



PIMA COUNTY

DEVELOPMENT SERVICES

DATE: July 6, 2016

TO: BOARD OF ADJUSTMENT District #3

FROM: Elva Pedregó, Assistant Executive Secretary

SUBJECT: **P16VA00014 RIO HOSPITALITY LLC – N. ORACLE ROAD**
Scheduled for public hearing on July 18, 2016

LOCATION:

The subject parcel is located approximately a third of a mile north of River Road, on the west side of North Oracle Road.

SURROUNDING ZONING / LAND USES:

North	CR-4	Developed
West	CR-4	Developed
South	City (C-1/C-3/O-3)	Developed
East	CR-4 & CR-5	Developed

PUBLIC COMMENT:

No written comments – one phone call protesting the request

PREVIOUS CASES ON PROPERTY:

None

REQUEST:

The applicant requests the following **variances**:

1. **To increase the maximum height for a non-residential structure to 55 feet.** Sections 18.21.030E1 and 18.31.040D1 of the Pima County Zoning Code restrict the maximum height to 34 feet;
2. **To increase the maximum number of stories to 4.** Sections 18.21.030E2, 18.31.040D2 and 18.31.040D4 of the Pima County Zoning Code restrict the maximum number of stories to 2;
3. **To reduce the minimum width for the HDZ bufferyard requirement to 10 feet.** Section 18.61.054I3 of the Pima County Zoning Code requires a Hillside Bufferyard in conformance with the Hillside Development Manual; minimum width required is 20 feet.

TRANSPORTATION AND FLOOD CONTROL REPORT:

No comment

BACKGROUND:

The subject property is the only property along the west side of Oracle Road that has yet to be developed. There is an existing Dental Village to the southeast of the site but this parcel has



remained vacant thru the years. The immediate area is comprised of both high and low density residential with some commercial along Oracle Road.

The owners of the property, Rio Hospitality Inc. would like to build a 4-story hotel on the site. The TR zone permits a hotel while the CR-1 portion would have to go thru a rezoning to TR to allow the use. Since both zones limit the number of stories to 2 and the height to 34 feet, the owners thru their agent have asked for a variance from these requirements along with relief from the 20 foot wide HDZ bufferyard requirement.

The applicant states "These variances are necessary in order for the planned hotel building and site improvements to take place. Given the limited width of the developable portion of the property, even with the planned wash encroachment which is already approved by the Regional Flood Control and by FEMA, the hotel must "go up" to achieve the number of rooms necessary for viability, as the bufferyard must be reduced to accommodate the hotel footprint & necessary site improvements". He further states the location is very suitable for a medium height hotel since it is on Oracle Road, a state route, the major commercial arterial in the region and close to downtown.

RECOMMENDATION:

Staff recommends **APPROVAL** of the variance requests. The property is highly constrained with the Pima Wash running along the west portion of the site. The wash area will remain CR-1, will be for the most part, undisturbed (bank protection will be required) and remain a natural buffer between the proposed development and the Pueblo Villas Townhomes to the west. The natural open space preserves the wash, and floodplain. Currently, the view from the Pueblo Villas Townhomes to the east is already obstructed by either mature natural vegetation or the concreted retaining wall that is approximately 15 to 20 feet high from the existing grade on Oracle Road.

Since the HDZ bufferyard requirement is triggered by the slopes created by the Pima Wash at the rear of the site, providing a 10' landscape bufferyard is acceptable to staff and would be consistent and even exceed what is existing on some of the other commercially developed properties to the south.

Staff finds the hardship arises from a physical condition that is peculiar to the property, is not a self-created hardship, the variance is the minimum to afford relief and does not allow a use which is not permitted by the code.

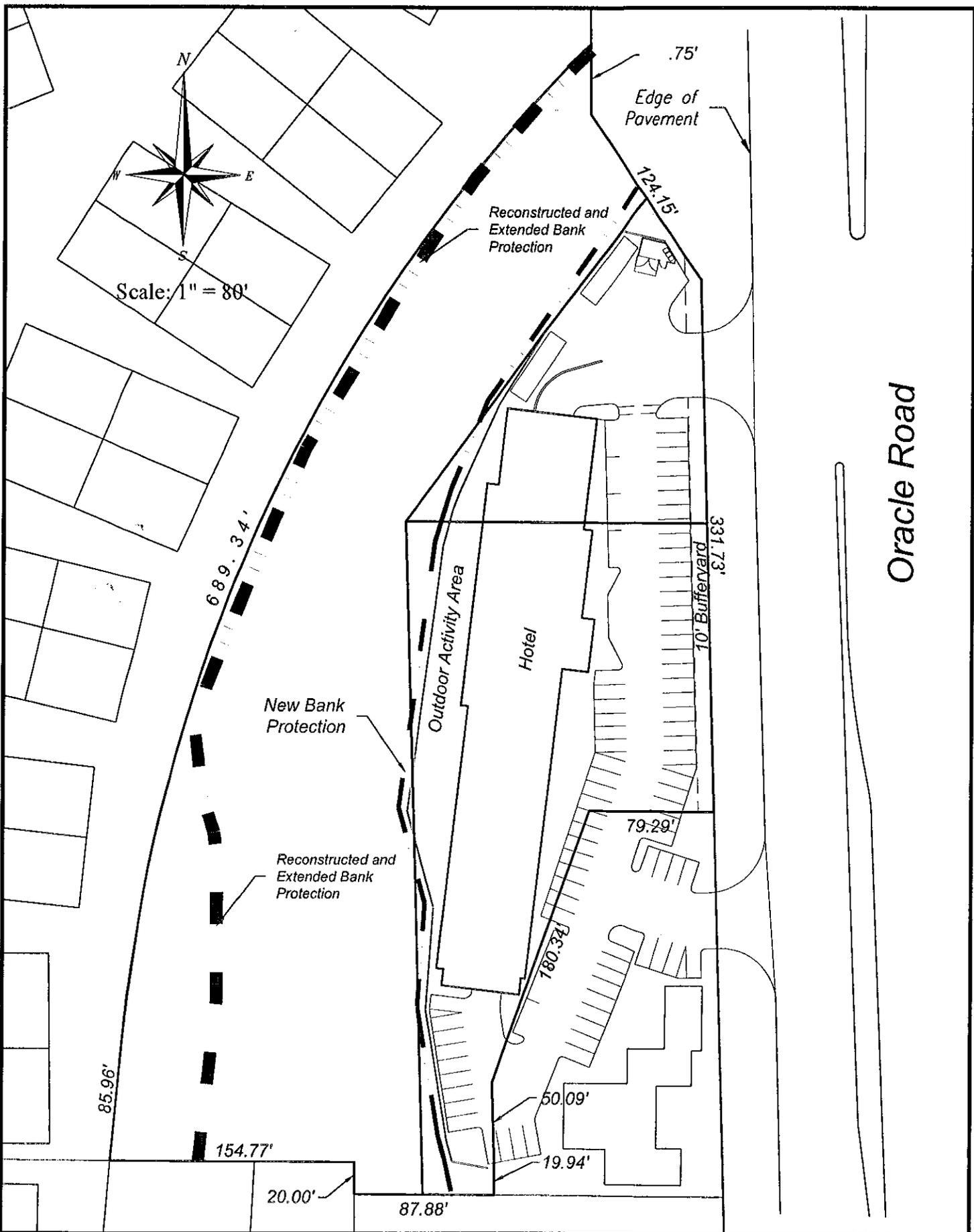


PIMA COUNTY

DEVELOPMENT SERVICES

Standards that must be considered by a board of adjustment when considering a variance request include:

1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;
4. The variance is the minimum necessary to afford relief;
5. The variance does not allow a use which is not permitted in the zone by the Code;
6. The variance is not granted solely to increase economic return from the property;
7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;
8. The variance is in harmony with the general intent and purposes of the Code and the provision from which the variance is requested;
9. The variance does not violate State law or other provisions of Pima County ordinances;
10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;
11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;
12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.



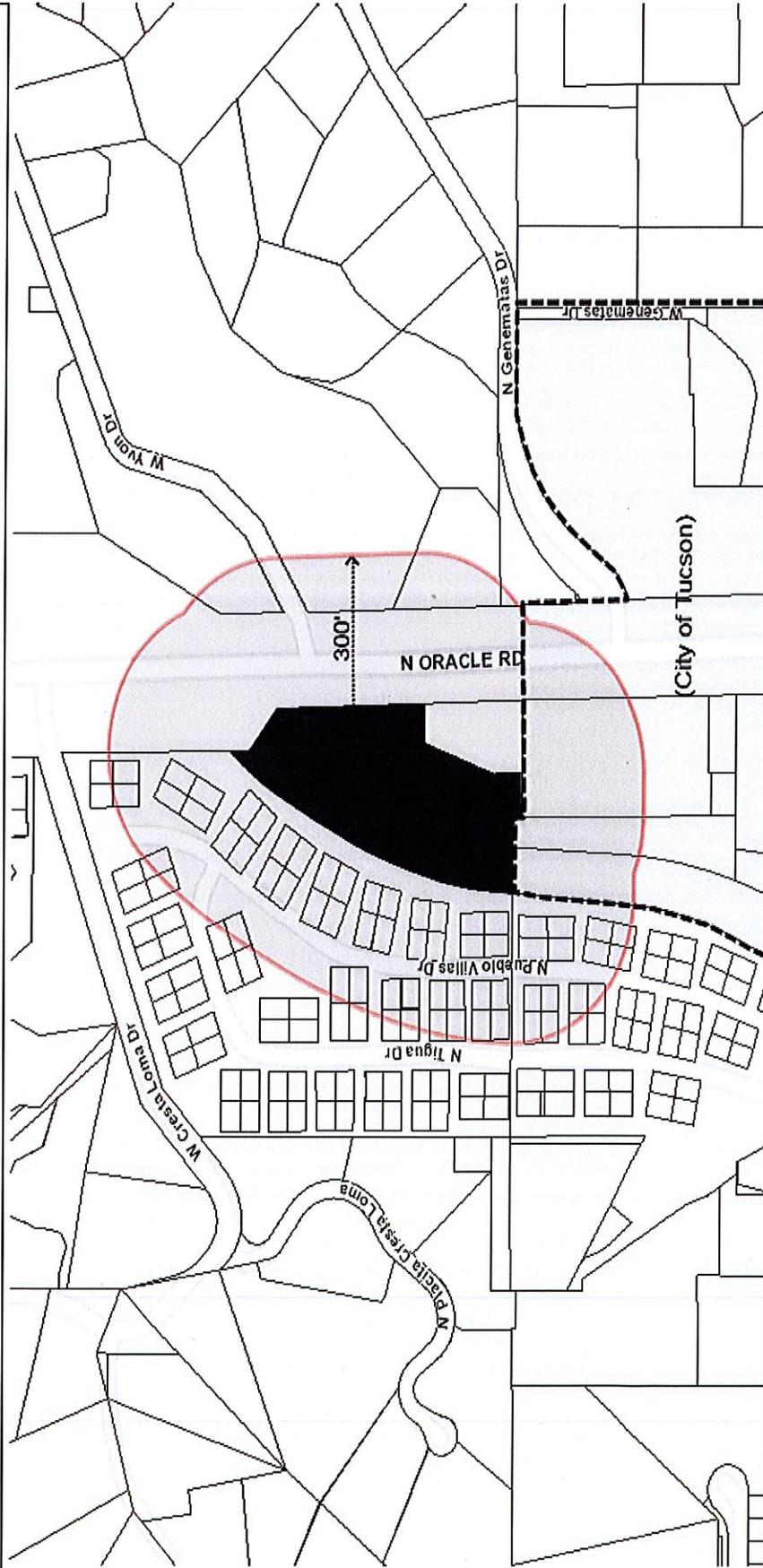
MJM CONSULTING, INC.
 Land Planning and Development Services
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

Rio Hospitality, LLC Oracle Rd. Hotel
 Parcel 105-05-023F
 S 14, T13S, R13E, Pima County, Arizona

Variance Application
 Site Plan

NOTIFICATION MAP

RIO HOSPITALITY LLC—N. ORACLE ROAD



LEGEND

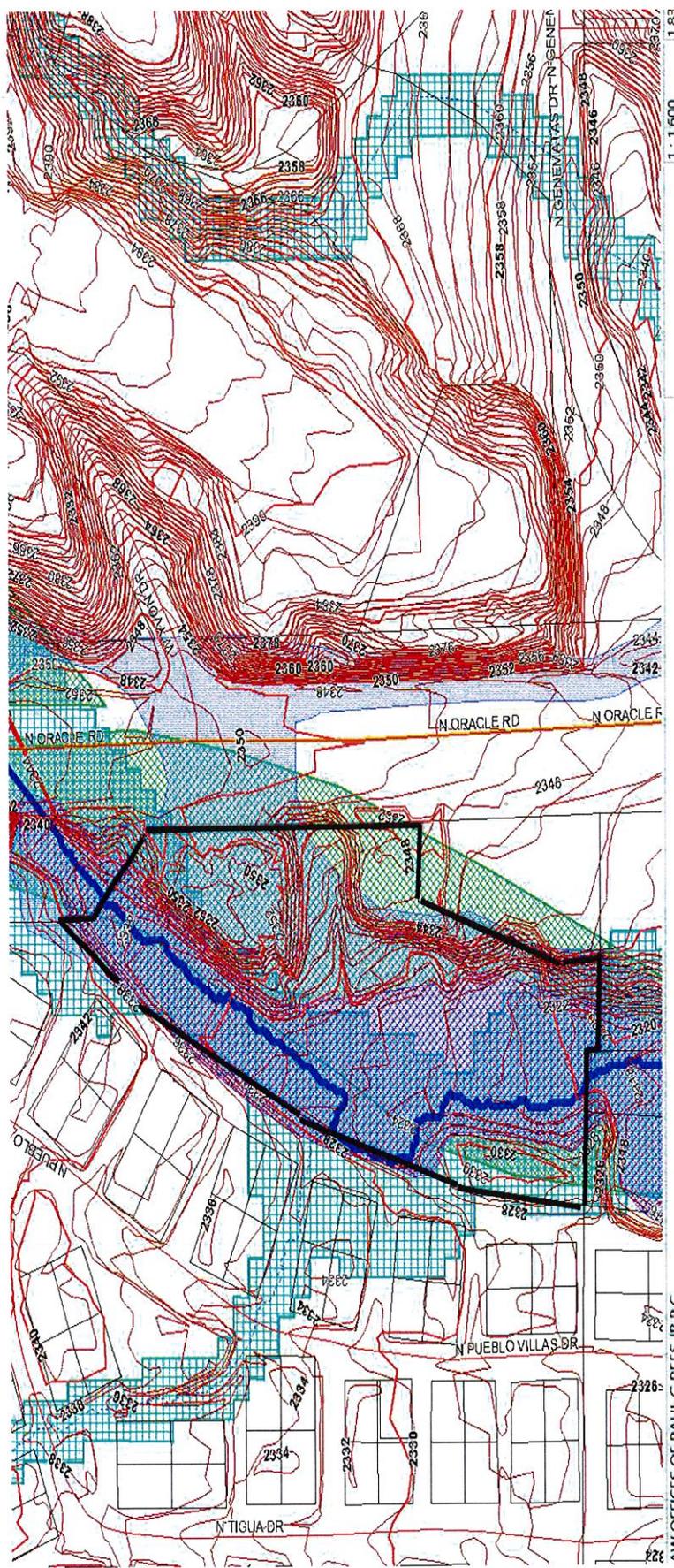
-  Petition Area
-  Notification Area

NOTES

File no.:	P16VA00014	Tax Code(s):	105-05-023F
Application:	VARIANCE	Base Map:	46
		Drafter:	A.H.



6/10/2016



AW OFFICES OF PAUL G REES JR P C

- Floodplain
- FEMA Floodway
- FEMA Digital FIRM - Flood Hazard 2c
- Sheet Flooding Areas - DS/Flood
- Floodplain - Special Studies Floodplain I
- Erosion Hazard Setback Areas
- Local Floodplain Flow Corridors - DS
- Special Studies Floodplain Delineat
- Jurisdictions
- City Limits
- Green Valley Planning Boundary
- Indian Nations
- Parks and Rec. - Federal, State and C
- Protected Lands in Pima County - Shi
- Lighting Code - Maroon
- Military Electronic Range Protection Area
- Riparian Habitat - Pima County Ord. 2005
- Springs - Pima County Ord. 2005-FC2
- Riparian Habitat - Pima County Ord. 21
- Riparian Habitat - Pima County Ord. 21
- Riparian Habitat - Pima County Ord. 21
- Sanitary Sewer
- Sanitary Sewer Basins
- Sanitary Sewer Service Areas
- Town of Marana Sanitary Sewer Smor
- Stormwater Retention Areas - AZPDES
- Subdivisions
- Supervisor Districts

- Washes
- Washes - All
- Unknown Discharge
- 100-500 CFS
- 500-1000 CFS
- 1000-2000 CFS
- 2000-5000 CFS
- 5000-10000 CFS
- Over 10000 CFS
- Washes Greater Than 10000 CFS

P16VA00014



Variance Application

Revised 12/2013

(Please print or type) **NO PENCIL**

Property Owner: Rio Hospitality LLC Phone: 202-4000

Owner's Mailing Address: 10150 N. Oracle Rd City: Oro Valley Zip: 85704

Authorized Representative: Michael Marks Phone: 241-8876

Rep's Mailing Address: 7002 E. 4th St City: Tucson Zip: 85710

Property Address: 5245 N. Oracle Rd City: Tucson Zip: 85704

Tax Code Number(s): 105-05-023F Zone: TR+CR-1

Does the subject parcel have an active building or zoning code violation? No

Owner or Applicant's Email Address: mjmconsulting@cox.net

I, the undersigned, swear that all the facts in this application are true to the best of my knowledge, that I will appear in person at public hearing to present the request, that I have read and understood the board of adjustment guidelines and procedure for granting a variance, and that I am able and intend to apply for all necessary county permits for construction and use of the property within nine months of receiving an approval of my variance request.
Signature: Michael Marks Date: May 24, 2016

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

*****FOR OFFICE USE ONLY*****

Case Title: _____ Co10() _____
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) _____ of the Pima County Zoning Code which requires _____

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY _____ DATE ____/____/____.

PI6VA00014

May 25, 2016

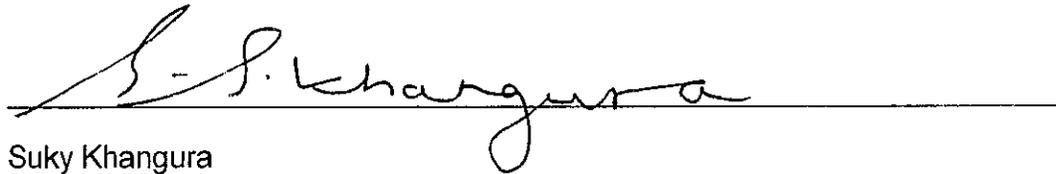
Tom Drzazgowski, Principal Planner
Pima County Department of Development Services -
Planning Division
201 N. Stone, 2nd Floor
Tucson, AZ 85710

Re: Rio Hospitality LLC Hotel Project on Oracle Road and near River Road

Mr. Drzazgowski:

Please consider Michael Marks, AICP of MJM Consulting, Inc. as duly authorized to act on behalf of the ownership in processing a variance application for the property on the west side of Oracle Road and approximately 1300 feet north of River Road, i.e. Parcel 105-05-023F. Thanks.

Sincerely,

A handwritten signature in cursive script, reading "S. S. Khangura", is written over a horizontal line.

Suky Khangura
Manager of the Rio Hospitality LLC

May 24, 2016

Mr. Tom Drzazgowski, Principal Planner
Pima County Department of Development Services –
Planning Division
201 N. Stone Ave, 1st Floor
Tucson, Arizona 85701

Re: Rio Hospitality Oracle Road Hotel Variance

Dear Mr. Drzazgowski:

I am hereby submitting an application for four variances affecting Parcel 105-05-023F, located on the west side of Oracle Road and approximately 1300 feet north of River Road. This property is currently vacant but is the subject of plans for a hotel. The owners of the property, i.e. Rio Hospitality LLC, are the owner/operators of two hotels in the Tucson region, one a Holiday Inn on Wetmore Road just west of 1st Ave, and the other a Fairfield Inn on Oracle Road in Oro Valley. A third hotel is being planned in Marana. They also own and operate hotels in the Phoenix area and elsewhere. They are very excited about the project planned for the subject property which has already been approved by Marriott for a brand hotel.

The subject property is partially zoned TR and partially zoned CR-1. The TR zoning permits the hotel. The proposed hotel footprint falls mostly on the TR zoned land but extends onto a portion of the CR-1. As a result, a rezoning will be processed for this area of the property. Talks with staff about which comes first, the rezoning or the variance, have been held and the recommendation we are following is that the variance will come first. Thus this variance application is now being submitted. The rezoning application will be submitted shortly.

Included with the Application is a package of Map Exhibits. Exhibit #1 is a Location Map. Exhibit #2 is the Zoning Map, which identifies the area with existing TR zoning to remain, the area with existing CR-1 zoning to remain, and the area which will be rezoned from CR-1 to TR. Exhibit #3 is the Topography Map which highlights those slopes which are 15% or greater per the Zoning Code definition in Section 18.61.030.A1, and as a result the HDZ applies, which is relevant to Variance Requests 2 & 4.

The Site Plan is labelled as Exhibit #4. It shows the proposed Hotel footprint, the surface parking (with additional parking under the hotel), the landscape bufferyards, the access points, and the Pima Wash & bank protection locations. Exhibit #5 is an Aerial Photo of the subject property and adjacent properties. Separately an 11 x 17" Building Elevation Exhibit is enclosed, showing the four story structure and the building heights to the top of roof and to top of parapets.

The TR Zoning Ordinance contains several Code Sections which limit building height below that which is being proposed. Three of the variance requests involve adjustments to these regulations so that the project be allowed the building height and number of stories as proposed. The fourth variance relates to the bufferyard along Oracle Road.

Tom Drzazgowski
Rio Hospitality – Oracle Rd Variance

Page 2
May 24, 2016

The four variances are described in summary below:

1. Increase the maximum height in TR for Nonresidential uses, per Zoning Code Section 18.31.040.D.1, from 34 to 55 feet.
2. Increase the maximum number of stories in TR, per Zoning Code Section 18.31.040.D.2 which applies to properties that are affected by the Hillside Development Zone, from 2 to 4,
3. Increase the maximum number of stories in TR, per Zoning Code Section 18.31.040.D.4 which addresses properties that are conditionally approved, from 2 to 4, as a portion of the subject property is planned to achieve conditional TR approval status by the planned rezoning.
4. Reduce the width of the Oracle Road Bufferyard from 20 to 10 feet, per Zoning Code Section 18.61.054.I.3 which applies if the property is affected by the HDZ.

These variances are necessary in order for the planned hotel building and site improvements to take place. Given the limited width of the developable portion of the property, even with the planned wash encroachment which is already approved by the Regional Flood Control and by FEMA, the hotel must 'go up' to achieve the number of rooms necessary for viability, as the bufferyard must be reduced to accommodate the hotel footprint & necessary site improvements. The Pima County Zoning Code is closed to any such building height in any zone other than an industrial zone which would not be appropriate on the subject property. Nonetheless, if there is any location that would be suitable for such height it is the subject property, lying on a State Route, the singularly most important commercial corridor in northwest Tucson, and situated to serve both the Tucson Mall mini-market and the downtown Tucson market.

None of these variance requests are needed due to a Zoning or Building Code violation.

Additional material is provided herewith to further explain and argue in favor of this variance case. Should you have any questions please let me know. Thank you.

Sincerely,



Michael Marks, AICP
President



Oracle Road



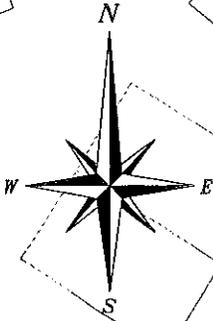
River Road

Scale: 1" = 400'

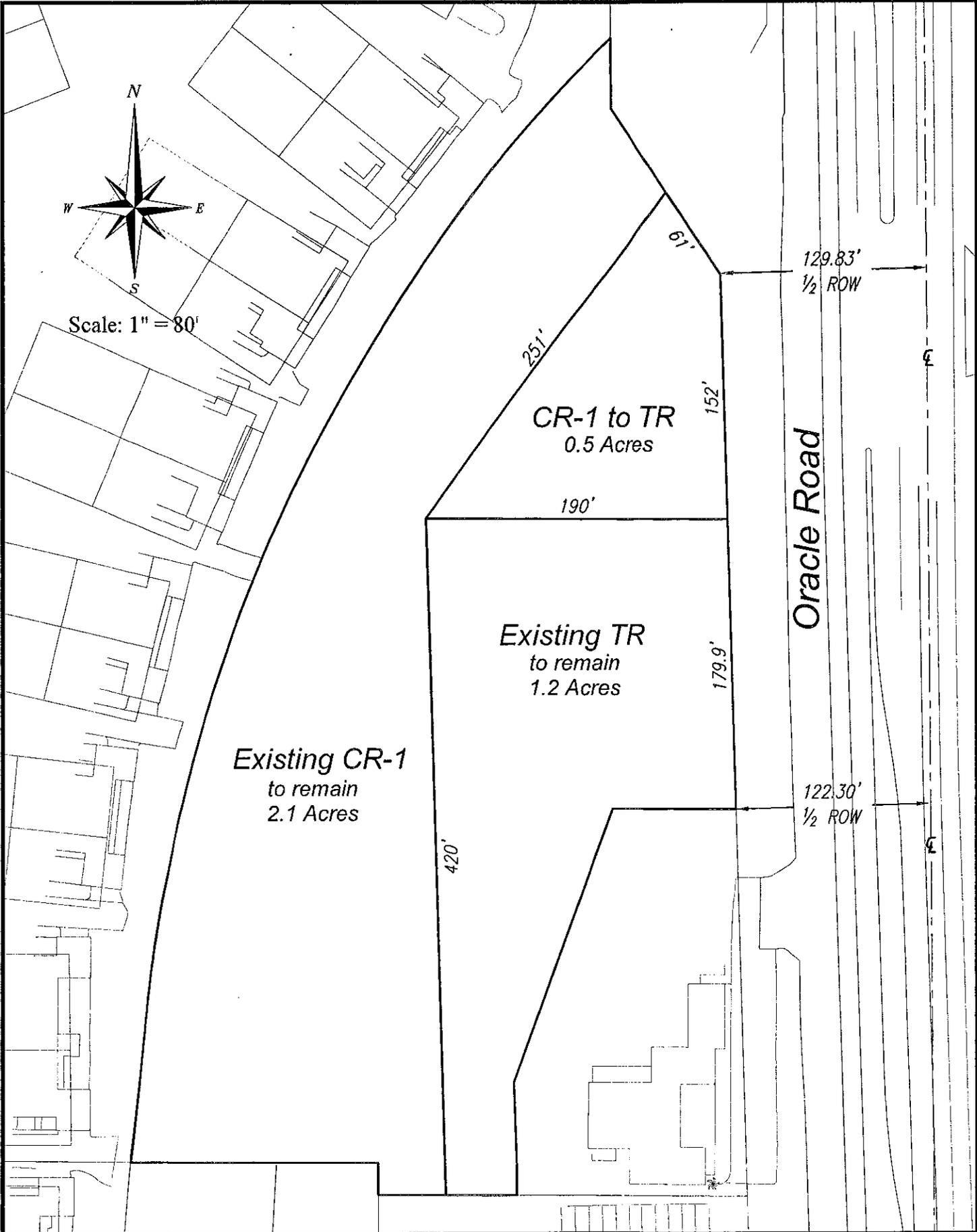
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Rio Hospitality, LLC Oracle Rd. Hotel
 Parcel 105-05-023F
 S 14, T13S, R13E, Pima County, Arizona

