 3 – Trip Generation Calculations

Attachment 4 – Shared Use Driveway Response from Neighbor

Attachment 5 – City of Tucson Coordination

## Attachment 1 - Site Plan











#### **LOCATION MAP**

#### SCOPE OF WORK:

TWO NEW GROUND UP BUILDINGS. ONE IS A 10 UNIT BUILDING THE SECOND IS A 6 UNIT BUILDING, THIS WILL INCLUDE COVER

#### PROPERTY INFORMATION:

OWNER MAIL NAME AND ADDRESS: **EXA ARCHITECT INC** 

PROPERTY ADDRESS: 2013 E RIVER RD TUCSON AZ 85718

2017 F RIVER RD TUCSON AZ 85718

PROPERTY INFORMATION: PARCEL A NUMBER: 108-23-083A PARCEL B NUMBER: 108-23-0820 S/T/R: 13S 14E SECTION20

LEGAL DESCRIPTION: SUBDIVISION: LOT A SIZE: 17.313 SO.FT. LOT B SIZE: 16,649 SQ. FT. TOTAL= 33,962 SQ. FT.

ZONING: CR-I TO CONVERT TO TR

TR SET BACKS: FRONT 20'-0" REAR 25'-0" SIDES 7'-0" TWO STORY, 34'-0" MAX.

#### **CONTACTS INFORMATION:**

ARCHITECT:

EXA ARCHITECTS 4544 E CAMP LOWELL SUITE 146 TUCSON, AZ 85712 PHONE: \$20-877-3177 CONTACT: JOSE CEJA

#### **BUILDING SQUARE FOOTAGE:**

SOUTH BUILDING: EACH UNIT 966 S.F. 4 UNITS BELOW 4 UNITS ABOVE TOTAL 8 UNITS TWO STORY BUILDING 28'-0" TOP OF PARAPET ROOF LINE AT 24'-0" ABOVE FINISH FLOOR.

NORTH BUILDING: EACH UNIT 966 S.F. 3 UNITS BELOW 3 UNITS ABOVE TOTAL 6 UNITS 6X966 = 5,796 S.F. TWO STORY BUILDING 28'-0" TOP OF PARAPET ROOF LINE AT 24'-0" ABOVE FINISH FLOOR.

TOTAL SQUARE FOOTAGE: SOUTH BUILDING NORTH BUILDING S.F. S.F. 5.796 BIKE ROOM
TOTAL BUILDING S.F.

#### **BUILDING HEIGHT:**

HEIGHT LIMIT EXCEPTIONS. THE HEIGHT LIMITS OF THIS CODE SHALL NOT APPLY TO: BARNS, CHIMNEYS, CONVEYORS, CUPOLAS, DERRICKS, FLAGPOLES, PARAPET WALLS EXTENDING NOT MORE THAN FOUR FEET ABOVE THE HEIGHT LIMIT OF THE BUILDING, SILOS, SMOKESTACKS, POWER TRANSMISSION TOWERS, WINDMILLS, POWER TRANSMISSION POLES, AND VEGETATED ROOF SYSTEMS BEGINNING AT THE HEIGHT ABOVE THE WATERPROOF MEMBRANE SAFETY RAILINGS, ENCLOSED ACCESS STAIRWAY OR ELEVATOR WITH A MINIMUM TWENTY-FOOT SETBACK FROM ROOF EDGES, VEGETATIVE CONTAINERS, AND VEGETATION;

PLAN SIT

**PEQUE** 



Project: 22022 Date: 07.22.2022 Scale: Noted Sheet: