



Received by Civano Neighbors November 18, 2004

**CITY OF
TUCSON**
DEPARTMENT OF
URBAN PLANNING
AND DESIGN

Potential Amendments to the Civano 1 PAD

City of Tucson Urban Planning and Design Staff Response

On November 1, 2004 City staff met with members of the Civano Neighbors Leadership Team and various neighbors. The purpose of the meeting was to discuss potential amendments that could be made to the existing Civano Neighborhood 1 PAD that would be included in the revised Master Plan/PAD being created by Pulte Homes the current Master Developer as defined in the revised Development Agreement.

Staff has listed those items proposed by the Civano Neighbor's Leadership Group for change and has prepared its response to those said items. Both pro and cons have been added to assist the Neighborhood in this decision making process. Additionally Staff has also provided suggested wording that could be added to the current Neighborhood 1 PAD to facilitate these changes. A copy of the proposed PAD changes as they would be inserted into the existing document has been supplied and referenced.

Overall PAD Change

1. Incorporate all of Block 1, the southern portion of Block 2, and the southern portion of Lot 527 into the Neighborhood 1 PAD

Response: Pulte has bought 456 acres within the Civano Master Plan Development Area. 170 acres make up the current Neighborhood 1 community and approximately 54 acres comprise the proposed Commercial Pavilion. What remains are 138 acres that would not be covered by a PAD document. City Staff proposes adding those remaining 138 acres to Neighborhood 1. The acreage is comprised of Block 1, the southern portion of Block 2 and 527. Block 1 and southern portion of Block 2 would be placed within the Neighborhood edge district and coincide with the current densities and uses as referenced to in Exhibit 12. The southern portion of lot 527 would be placed within the Neighborhood Center District to reflect proposed development by the Doucette Company and also coincide with the densities and uses shown on Exhibit 12.

Pros-Places specific development and design criteria on parcels that currently would be left to be governed under the original Master Plan alone. It would also allow for a cohesive transition from Neighborhood 1 PAD into the proposed Sierra Morado PAD. These properties would come under the jurisdiction of the current HOA and CC&Rs. The approved Northridge development was annexed by Neighborhood 1 for the purpose of utilizing the pool facilities. Adding it entirely into Neighborhood 1 would also allow for input by the Neighbors into its architectural design prior to

construction. Currently the majority of Block 1 is set aside as natural open space and will continue to be open space in the proposed Master Plan/PAD document.

Cons-None

Suggested Solution: Amend the boundaries of the existing PAD to incorporate all of Block 1, the southern portion of Block 2 and 527 of Civano 1 Bk. 52, Pg. 34 of maps and plats. See revised pages 2 and 3 of Neighborhood 1 PAD.

Within Neighborhood Center District

2. Allow cars to back out of commercial/mixed use properties directly into the thoroughfare or parking lot.

Response: The PAD is the governing document for the development of all properties that lie within its boundaries. Where the PAD does not address an item then the development criteria falls back to the Land Use Code (LUC) and Development Standards. The PAD is mute on maneuvering of vehicles from private properties when developed for nonresidential uses, and thus reverts to the Land Use Code for requirements. LUC Sec. 3.3.7.5 states that **'a street or alley may not be used for maneuvering directly into or from any parking spaces located wholly or partially outside the public right-of-way, except for Residential Care Services with four (4) or fewer spaces provided, single-family residential development, mobile home dwellings, or duplexes on individual lots'**.

Pros-Allows more parking to be allowed on site freeing up on street parking for other uses.

Cons-Additional parking provided on the street enables higher density residential and non-residential uses to be built adding to the already congested situation that exists in the Neighborhood Center District.

Suggested Solution: Allow non-residential to use the street or alley rights-of-way (ROW) for maneuvering in and out of parking spaces. See pages 40 and 41 of Neighborhood 1 PAD.

3. Rezone parking lot to the east of the Neighborhood Center and add the parking spaces to the Commercial area parking pool.

Response: Currently individual non-residential uses are required to update the parking inventory that provides staff a record of how many parking spaces are available for use. Spaces east of the Neighborhood Center can only be counted toward the recreational facility. Allowing those parking spaces to be counted toward the non-residential parking count would increase the number of spaces available for use. The problem may not be the lack of parking for non-residential and high density uses but the lack of parking that appears to be provided for the resident's visitors. Instead allow those parking spaces to be designated as for recreational and visitor parking use only.

Pros-Provides additional parking for current and future non-residential uses.

Cons-Adding additional parking for non-residential and high density residential uses enables more of these uses to be built adding to the already congested situation that exists in the Neighborhood Center District.

Suggested Solution: Another option might be to allow those parking spaces to be designated for recreational and visitor parking use only. See page 40 of Neighborhood 1 PAD.

4. Define Residential Use Group (mixed-use) as having any long term “resident” rather than “owner occupied”

Response: The definition of Home Occupation is clear per LUC Sec. 6.2.8. It reads ‘**Home Occupation-a land use activity carried out for financial gain by a resident, on the resident’s property, conducted as a secondary use to the Family Dwelling use on the property**’. Any other non-residential use proposed on a property that is not resident occupied cannot be considered a home occupation. Where problems arise is when an existing residential structure is proposed to be altered or retrofitted for a non-residential use and must now be subjected to the commercial building code and ADA requirements. Within the Master Plan and Revised Development Agreement there is reference made to live/work being required yet the PAD does not provide a definition. Is this merely a home occupation or is it an expanded version of the a home occupation merely by the allowed uses such as retail and perhaps greater square footage set aside for the use? Because the LUC does not address this reviewers can only speculate as to its meaning. A clear definition of live/work should be added to the PAD document. What that definition is should be constructed by the Civano 1 Neighborhood and provide to staff for addition to the PAD revisions.

Pros-Provides information as to what type of review is necessary for project completion. Indicates what exactly a live/work is to assist in the review process.

Cons-none

Suggested Solution: Modify the PAD by adding definitions and indications within the PAD document when commercial compliance to the building code is required and to clarify the meaning of live/work within the community of Civano. See pages 29, 30-33 of Neighborhood 1 PAD.

5. Change maximum residential density to allow more units in low rise (1 to 2 story) apartments

Response: Currently within the PAD Maximum Residential Density reads ‘**44 du per acre. As per development agreement, low-rise apartments (1 and 2 story) shall not exceed 22 units per acre and mid-rise apartments (3-4 story) shall not exceed 44 units per acre**’. This tends to force the development of mid-rise development to gain the desired density to maximize a builder’s cash flow. For example a lot that is 3606 square feet in area would be allowed to build 3 total units only if the building was 3 to 4 stories at 44 du per acre as opposed to only one unit as a 1 to 2 story building under 22 du per acre.

Pros-Allows a person to maximize their return and provide multi-family options within the Neighborhood Center District without having to go beyond 2 stories depending on design. Currently there are many 2-story units within the District

thus allowing these units to blend in with the existing neighborhood. Reducing the projected heights may also provide benefits to surrounding homeowners by way of solar access to panels on existing roofs.

Cons-Permitting higher density to be constructed may increase traffic and compound existing parking problems within the District. Increasing the density may also encourage the construction of taller structures to gain even more units on small lots since the allowed building heights within the PAD would remain the same (40 feet). Staff would suggest that building heights also be reviewed by the Neighbors and consider changing them as well.

Suggested Solution: Modify Current PAD document by removing wording within the Neighborhood Center District that only allows higher density of 44 RAC to occur for buildings that are 3-4 stories in height. In addition heights allowed within the Neighborhood Center District is decreased from forty (40) feet to thirty (30) feet with cooling towers, wind catchers, chimneys, and other vertical extensions being limited to fifty (50) feet in height. See page 30 of Neighborhood 1 PAD.

6. Allow community approved signs for home based mixed-use and commercial businesses.

Response: Currently the City has within its Sign Code a section that addresses signage within 'Special Districts' or PADs.

Tucson Sign Code

Sec. 3-42. Special district.

A comprehensively planned development approved by ordinance by Mayor and Council. The development may combine commercial, administrative, professional, residential, business, and other compatible land uses to create an internally oriented, high-intensity, mixed use activity center.

Sign plans proposed in planned area developments and redevelopment plan areas will be reviewed for consistency with qualitative plan objectives and approved by the city planning director prior to issuance of a sign permit.

The maximum on-site sign area shall be three (3) square feet per foot of street frontage. For developments having more than one (1) street frontage, the maximum allowable number and square footage of on-site signs are permitted for each street frontage. The maximum allowance, however, is not transferable either in whole or in part from one street frontage to another, except as provided in subsection (i).

Within the boundaries of the special district, signs are permitted as follows:

(a) Awning signs.

(b) Banners: Building and curbside.

(c) Freestanding signs: One (1) per building or cluster of buildings (when located on the same lot) per street frontage to be located at the building's street frontage.

The allowance for freestanding signs is not transferable either in whole or in part between street frontages, buildings or lots within the district.

(d) Directory signs: One (1) per five (5) acres of complex with one (1) additional directory sign per each additional five (5) acres of complex.

(e) Project identity entrance signs: Located at major street entrances to the district:

(1) Two (2) signs integrated with landscaping:

a. A maximum of one (1) face per sign;

b. A maximum of one hundred (100) square feet per sign; or

(2) One (1) sign if not integrated with landscaping:

a. A maximum of two (2) faces per sign;

b. A maximum of one hundred (100) square feet per face.

- (3) *Maximum height: Ten (10) feet measured from the average top of curb of adjacent streets.*
- (f) *Real estate signs: All types. Does not count against otherwise allowable signage area.*
- (g) *Temporary signs.*
- (h) *Traffic directional signs.*
- (i) *Wall signs: No more than thirty (30) percent of the area of each wall.*
- (1) *Any portion of wall sign allowance for a building may be transferred from one street frontage to another for wall sign usage on that specific building.*
- (2) *The allowance for wall signs is not transferable between buildings or lots within the district.*
- (3) *The total square feet of wall sign area for a building may be allocated by the building owner among the tenants of a building.*
- (4) *Tenant identification signage to be placed only on a sign band as delineated in building elevation drawings approved with the related development plan. The sign band shall not be located more than three (3) stories above the average finished grade at the building line, except as provided in subsection (i)(5).*
- (5) *Building and/or tenant signage may be placed within discernible parapets. (Ord. No. 6737, § 2, 7-6-87; Ord. No. 6867, § 1, 2-22-88; Ord. No. 7455, § 3, 8-6-90; Ord. No. 7768, § 10, 4-6-92; Ord. No. 9537, § 5, 5-14-01)*
- Editor's note: It should be noted that the provisions of Ord. No. 9537 are effective June 21, 2001.*

Under LUC Sec. 3.5.7.2.I under Home Occupation reads- **'No more than one (1) sign may be visible from the exterior of the property uses as a home occupation. The sign shall not exceed one (1) square foot in size'**.

The City's Attorney's Office is considering amending the Sign Code Special District to allow individual PADs to write their own criteria for placement, design, and size of signs. At this point in time this has not been presented to the Mayor and Council. In other recent PADs approved by the Mayor and Council wording has been added to the PAD document that would allow different criteria when and if the Sign Code is amended. This language could be added to the overall Master Plan/PAD being developed by Pulte Homes or placed within the individual sections within the document.

Pros-allows for flexibility and relief from current sign code requirements allowing a PAD to produce a more unique design and allows the neighborhood to incorporate and reaffirm their sense of place.

Cons-The new portions of the PAD fall within the Scenic Corridor Zone, which also has a separate section within the Sign Code. This would not affect Neighborhood 1 since it was built prior to the establishment of the Scenic Corridor along Houghton Road.

Suggested Solution: Modify PAD to incorporate wording to allow changes to sign requirements once the City of Tucson Sign Code is amended. See page 43 of Neighborhood 1 PAD.

Within Neighborhood Edge District

7. Allow community approved signs for home based businesses.

Response: See response, pros, and cons to sign issues in Neighborhood Center District (No. 6).

Within Neighborhood General District

8. Allow community approved signs for home based businesses.

Response: See response, pros, and cons to sign issues in Neighborhood Center District (No. 6).

If you have any questions concerning these responses please contact Karol Aragonéz, Lead Planner, Department of Urban Planning and Design or Roger Howlett, Principal Planner, Department of Urban Planning and Design at 791-4505.