Variance Application
Exhibit #1
Location Map



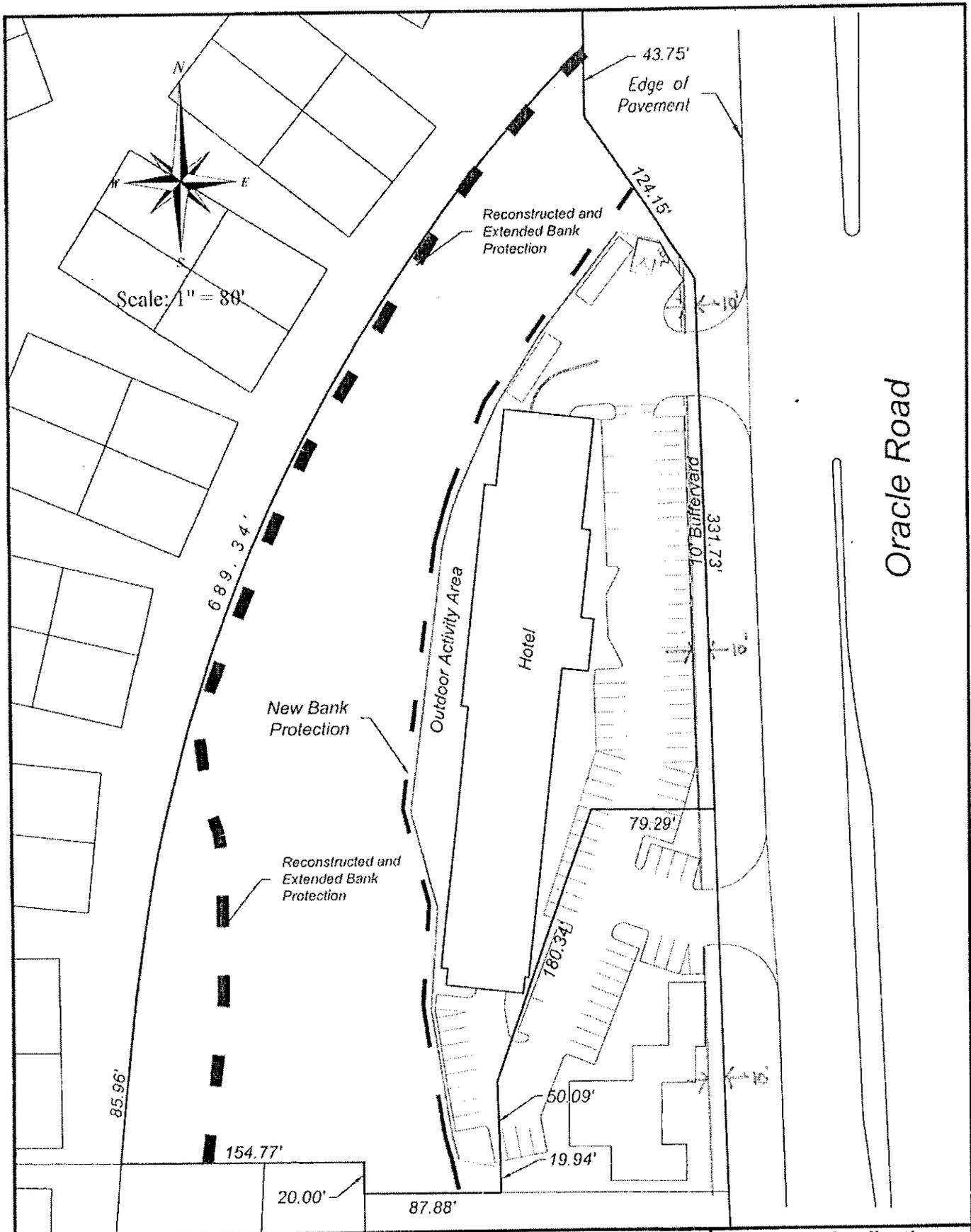
Scale: 1" = 80'



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Land Planning and Development Services
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Rio Hospitality, LLC Oracle Rd. Hotel
Parcel 105-05-023F
S 14, T13S, R13E, Pima County, Arizona

Variance Application
Exhibit #2
Zoning Map



MJM CONSULTING, INC.
 Land Planning and Development Services
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-685-5021

Rio Hospitality, LLC Oracle Rd. Hotel
 Parcel 105-05-023F
 S 14, T13S, R13E, Pima County, Arizona

Variance Application
Exhibit #4
Site Plan

Legend:

- ① Subject Property
- ② Dental Village Parcel
- ③ Office Project
- ④ Restaurant Parcel
- ⑤ Fiesta Plaza
- ⑥ Pueblo Villas



ATTACHMENT A

To the Rio Hospitality LLC Oracle Rd Hotel Variance Application

1. **THE MAXIMUM HEIGHT FOR NON-RESIDENTIAL STRUCTURES IN TR**

THE ZONING SECTION: 18.31.040.D1

THE REQUEST: This is a request to increase the maximum height from 34 feet to 55 feet. The planned hotel has a height of 45' 6" to the top of the roof, and several parapet heights above that with the tallest one being 13.5 feet. The top of the tallest parapet is 59' tall but officially it is measured as 55 feet tall, as the uppermost 4 feet of the parapet is not included in the official count per Zoning Code Section 18.07.050.H.1.

THE EXPLANATION AND JUSTIFICATION: The TR zone is one of the key zones that allows the hotel use. The Pima County Zoning Code also allows the hotel use in the CB-1 & CB-2 zones, but limited to 39 feet of building height. Not until the CI-1 zone does the allowable height for a hotel increase to a suitable height, i.e. 64 feet. Based on all of these facts one could say that the Pima County Zoning Code is antiquated as far as hotel building height is concerned, or is unfriendly or unaccommodating to hotels as they are commonly designed in the modern period. The 4-story design is very common in today's hotel market. It would be ideal if the Code could be modified to accommodate the hotel industry needs, but short of that a variance is needed unless there is a rezoning to CI-1. That rezoning would be considered inappropriate and out of sync with the Area Plan. The variance is the best process for addressing this matter. At the traditional variance level I should add that the property does present a hardship given the narrow width, making it necessary to build additional height as opposed to spreading the project out. But this property is also very suitable for a medium height hotel since it is on Oracle Road, a State Route and the major commercial arterial in the region, and so close to downtown Tucson.

2. **THE MAXIMUM NUMBER OF STORIES IN TR FOR NON-RESIDENTIAL USES #1**

THE ZONING SECTION: 18.31.040.D2

THE REQUEST: This is a request to increase the allowable number of stories from 2 to 4.

THE EXPLANATION AND JUSTIFICATION: The Code Section applies since the subject property does contain select slopes of 15 or greater percent. These slopes are generally along the east bank of the Pima Wash, a wash that was shifted and moved and encroached into due to the construction of Oracle Road and of the Pueblo Villas Townhomes. In any event these slopes are not visible from Oracle Road where the public would be looking through the site. Regardless of the history of these slopes, the site is not on a hillside but rather the slopes are from the Oracle Road grade down to the Pima Wash floor. There are no HDZ objectives that are being challenged by this request. The increase from two to four stories is considered necessary to produce a modern style hotel. Four stories is actually common in the current age of hotel construction. It should be added that the grading to take place from Oracle Road to the already approved bank protection line will result in a relatively level building pad that will not appear to be a 'hillside'.

3. **THE MAXIMUM NUMBER OF STORIES IN TR FOR NON-RESIDENTIAL USES #2**

THE ZONING SECTION: 18.31.040.D4

THE REQUEST: This is a request to increase the allowable number of stories from 2 to 4.

THE EXPLANATION AND JUSTIFICATION: The Code Section applies since the subject property in part will be the subject of a conditionally approved TR rezoning. The Code states that any more than 2 stories must be specifically approved during a rezoning. Staff has determined that this approval can be granted by the Board of Adjustment even though the Code speaks to the Board of Supervisors. In any event this section applies since approximately one half acre will be rezoned from CR-1 to TR. The hotel on the existing TR zoned property does not need such a variance. The justifications for an increase from 2 to 4 stories expressed in Item #2 apply here, too.

4. **THE WIDTH OF THE LANDSCAPE BUFFERYARD ALONG ORACLE ROAD**

THE ZONING SECTION: 18.61.054.I3

THE REQUEST: To reduce the minimum bufferyard width from 20 to 10 feet.

