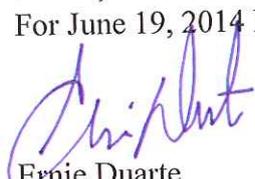




# MEMORANDUM

DATE: June 3, 2014  
For June 19, 2014 Hearing

TO: Linus Kafka  
Zoning Examiner

FROM:   
Ernie Duarte  
Planning & Development Services  
Director

SUBJECT: REZONING  
PLANNING & DEVELOPMENT SERVICES REPORT  
C9-14-03 Broadway Festival – Lenora Avenue R-3 to C-1 (Ward 6)

**Issue** – This is a request by Steve Shenitzer, on behalf of the property owners, Ina Road Group, LLC to rezone approximately 0.80 of an acre, from R-3 (high density residential) to C-1 (neighborhood commercial) to create one consistent C-1 zoning designation on an approximately 1.92 acre development site. The development site is located on the northwest corner of Broadway Boulevard and Leonora Avenue (see Case Location Map). The Broadway frontage of the property is zoned C-1 with the northern portion of parcel (along 10<sup>th</sup> Street) zoned R-3. The preliminary development plan (PDP) proposes to clear the existing buildings and redevelop the parcel with two new buildings and associated pedestrian and vehicle circulation. Building 1 is proposed as drive through food service, approximately 4,350 square feet in size. Building 2 proposes a mix of retail and food service, approximately 9,100 square feet in size. Both buildings will be single story, with a height limit of 24 feet. Access to the site is proposed to be limited to one ingress/egress driveway along Broadway Boulevard. Access from the site to Leonora Avenue shall be restricted to limit turning movements into the neighborhood.

The applicant has requested that this rezoning case be concurrently reviewed with development plan package No. DP14-0064. Should the rezoning request be conditionally approved, the development package will demonstrate conformance with Unified Development Code (UDC) standards, engineering standards, and the associated rezoning conditions prior to Mayor and Council adoption of the rezoning ordinance.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of the requested C-1 zoning, subject to the attached preliminary conditions.

### **Background Information**

Existing Land Use: Church structures and associated parking.

Surrounding Zones and Land Uses:

North: Zoned R-1; single-family residential  
South: Zoned C-1; neighborhood commercial  
East: Zoned R-3/C-1; high density residential and neighborhood commercial  
West: Zoned C-1; neighborhood commercial

Previous Cases on the Property: none

Related Cases:

C9-13-03 Heights Properties - Broadway Boulevard, R-3 to C-1 This was a rezoning request for a 0.55 acre site to allow for a sit-down restaurant, with parking, on a parcel which was split zoned as C-1 and R-3. On September 24, 2013 Mayor and Council adopted Ordinance No. 11110. The zoning was effectuated on November 22, 2013.

C9-90-03 Marglen, Inc – Broadway Boulevard, R-3 to B-1 (now C-1) This was a rezoning request for a 0.06 of an acre parcel, located 225 feet west of Chantilly, to allow the development of a business use and consistent zoning pattern on the site. On July 2, 1990, Mayor and Council adopted Ordinance No. 7447. The zoning was effectuated on July 2, 1990.

C9-11-02 Circle K – Speedway Boulevard, R-1 to C-1 This was a rezoning request for 0.18 of an acre located 175 feet east of Craycroft Road, on First Street to allow the development of a convenience store and gas station with eight fueling dispensers. On September 7, 2011, Mayor and Council adopted Ordinance No. 10923. The conditions of the rezoning were met and the zoning was changed with the issuance of a building permit on April 6, 2012.

**Applicant's Request** –To rezone approximately 0.80 of an acre, from R-3 (high density residential) to C-1 (neighborhood commercial) to create one consistent zoning designation. The total site area to be developed is approximately 1.92 acres. The redevelop of the parcel would allow for the addition of two new buildings adjacent to the Broadway frontage and associated pedestrian and vehicle circulation.

**Planning Considerations**

Land use policy direction for this area is provided by the *Plan Tucson* and the *Sewell-Hudlow Neighborhood Plan (SHNP)*.

*Sewell-Hudlow Neighborhood Plan (SHNP)*: The overall *SHNP* goals are to preserve and protect the integrity of established low-density neighborhoods and identify appropriate locations for redevelopment. The Plan also supports efficiently designed, nonresidential developments that minimizes the number of vehicular access points and integrates vehicular and pedestrian circulation systems and other common amenities such as landscaping and buffer walls.

Commercial development is supported along Broadway Boulevard, including the subject parcel, as shown on the Land Use Development Maps.

*Plan Tucson (PT)*: The “Future Growth Scenario Map” reflects Broadway Boulevard as a mixed-use corridor, which allows for a higher intensity mix of jobs, services, and housing along major streets. *Plan Tucson* also supports a mix of high frequency transit options, as well as pedestrian and bicycle facilities. Plan policies protect residential neighborhoods by supporting compatible development (Policy LT4). Non-residential uses are supported, where the scale and intensity of use will be compatible with adjacent uses (Policy LT1). Appropriate locations for commercial uses are supported, with priority for development in the existing urbanized area and promote the use and improvement of existing infrastructure, increase pedestrian activity and transit use. Guideline (LT28.1.7) supports developments that preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community.

The proposed redevelopment of the site is in substantial compliance with the existing policy guidance of the *Sewell-Hudlow Neighborhood Plan and Plan Tucson*. The PDP exhibits reflect the general intent of the plan elements and supporting polices.

The total site area is approximately 1.92 acres. The northern half of the parcel is approximately 0.80 of an acre, and is currently zoned R-3 and developed as a church site with the main parking area fronting along Broadway Boulevard zoned C-1. The proposed PDP reflects a street frontage with sidewalk and landscaping consistent with plan direction to support redevelopment along Broadway Boulevard. The properties to the north of the rezoning site, across 10<sup>th</sup> Street, are developed with single story single-family residences. The proposed commercial buildings shall be located on the south side of the site, closer to the Broadway frontage, to reduce the impacts on the neighboring residential uses along the northern boundary. Additional screening shall be provided by masonry walls and landscaping in compliance with the code and the abovementioned plans. The property to the west of the site has been recently redeveloped. The applicant was unable to obtain a cross access agreement with the adjacent property owner. The properties south and east are developed with a variety of commercial uses. Commercial zoning and uses, including drive-through lanes are appropriate at this location. Building 1 is proposed as a stand-alone sit down/drive-through restaurant with Building 2 designed to support smaller retail users and one drive-through restaurant. Both buildings are proposed to have dual drive-through lanes which merge into one prior to the service window, to allow for addition vehicle stacking onsite. The established land use along the Broadway corridor is generally stable in nature and has seen revitalization over the last decade.

According to the Major Streets and Routes Plan (MS&R) map, Broadway Boulevard is a Gateway Arterial Street. Leonora Avenue is a local street. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 6,673 vehicle trips per day, with a evening peak of 455 vehicle trips. Field inspection by staff indicates there are currently no billboards on the rezoning site.

### Design Considerations

Land Use Compatibility – The rezoning site is located along a gateway arterial within a long established area of strip commercial development. The north commercial alignment borders 10<sup>th</sup> Street, which stands as a transitional zone between commercial along Broadway Boulevard and the interior of the residential neighborhood located to the north. The current site layout orients the church buildings towards 10<sup>th</sup> Avenue with the majority of the parking area located adjacent to the Broadway frontage. The PDP proposes reorienting the site towards Broadway Boulevard with buffering and landscaping along the northern property line to assist in mitigation for the residential properties north of 10th Street. This orientation will assist in minimizing vehicular, noise, and light spill over into the long established residential housing on 10<sup>th</sup> Street and Lenora Avenue. Staff recommends a six foot tall masonry wall along the northern boundary. Noise generating outdoor activities should also be setback a minimum of 50 feet from the northern property line.

Drainage/Grading/Vegetation – The development process will bring the parcel into compliance with current City of Tucson engineering codes, guidelines and manuals for stormwater detention/retention and grading. The development plan process will also address the landscape buffer yards and planting materials to enhance the overall visual impact of the redevelopment.

Road Improvements/Vehicular Access/Parking – Broadway Boulevard is a six-lane, city maintained, gateway arterial, with a shared multi use bike and turn lane adjacent to the redevelopment site. There is a raised median with eastbound left turn lanes into the shopping plaza to the east and to Lenora Avenue. There is an existing bus stop for Suntran Route 8 on Broadway Blvd approximately 110 feet west of the intersection of Broadway Boulevard and Lenora Avenue. The development plan process will clarify the driveway locations, set-backs from existing access points and ensure that all engineering standards are met. Staff recommends that there be no direct access to 10<sup>th</sup> Street to minimize cut through traffic north of the development. The location of the drive-through access point on Building 2 could cause a traffic “spill-back” to occur on Broadway Boulevard due to the proposed configuration. Spill-back occurs when a through vehicle must break in response to another vehicle making a right turn at an access connection. Staff recommends that the drive-through lane(s) entry points be located with a minimum fifty (50) foot setback from the public street access points or deduction in setback (as may be approved by City of Tucson Department of Transportation, Traffic Engineering Section) on setback if drive-through lane design. Double stacking lanes (up to menu boards), maybe be utilized to minimize on-site traffic circulation congestion and minimize traffic spill back on to Broadway Boulevard.

Heat Island Mitigation – The City of Tucson promotes sustainable development, mitigation of Urban Heat Islands, and green building principles in the City’s Framework for Advancing Sustainability, adopted in 2008. Impervious surfaces, such as paved roadways, parking areas, and rooftops contribute to increasing urban heat islands which can have detrimental health effects. Increasing reflectivity of these paved surfaces, and providing shade or pervious surfaces mitigates the heat absorption quality of dark pavement. Staff recommends as a condition of rezoning,

incorporating reflective, pervious paving materials in pedestrian areas and adjacent to planting areas. The use of cool-roof-rated materials such as Energy Star-rated is also required. Should excess parking be proposed over requirements additional canopy trees should be provided. Staff recommends one tree for every four parking spaces to decrease the Urban Heat Island Effect. Providing healthy root zones for the trees is also essential. Staff recommends tree root zone to have a minimum of 300 cubic feet (no deeper than 3 feet) of non-compacted (less than 90%) soil. Ninety-five percent or greater compaction is permitted if utilizing structured/engineered soil that permits compaction while allowing root development.

**Conclusion** – The proposed rezoning request is consistent with, and supported by the *Sewell Hudlow Neighborhood Area Plan* and the *Plan Tucson* which support medium- to high-density residential, low-rise office, and neighborhood commercial including C-1 uses at this location. Subject to compliance with the attached preliminary conditions, approval of the requested C-1 zoning is appropriate.

s:/rezoning/C9-14-03 sr.doc

### PROCEDURAL

1. A development package in substantial compliance with the development package and required reports dated 4/23/2014 is to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (l) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have 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.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning with a site inspection.

### LAND USE COMPATIBILITY

8. No direct vehicular access permitted from rezoning site onto 10<sup>th</sup> Street.
9. The Lenora Avenue access shall restrict access to the north, as shown on PDP dated 4/23/14.

10. Outdoor activities, such as restaurant patios, speakers and music which may generate noise impacts to area residents located north shall be located a minimum of fifty (50) feet from the north property line.
11. An integrated outdoor lighting plan, in compliance with the Outdoor Lighting Code (OLC), shall be included in the development plan package. The plan shall show even lighting distribution over the entire proposed site, and shall minimize spill-over light to the north.
12. The development package shall include scaled color building elevations for all sides of each building and for masonry perimeter walls. Building design shall include architectural features and design elements at the same level of detail on all elevations (side and rear elevations will be commensurate with front elevation). Wall design shall complement building design. The elevation shall be approved by Community Planning.
13. The dumpster enclosures shall be screened with a masonry wall a minimum of six (6) feet in height. Colors and materials shall be complimentary to the buildings and/or perimeter walls.
14. A six (6') foot tall masonry wall with no less than six (6) inch wide masonry block material shall be located as part of the landscape buffer along the full length of the north perimeter adjacent to 10<sup>th</sup> Street, and that portion of the east perimeter landscape buffer located north of the Leonora Avenue access entrance.
15. All required perimeter screen walls and dumpster enclosures visible from a public right-of-way and/or adjacent to existing development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, rustic metal, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.

#### DRAINAGE/GRADING/VEGETATION/HEAT ISLAND MITIGATION

16. The submittal of a drainage report/statement that addresses onsite and offsite drainage and its impact on the proposed improvements. The drainage report shall determine if runoff retention is required for this development.
17. There shall be no greater than a 10 percent surplus over the number of vehicle parking spaces required by the *UDC* for the proposed use. Additional spaces may be mitigated on a four to one ratio with the planting of additional native canopy trees.

18. Owner/applicant is responsible for providing a special inspection and delivering results to PDSB building code review for the following condition. Provide materials with building permit application and reference rezoning case number C9-14-03. New roofing material shall be Energy Star rated, or cool roof rated with Initial Solar Reflectance Greater than or equal to 0.65, and minimum infrared emittance to be 85% or more. Placement of and utilization of energy from solar panels on roofs is an acceptable alternative.

#### ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

19. The approval of a Traffic Study.
20. A right of way permit or a Private Improvement Agreement (PIA) with the City of Tucson Department of Transportation will be required for any work completed in the right of way, including any possible utility updates.
21. A minimum of 13 stacking spaces shall be provided for each drive through window. Alternatively, drive-through lane(s) entry points shall be located a minimum of fifty (50) feet from public street access points.
22. The installation of standard 6' width sidewalks and standard wheelchair ramps along Broadway Boulevard.
23. The installation of standard curb and sidewalk and wheelchair ramps along Leonora Avenue frontage.
24. The closure of all existing driveways that are proposed to be removed. Curb openings will be closed with new curb and sidewalks.
25. Chip Seal Leonora from Broadway to 10th Street.
26. Developer shall provide an addendum to the Traffic Impact Statement completed by Mathieu Engineering Corp. dated May 15, 2014, documenting traffic volume on 10th Street at the intersection of Leonora one year after issuance of the first Certificate of Occupancy for the project. If the addendum shows a substantial increase of traffic volume on 10th Street from Leonora the developer shall work with the neighborhood to locate a reasonable solution to mitigate the impact. The addendum shall be prepared by a professional engineer registered in the State of Arizona.

AGREEMENT TO WAIVE ANY CLAIMS  
AGAINST THE CITY FOR ZONING AMENDMENT

This agreement ( "**Agreement**") is entered into between \_\_\_\_\_  
\_\_\_\_\_, as the owner of the property described herein  
 ("**Owner**") and the City of Tucson ("**City**") to waive any and all claims for diminution of  
value that may be based upon action by the City in response to a request from the  
Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(l).

The Owner is the holder of fee title to the property located at \_\_\_\_\_  
\_\_\_\_\_, Tucson, Arizona, (the "Property") which is more fully  
described in the Owner's application to the City in Case XXXXXX and incorporated  
herein. The Owner, or the authorized agent of the Owner, has submitted an  
application to the City requesting that the City rezone the Property. The Owner has  
requested this action because the Owner has plans for the development of the  
Property that require the rezoning. The Owner believes that the rezoning of the  
Property will increase the value and development potential of the Property, and that  
this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134  
et. seq.

By signing this Agreement, the Owner waives any right or claim that may arise under  
A.R.S. §12-1134, including any claim for the reduction in the value of the Property,  
as a result of the enactment of the zoning amendment in Case XXXXXX.

The Owner understands that City staff may propose, the Zoning Examiner may recommend  
and the Mayor and Council may adopt conditions to the requested zoning that limit  
the potential development of the Property. The Owner acknowledges that the  
rezoning and conditions are a single, integrated legislative approval. The Owner  
agrees and consents to all conditions that may be imposed. The Owner retains the  
right to withdraw the rezoning application prior to a vote by the Mayor and Council or  
to decline to implement the necessary requirements to effectuate the zoning if the  
Owner disagrees with any conditions that are proposed or approved. If the Owner  
does not withdraw the application, the Owner shall be deemed to have accepted all  
adopted conditions to the requested zoning. If the Owner withdraws the application  
or does not effectuate the new zoning, this Agreement is null and void.

This Agreement is entered into in Arizona and will be construed and interpreted  
under the laws of the State of Arizona. The Owner has agreed to the form of this  
Agreement provided and approved by the City Attorney. The Owner has had the  
opportunity to consult with an attorney of the Owner's choice prior to entering this  
Agreement and enters it fully understanding that the Owner is waiving the rights and  
remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pima County  
Recorder.

The Owner warrants and represents that the person or persons listed herein as the Owner is/are the owner in fee title of the Property. The Owner further agrees to indemnify and hold the City of Tucson, its officers, employees and agents harmless from any and all claims, causes of action, demands, losses, costs and expenses based upon an alleged reduction of value of the Property as a result of the City's action in Case XXXXXX.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Owner:  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

Owner:  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

State of Arizona )  
 )  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

\_\_\_\_\_  
Notary Public

My Commission expires:

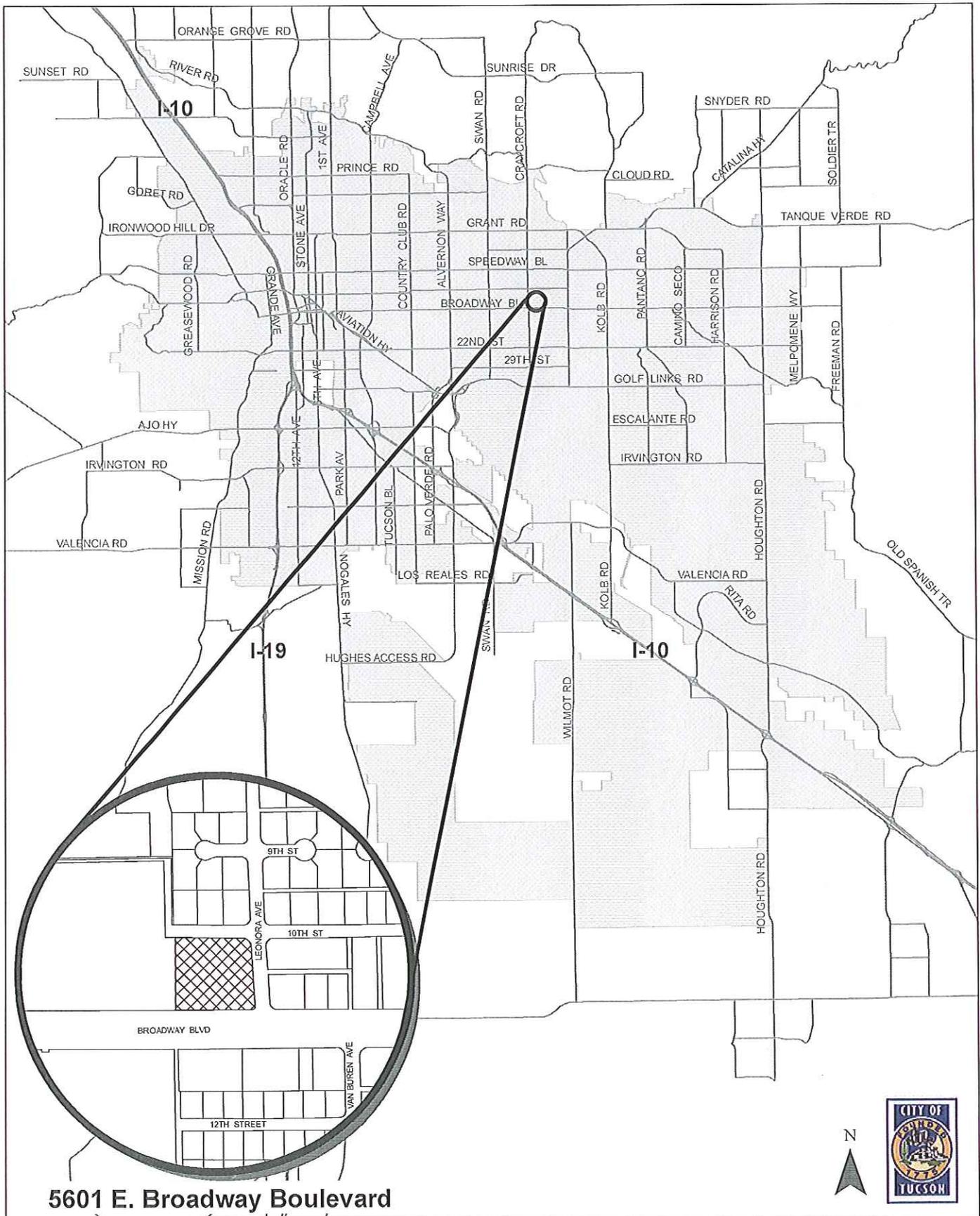
\_\_\_\_\_

City of Tucson, an Arizona municipal Corporation:

By: \_\_\_\_\_  
Planning & Development Services Department

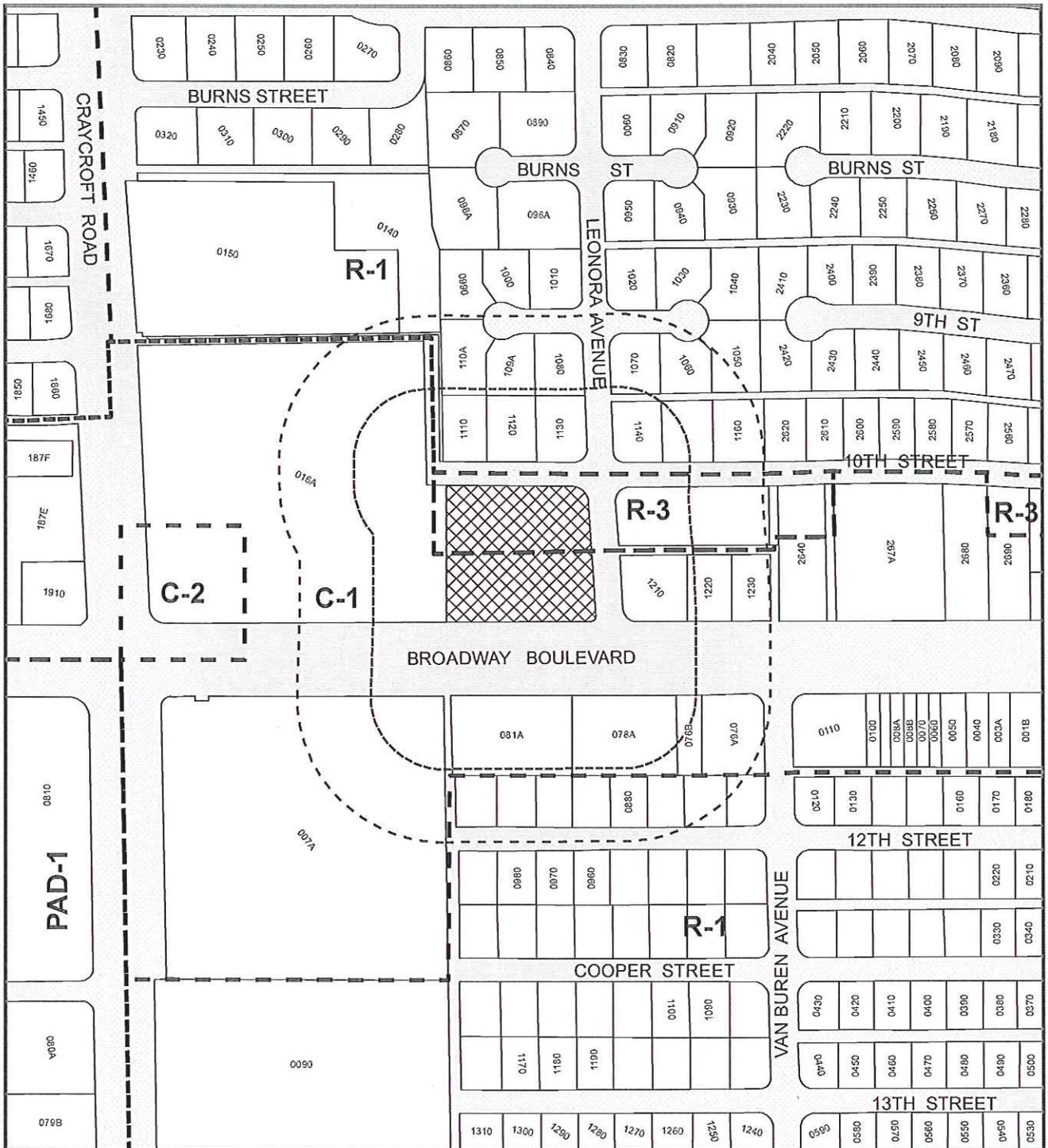
This form has been approved by the City Attorney.

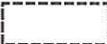
# C9-14-03 Broadway Festival - Leonora Avenue



# C9-14-03 Broadway Festival - Leonora Avenue

Rezoning Request: from R-3 to C-1



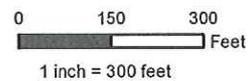
-  Area of Rezoning Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: 5601 E. Broadway Boulevard

Base Maps: Sec.12 T.14 R.14

Ward: 6





C9-14-03 Broadway Festival - Leonora Avenue  
2012 Aerial

0 50 100 200  
Feet  
1 inch = 200 feet



**PUBLIC FACILITIES AND SERVICES REPORT FOR JUNE 19, 2014**  
(as of May 27, 2014)

**C9-14 Broadway Festival – Lenora Avenue, R-3/C-1 to C-1**

**CITY AGENCIES**

**Planning & Development Services – Community Design:** See attached comments dated May 22, 2014.  
**Planning & Development Services – Engineering:** See attached comments dated May 21, 2014 .  
**Planning & Development Services – Zoning Review:** See attached comments dated May 15, 2014.  
**Transportation – Traffic Engineering and Engineering:** See attached comments dated May 22, 2014.  
**Tucson Fire Department:** See attached comments dated May 22, 2014.  
**OIP:** See attached comments dated May 21, 2014.

**No Objections Noted**

Environmental Services  
Planning & Development Services – Sign Code  
Planning & Development Services – Landscape  
Planning & Development Services – Zoning Enforcement  
Pima County Transportation  
Tucson Parks and Recreation  
Tucson Police Department  
Tucson Water Department

**NON-CITY AGENCIES**

**PAG-TPD:** Estimated traffic generation of proposed development: 6,673 vehicle trips per day.

**No Objections Noted**

Arizona Department of Transportation  
Davis-Monthan Air Force Base  
Pima County Flood Control  
Pima County Parks and Recreation  
Pima County Wastewater  
Tucson Electric Power  
Tucson Unified School District

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, *June 3, 2014* at <http://pdsd.tucsonaz.gov/pdsd/public-hearing-agenda-materials-rezoning-special-exceptions-original-city-zoning>

# Planning & Development Services Department

## PRO - Property Research Online

### Plan Review Detail Results

**Permit Status:** ACCEPTED **Activity Number:** C9-14-03  
 Located on the northwest corner of Broadway Boulevard and Leonora Avenue, currently split zoned R-3 (high density residential) and C-1 (commercial). The proposed redevelopment will include retail and restaurant uses on approximately 1.0 acre.

**Permit Type:**

**Site Address:** 5601 E BROADWAY BL  
**Applicant Name and Address:** STEVE SHENITZER  
 INA ROAD GROUP  
 5633 E. GRANT ROAD  
 85712

Review Completed	Reviewer's Name	Type of Review	Review Status
05/09/2014	CLAURIE1	ADOT	This has been completed
<b>Comments:</b> none			
05/09/2014	CLAURIE1	PIMA ASSN OF GOVTS	No Objection Noted
<b>Comments:</b> Here are my comments - DATE: 5/21/2014 CASE: C9-14-03 BROADWAY FESTIVAL COMMENT: Further study needed Daily PM Peak Vehicle Trip Generation: 6,673 455 Thanks, -Eric Additional notes: A detailed traffic impact analysis is warranted			
05/09/2014	CLAURIE1	PIMA CNTY WASTEWATER	This has been completed
<b>Comments:</b> none			
05/09/2014	CLAURIE1	SCHOOL DISTRICT	This has been completed
<b>Comments:</b> none			
05/12/2014	CLAURIE1	TUCSON WATER NEW AREA DEVELOPMENT	This has been completed
<b>Comments:</b> none			
05/13/2014	CLAURIE1	TDOT RTA	No Objection Noted
<b>Comments:</b> none			
05/15/2014	STEVE SHIELDS	ZONING	This has been

completed

**Comments:**

CDRC TRANSMITTAL

TO: Development Services Department  
Rezoning Section

FROM: Steve Shields  
Lead Planner

PROJECT: Broadway Festival, 5106 E. Broadway Blvd.  
Rezoning Case Number - C9-14-03  
R-3 to C-1

TRANSMITTAL: May 15, 2014

The proposed use falls under UDC Section 4.8.6, TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USEZONES, Commercial Services Land Use Group With Land Use Class/Type: Food Service: Excluding Soup Kitchens, subject to Use Specific Standards 4.9.4.M.1 & 5 and 4.9.13.O and Retail Trade Use Group With Land Use Class/Type: General Merchandise Sales, excluding Large Retail Establishment, subject to Use Specific Standards 4.9.9.B.3 and 4.9.13.O

Vehicular Access: Vehicular access appears to be adequate  
Vehicle Parking Required: 94  
Vehicle Parking Provided: 96  
Pedestrian Access: Pedestrian circulation appears to be adequate.  
Allowable Building Height: 30'  
Proposed Building Height: 28'

If you have any questions about this transmittal, please Steve Shields, (520) 837-4956 or Steve.Shields@tucsonaz.gov.

05/20/2014	CLAURIE1	PARKS & RECREATION	This has been completed
<b>Comments:</b> none			
05/20/2014	HEATHER THRALL SIGNS		This has been completed
<b>Comments:</b> none			
05/20/2014	CLAURIE1	LANDSCAPE	No Objection Noted
<b>Comments:</b> none			
05/20/2014	CLAURIE1	ENV SVCS	No Objection Noted
<b>Comments:</b> none			
05/21/2014	LAITH ALSHAMI	ENGINEERING	Approved
<b>Comments:</b> Laith Alshami, Engineering and Floodplain Review, 05/21/2014,  SUBJECT: Broadway Festival @ 5601 E Broadway Boulevard Rezoning Case C9-14-03 (Reference T14PRE0005), T14S, R15E, SECTION 26  RECEIVED: Rezoning Preliminary Development Plan for ZE Hearing on May 08, 2014  The Preliminary Development Plan is acceptable pertaining to Engineering and Floodplain. Please be advised that the Drainage Statement provided on the plan is not sufficient for the proposed improvements Development Package submittal. The submitted drainage report/statement shall be in compliance with the requirements of Section 2.1 of the "Standards Manual for Drainage Design and Floodplain Management in Tucson, Arizona".  The following rezoning conditions are requested by Engineering and Floodplain Review for any proposed improvements:  1. The installation of standard 6' width sidewalks and standard wheelchair ramps along			

Broadway Boulevard.

2. The installation of standard curb and sidewalk and wheelchair ramps along Leonora Avenue frontage.
3. The closure of all existing driveways that are proposed to be removed. Curb opening will be closed with new curb and sidewalks.
4. The submittal of a drainage report/statement that addresses onsite and offsite drainage and its impact on the proposed improvements. The drainage report shall determine if runoff retention is required for this development.