THE EXPLANATION AND JUSTIFICATION: The Code Section applies since the HDZ applies due to the site containing select slopes of 15 or greater percent. Without HDZ applicability the Landscape Ordinance would require a Bufferyard D which would allow a 10-foot option. This is the width of the bufferyard previously approved for the subject property in connection with an old office project Development Plan. The bufferyard width on other properties southerly to River Road range from 0 to 5 feet. Consequently, the 10 foot bufferyard planned for the subject property would be the widest one and would stand out in the depth and amount of landscaping along Oracle Road. I would suggest that the slopes along the Pima Wash bank, which trigger HDZ bufferyard compliance, don't have any connection with the value of a 10' or 20' bufferyard width, and I would argue that a 10' bufferyard will provide a sufficient and attractive bufferyard.

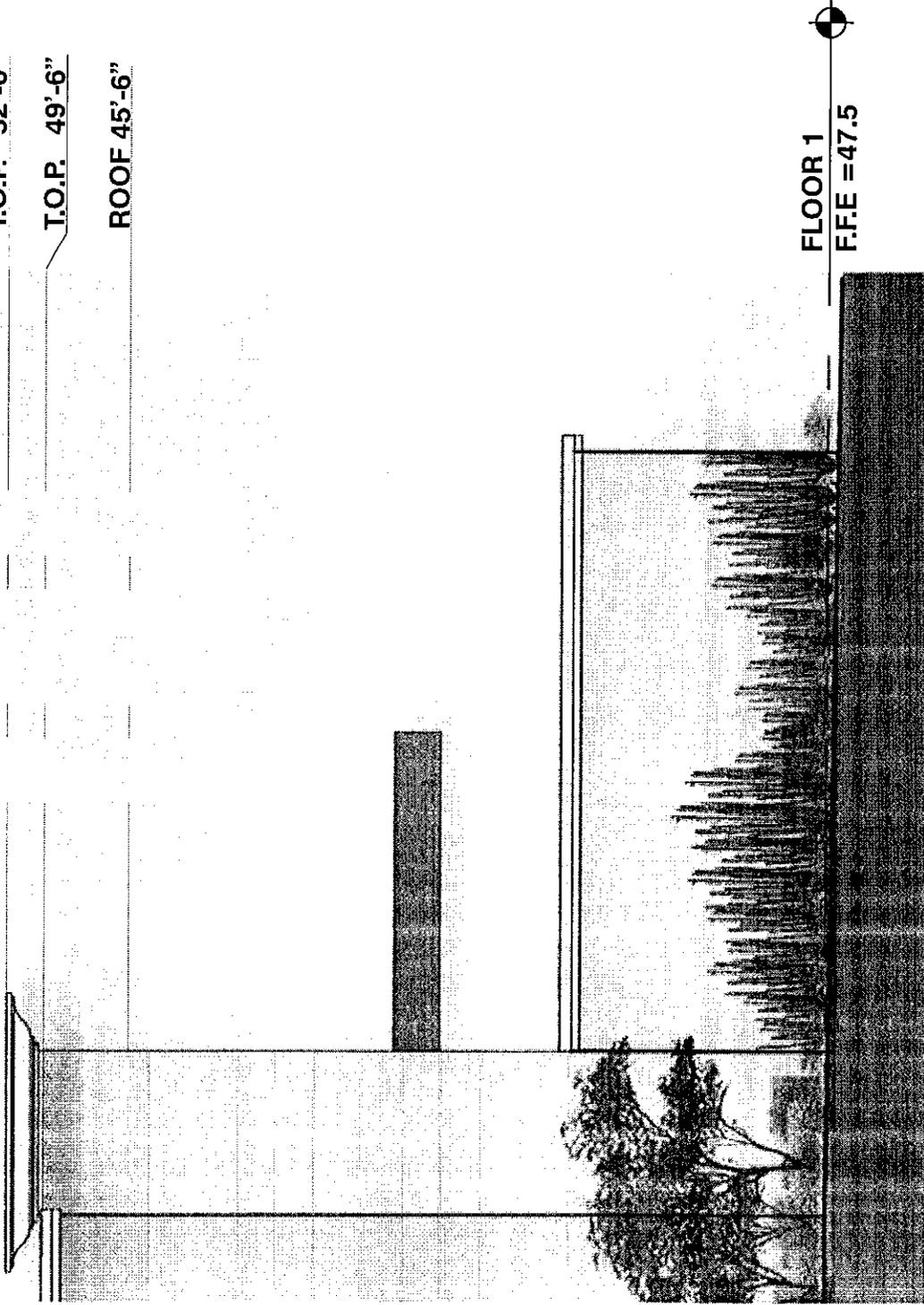
T.O.P. 59'-0"

T.O.P. 55'-0"

T.O.P. 52'-0"

T.O.P. 49'-6"

ROOF 45'-6"



Entry Elevation

East

Scale: 1/16" = 1'-0"

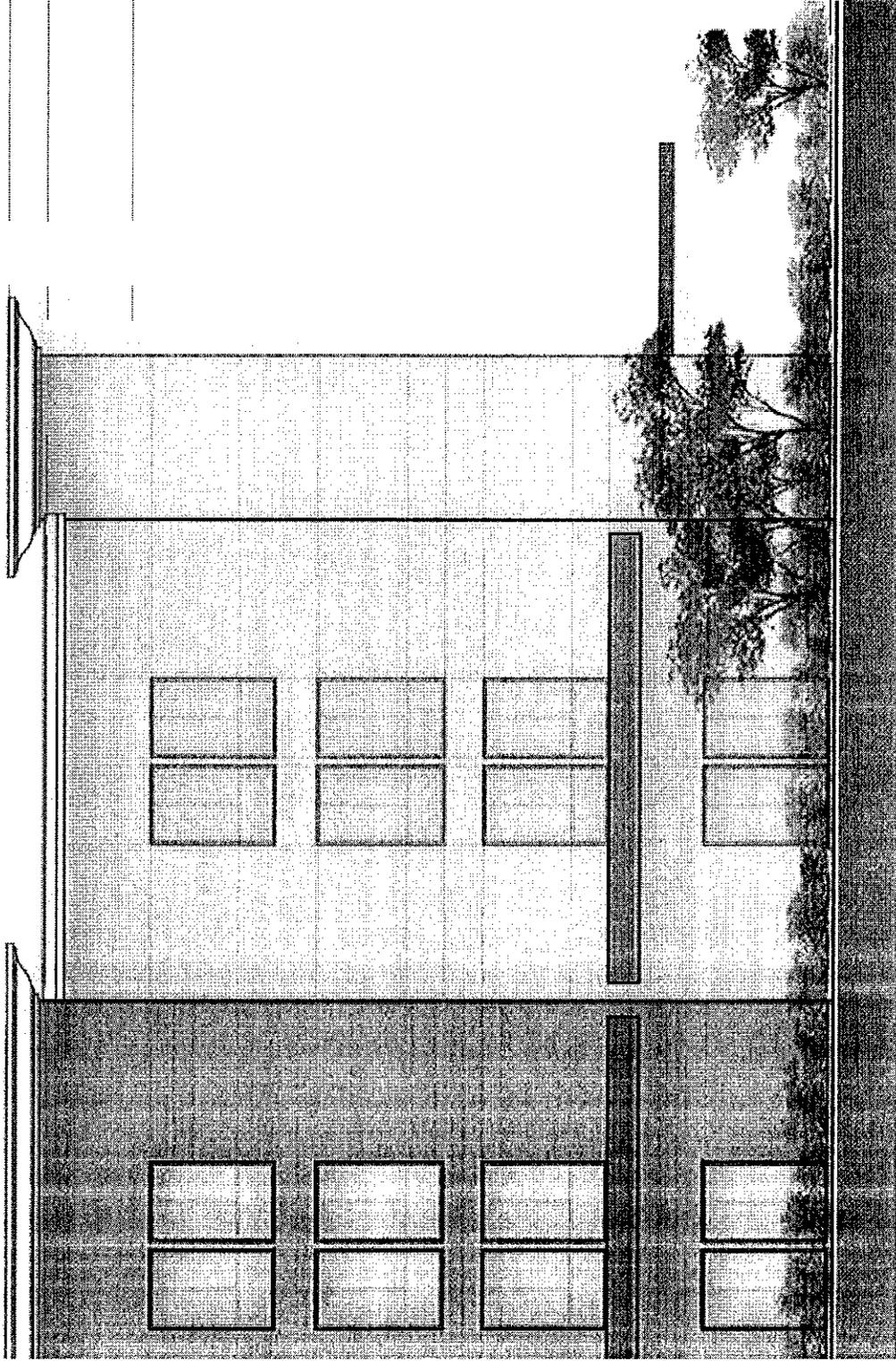
T.O.P. 59'-0"

T.O.P. 55'-0"

T.O.P. 52'-0"

T.O.P. 49'-6"

ROOF 45'-6"



FLOOR 1

F.F.E = 47.5

Rear Elevation

West

Scale: 1/16" = 1'-0"

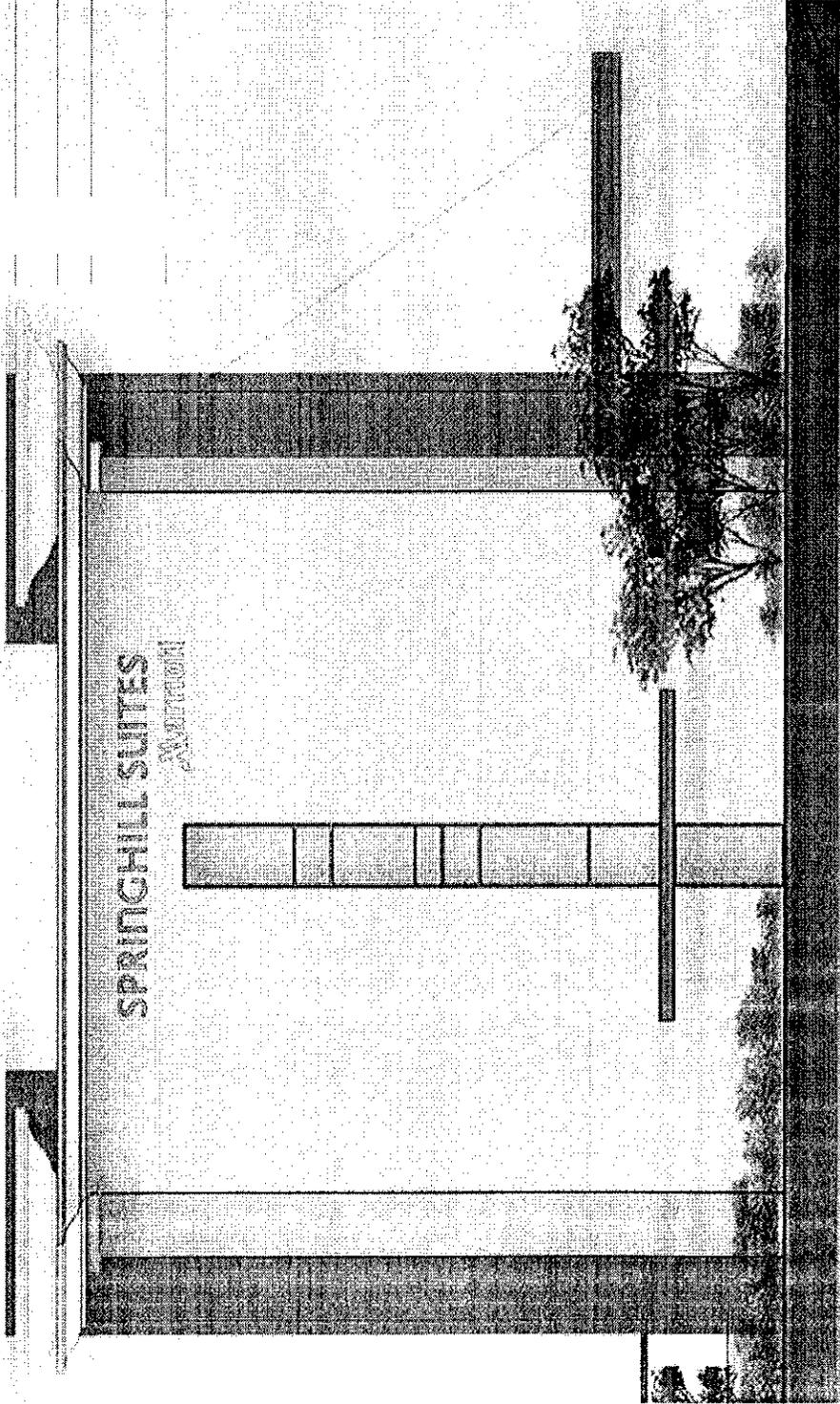
T.O.P. 59'-0"

T.O.P. 55'-0"

T.O.P. 52'-0"

T.O.P. 49'-6"

ROOF 45'-6"



FLOOR 1
F.F.E. = 47.5

Side Elevation

South

Scale: 1/16" = 1'-0"

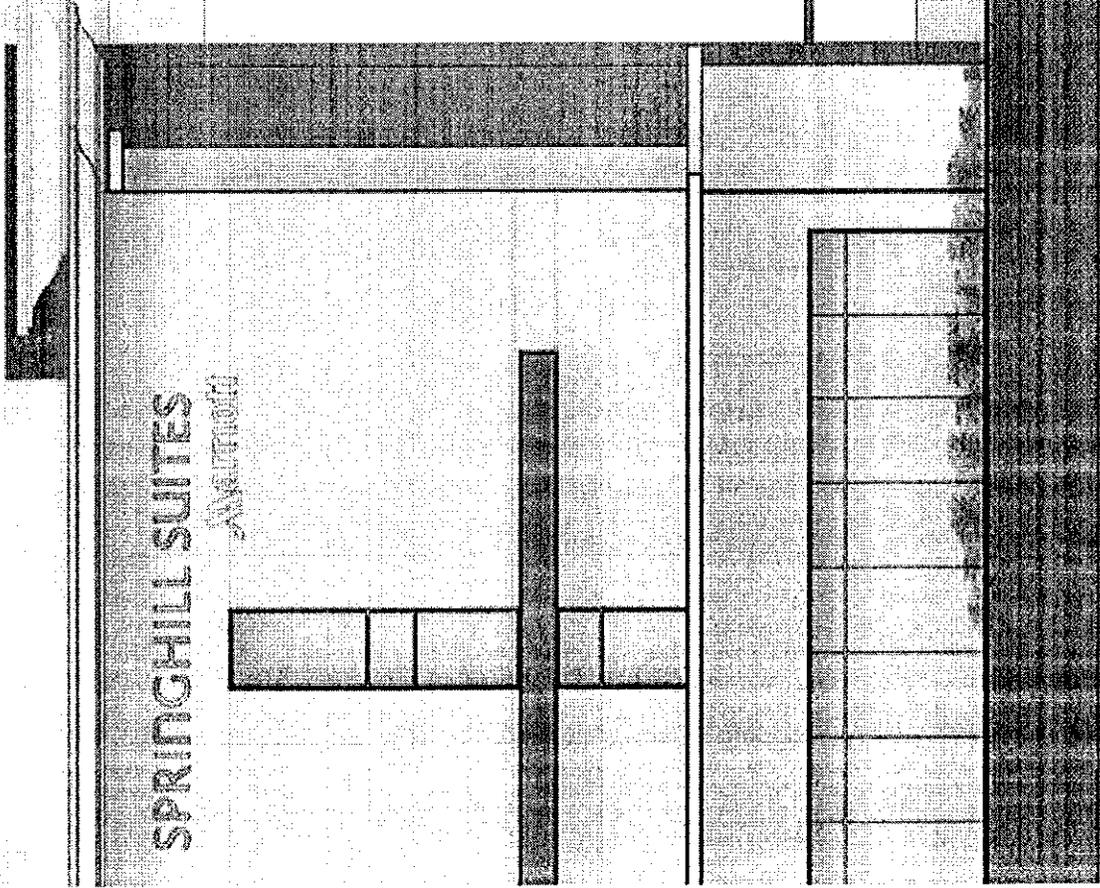
T.O.P. 59'-0"

T.O.P. 55'-0"

T.O.P. 52'-0"

T.O.P. 49'-6"

ROOF 45'-6"



FLOOR 1
F.F.E. = 47.5

Side Elevation

North

Scale: 1/16" = 1'-0"

Chapter 18.31 TR TRANSITIONAL ZONE

- b. Side: None. Zero lot-line siting of dwelling units on individual lots is permissible, subject to Pima County Building Codes (Title 15);
- c. Rear: Ten feet.
- 2. Duplex, condominium, townhouse, apartment, or other multiple dwelling unit development minimum site setbacks:
 - a. Front: Twenty feet;
 - b. Side: Seven feet each;
 - c. Rear: Twenty-five feet.
- E. Building height limitations:
 - 1. Maximum height: Thirty-four feet; and
 - 2. In areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories; and
 - 3. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories; and
 - 4. For all conditionally approved rezonings that do not have an ordinance for TR, if a third story is requested within the thirty-four-foot height limit, approval shall be requested at a noticed board of supervisors public hearing.
- F. Minimum distance between main multiple dwelling buildings: Fourteen feet.
(Ord. 2005-1 § 4 (part), 2005; Ord. 1995-42 § 3 (part), 1995; Ord. 1992-60 § 1, 1992; Ord. 1985-82 (part), 1985)

18.31.040 Development standards—Nonresidential.

- A. Minimum site area: None.
- B. Minimum site width: Sixty feet.
- C. Minimum site setback requirements:
 - 1. Front: Twenty feet;
 - 2. Side: Seven feet each;
 - 3. Rear: Twenty-five feet.
- D. Building height limitations:
 - ① 1. Maximum height: Thirty-four feet; and
 - ② 2. In areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories; and
 - 3. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories; and
 - ④ 4. For all conditionally approved rezonings that do not have an ordinance for TR, if a third story is requested within the thirty-four-foot height limit, approval shall be requested at a noticed board of supervisors public hearing.

(Ord. 2005-1 § 4 (part), 2005; Ord. 1995-42 § 3 (part), 1995; Ord. 1985-82 (part), 1985)

VARIANCE REQUEST #1 #2 #3

Chapter 18.61 HILLSIDE DEVELOPMENT OVERLAY ZONE*

The planting area and the adjacent or connected perimeter exposed fill slope may be included in the required bufferyard;

- e. Except for retaining walls, perimeter exposed fill slopes shall be no steeper than three horizontal to one vertical (3:1) and vegetated in conformance with Section 18.61.055D.5. and the type and amount of planting specified for a hillside bufferyard in the Hillside Development Manual.

* ④ A Hillside Bufferyard in conformance with the requirements of the Hillside Development Manual is required along:

- a. The boundary of a mass graded area exposed to a down-slope view from a public or private street; and
 - b. That portion of a mass graded subdivision that fronts on a public or private street.
5. Riprap placement. Riprap shall not be placed on perimeter exposed slopes or within a bufferyard except that riprap may be placed:
- a. To stabilize 3:1 or steeper slopes adjacent to streets that access the subdivision; or
 - b. As part of a bridge, apron, or flood control structure or channel.

Variance Request ①

① Development Category 1 Projects. The following provisions apply to development of multiple dwellings, business offices, commercial and industrial uses, which are described as Development Category 1 projects in the Grading Requirements Table 18.61.054-1:

- 1. Cut and fill requirements. Compliance with Section 18.61.054H.2.
- 2. Perimeter exposed slopes and perimeter walls. Compliance with Section 18.61.054H.3.
- ③ 3. Hillside bufferyard. Compliance with Section 18.61.054H.4.*
- 4. Riprap placement. Compliance with 18.61.054H.5.

#4 →

(Ord. 2003-17 § 1 (part), 2003; Ord. 2000-88 § 1, 2000; Ord. 2000-52 § 1 (part), 2000)

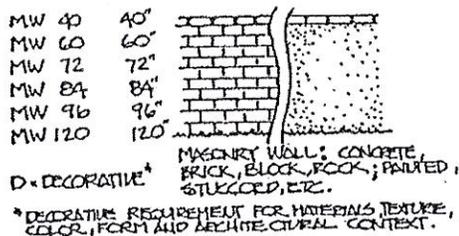
18.61.055 Site restoration requirements.

- A. The restoration of a site shall be in accordance with Section 005 of the Grading Design Manual (refer to Chapter 18.81, Grading), the Hillside Development Manual and the additional requirements of this subsection.
- B. All slope treatment for subdivision streets shall be completed prior to the release of assurances for the subdivision.
- C. All slope treatment and color requirements for residential lots and commercial developments shall be completed and approved by Pima County prior to the request for final inspection.
- D. Vegetation retention and revegetation:
 - 1. Vegetation retention and revegetation shall be in accordance with the requirements of this section, the vegetation and revegetation requirements of Chapter 18.72 (Native Plant Preservation), Chapter 18.73 (Landscaping, Buffering, and Screening Standards) and the Hillside Development Manual. In the event of a conflict between the requirements of this section, the Hillside Development Manual, Chapter 18.72 and Chapter 18.73, the most restrictive requirement shall apply.
 - 2. Existing viable trees with four-inch or greater trunk diameter and viable cacti six feet (6') or greater in height shall be preserved in their original locations, except for building locations and associated access, on site septic, and utilities.

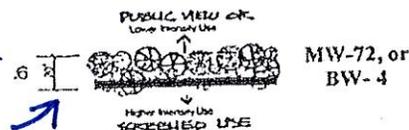
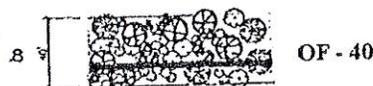
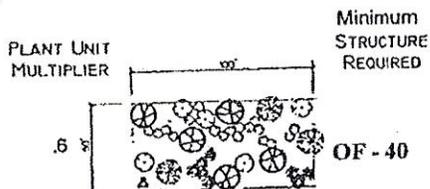
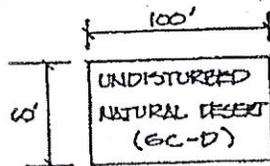
Figure 23

HILLSIDE DEVELOPMENT ZONE BUFFERYARD REQUIREMENT

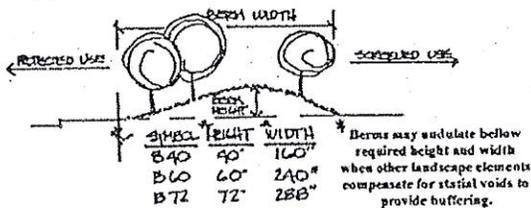
FENCES AND WALLS



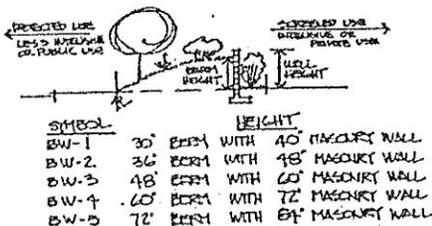
BUFFERYARD OPTIONS



EARTH BERMS



BERMS WALLS



REQUIRED PLANT UNITS PER 100'

- 13 CANOPY TREES
- 30 SHRUBS
- 15 ACCENTS
- FLOWER VINES
- GC - SEE NOTE 2

18.61.054H Mass Graded Residential Subdivisions:

4. A Hillside Bufferyard Bufferyard in conformance with the requirements of the Hillside Development Manual is required along:
 - a. the boundary of a mass graded area exposed to a downslope view from a public or private street; and
 - b. that portion of a mass graded subdivision that fronts on a public or private street.

Chapter 18.07 GENERAL REGULATIONS AND EXCEPTIONS

yard shall be the average of the existing front yard of the adjoining lot and the minimum front yard of the zone, provided no such front yard shall be less than ten feet.

2. In any CB-1 or CB-2 zone: Where one or more buildings used for commercial or industrial purposes and located on interior lots have existing front yards less than the minimum required by this code, the minimum front yard required on all other lots within the same block front and not more than five hundred feet from said existing building need not be greater than the least front yard existing.
 3. In any zone: Any property fronting or abutting on a turnaround at the end of a cul-de-sac, or a similar increased radii of the street property line at the angle in a street, the minimum front yard required shall be one-half of the front yard required in the particular zone.
- F. Rear Yard Adjoining Alley.
1. A minimum rear yard may be measured to the centerline of an alley adjoining such rear yard; provided, that the required rear yard shall not be reduced more than ten feet.
 2. In any CR-2 or denser residential zone where a ten-foot half right-of-way for an alley is provided, the first five feet of such half right-of-way multiplied by the width of any lot where it abuts on the alley may be included as part of the overall lot area for the purpose of meeting the minimum lot area requirements; provided, that the net rear yard is not less than seventeen feet.
- G. Rear Yard Exception on Corner Lot. On any corner lot in a CR-3, CR-4, CR-5, TR or CB-1 zone, the minimum rear yard may be reduced to not less than ten feet from the rear property line, provided the minimum side yard on the side street is increased by ten feet and the off-street parking provisions of Chapter 18.75 (Off-Street Parking and Standards) are complied with.
- H. Height Limit Exceptions. The height limits of this code shall not apply to:
1. 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 including safety railings, enclosed access stairway or elevator with a minimum twenty-foot setback from roof edges, vegetative containers, and vegetation;
 2. Churches, hospitals, sanatoriums, schools or other public and semi-public buildings. Any such building may be erected to a height not exceeding forty-four feet, provided the minimum side and rear yards are increased by an additional foot in width or depth for each foot by which the height of such building exceeds the maximum height permitted in the zone in which such building is to be located;
 3. Bulkheads, elevator penthouses, monitors, scenery lofts and water tanks; provided, that:
 - a. Such structures above the height limits specified for the zone shall not in the aggregate occupy more than twenty-five percent of the area of the lot, and
 - b. No linear dimension of any such structure shall be greater than one-half of the length of the corresponding street lot line if the structure is within twenty-five feet of such street lot line;
 4. Towers, restricted to fire and hose towers, cooling towers for industrial operations, gas holders, grain elevators, sugar refineries or other structures where the manufacturing process requires a great height; provided, that such structures above the height limit specified for the zone shall:
 - a. Not in the aggregate occupy more than twenty-five percent of the area of the lot,
 - b. Be a distance not less than twenty-five feet from every lot line not a street lot line, and
 - c. Be not less than one foot from the opposite side of each abutting street for each foot of the vertical height;

Chapter 18.61 HILLSIDE DEVELOPMENT OVERLAY ZONE*

14. Protected area of a ridge. The oval area defined by lines running parallel to and on either side of the ridge line at a map distance of 150 feet, combined with and terminating at a 150-foot radius (map distance) from the end points. For all previously adopted ridge lines, the protected area is the area depicted on the maps.
15. Restoration. The process of repairing a previously disturbed, damaged, or graded site area or site feature and replicating its previously undisturbed, undamaged, or ungraded condition of vegetation, plant communities, geologic structures, grade, drainages, and riparian habitat that historically existed on site or in the neighborhood. Restoration of previously disturbed areas will include enhanced revegetation, and may include corrective grading, natural and artificial rock, and top dressing.
16. Ridge line. A ground line running center and parallel to the long axis of a ridge, designated by the identification of two end points.
17. Structural development perimeter. A generally contiguous area on site defined by the outer surfaces or edges of curbs, walls, paving areas, utilities, and individual septic systems.
18. Twenty-five percent (25%) or greater slope(s). When the term is used it shall apply to any twenty-five percent (25%) or greater sloped area on a parcel, lot, or project site which is both longer than 50 feet when measured in any horizontal direction and greater than 7.5 feet when measured vertically.

(Ord. 2003-17 § 1 (part), 2003; Ord. 2000-52 § 1 (part), 2000; Ord. 1998-50 § 1, 1998)

18.61.030 Applicability.

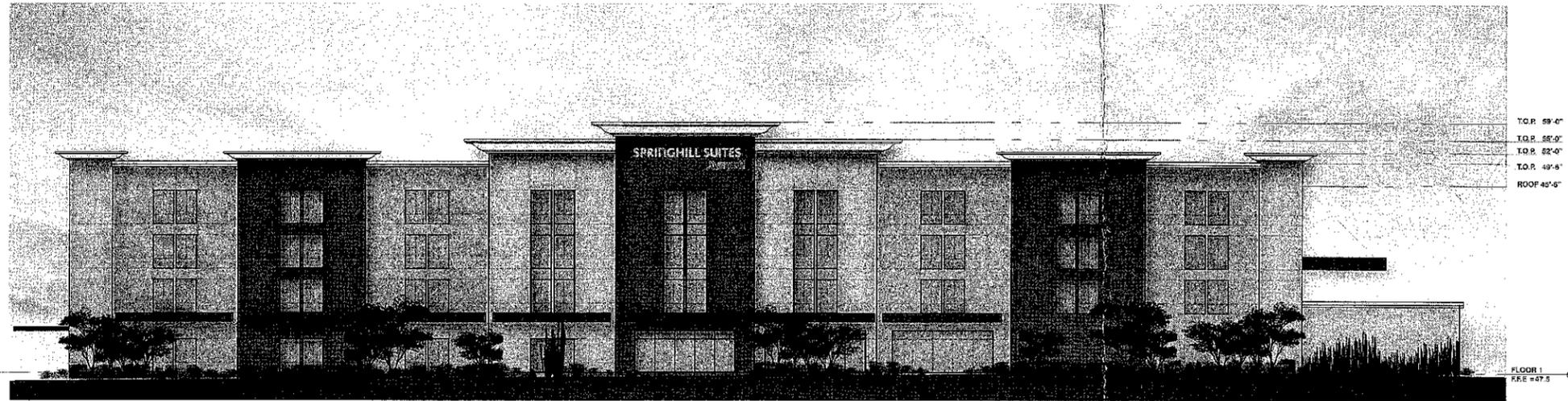
A. Applicable Lands.

- * 1. This chapter applies to any land parcel, lot, or project site containing slopes of fifteen percent (15%) or greater, which are both longer than fifty feet (50') when measured in any horizontal direction and higher than seven and one-half feet (7.5') when measured vertically.
2. This chapter does not apply to a lot that is located within a subdivision for which a complete tentative plat was filed with the county between August 11, 1998, and July 7, 2000, and for which the final plat has been recorded within 18 months after July 7, 2000. All lots on the final recorded plat shall comply with the grading requirements of Chapter 18.61 in effect prior to July 7, 2000, except that grading on all lots in a nonmass graded subdivision are subject to the grading requirements of section 18.61.054G of this ordinance.

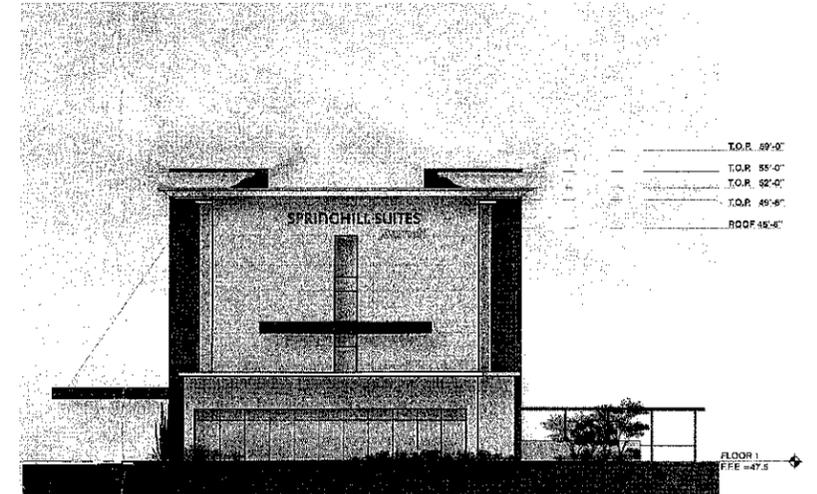
B. Prohibited Development.

1. A rezoning to TR, RVC, CB1, CB2, CPI, CI1, CI2 or CI3 zone is not permitted on a land parcel, lot, or project site having an average cross slope of fifteen percent (15%) or greater.
2. Nonresidential conditional uses (refer to Chapter 18.97) within a rural or residential zone are not permitted on land parcels, lots or project sites having average cross slopes of fifteen percent (15%) or greater.
3. A rezoning for residential uses with overall densities greater than 1.20 residences per acre is not permitted on land parcels with an average cross slope greater than fifteen percent (15%) prior to the exclusion of any natural area.

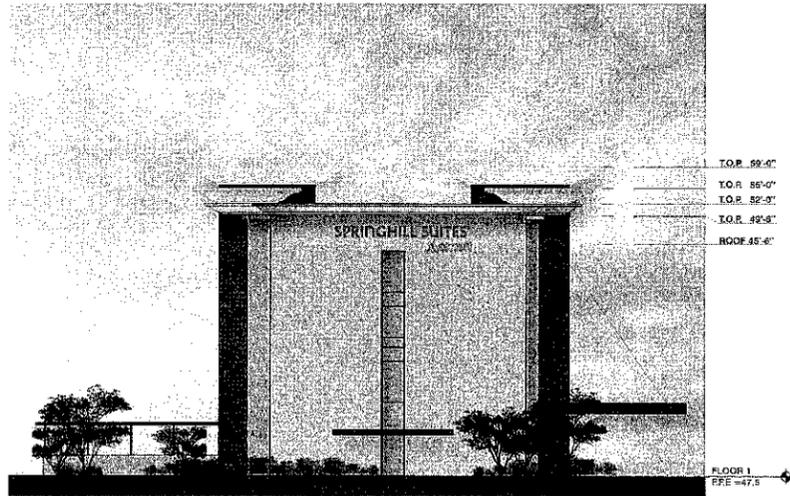
(Ord. 2003-17 § 1 (part), 2003; Ord. 2000-52 § 1 (part), 2000)



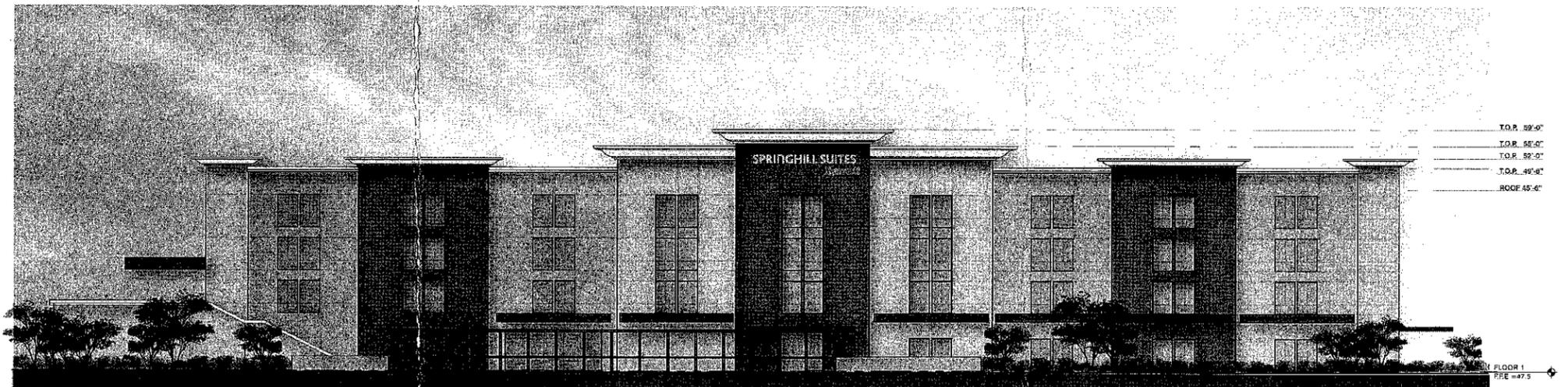
Entry Elevation
East Scale: 1/16" = 1'-0"



Side Elevation
North Scale: 1/16" = 1'-0"



Side Elevation
South Scale: 1/16" = 1'-0"



Rear Elevation
West Scale: 1/16" = 1'-0"

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Oro Valley, Arizona

Springhill Suites
5209 N Oracle Rd
Tucson, Arizona
Project No. 16-04

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