05/22/2014

CLAURIE1

COMMUNITY PLANNING

Approved with conditions

**Comments:**

PLANNING & DEVELOPMENT SERVICES DEPARTMENT  
C9-14-03 Ina Group - Broadway Blvd.  
C-1/R-3 to C-1  
Sewell-Hudlow Neighborhood Plan (SHNP) AND Plan Tucson  
05/22/14 MSP

Background: This request is to rezone a parcel from C-1 commercial zone and R-3 high density residential zone to C-1 commercial zone, to allow development of a commercial center for retail and food service land uses. The proposed preliminary development plan (PDP), shows the redevelopment of the site to include two single story structures, each with a building height of twenty eight (28') feet. Proposed square footage will be 4,350 square feet for the western most building and 9,100 square feet for the eastern most building. The eastern building will also include an outdoor patio area of approximately 2,600 square feet, located along the full width of the building frontage (north façade). Site improvements will include 95 parking spaces, two dumpster locations, one loading zone, and two drive-through lanes, one for each building. On-site pedestrian connectivity will be provided between buildings and to adjacent public street sidewalks. Primary vehicular access will be from Broadway Boulevard a gateway arterial street and a secondary access from Leonora Avenue, a local street. The proposed PDP indicates an optional cross-access PAAL (future drive connection) to allow the potential for a future cross-access with the adjacent commercial development to the west, which fronts the Broadway and Craycroft intersection.

As proposed the rezoning site has 1.92-acres, and the northern one-half of the site is currently zoned R-3 high density residential zone and the proposal is to rezone to C-1 commercial zone to allow the proposed redevelopment of the overall site and improvements. The northern half will include parking, drive-thru lanes, landscaping, perimeter masonry wall, dumpster and a loading zone. The southern half will include the two proposed buildings, drive-through lanes, parking, landscape and perimeter walls. The site fronts Broadway Boulevard and Plan policy supports the proposed retail food service land uses. The applicant is seeking to rezone the entire site of 1.92-acres to C-1 commercial zone, to create a uniformed commercial zoning pattern along Broadway Boulevard. The proposed change from R-3 to C-1 commercial is supported at this location by the Sewell-Hudlow Neighborhood Plan (SHNP) AND Plan Tucson. The current church complex will be razed to enable the site to be redeveloped and have the future buildings located closer to the Broadway frontage and create a greater buffer toward the residential neighborhood.

According to the Major Streets and Routes Plan, Broadway Boulevard is Gateway arterial street and Leonora Avenue is a local street.

Surrounding Zoning and Land Uses: The project site fronts Broadway and has a split zone with the northern half of the site zoned R-3 high density residential and across 10th Street to the north is an R-1 low density residential neighborhood with detached single-family homes. The southern half of the site fronts Broadway Boulevard and is zoned C-1 commercial; to the south across Broadway Boulevard are commercial land uses in the C-1 commercial zoned. To the east across Leonora Avenue is zoned C-1 commercial with retail land uses fronting Broadway Boulevard and R-3 high density residential zone developed with a multifamily unit complex fronting Leonora Avenue. To the west is zoned C-1 commercial on a parcel with commercial land uses and located at the intersection of Broadway Boulevard and Craycroft Road. The depth of the commercial corridor along Broadway Boulevard varies between Craycroft Road and Chantilly Drive. But the logical buffer between the Broadway commercial corridor and the interior of the residentially zoned and developed neighborhood is 10th Street.

Rezoning Resubmittal Meeting: The applicant attended a rezoning presubmittal conference meeting on February 5, 2014. At the rezoning presubmittal meeting staff discussed a variety of issues including, compatibility with surrounding land uses, on-site traffic directed toward Broadway, building mass and scale toward Broadway, stabilize roadway corridor, improve commercial neighborhood services, perimeter landscape and buffering, drive-thru lanes stacking, and future cross-access (integration) option with adjacent commercial development to the west.

## Plan Review and Permit Application Results

Neighborhood Meeting: A neighborhood meeting was held on February 24, 2014. Presentation given by Mr. Steve Shenitzer, representing the Ina Road Group, LLC. Mr. Shenitzer's presentation highlighted site design points, such as; right turn only at exit point onto Leonora Avenue, double stacking drive-through lane, 24 foot tall buildings, and shielded outdoor lighting to protect neighborhood from light glare.

Dialogue with neighborhood residents/attendees included; close-off Leonora Avenue to commercial traffic, prefer a six foot tall masonry wall along residential edge, denser landscaping to reduce graffiti, close-off Lee Street (abandoned alley), and how to deter crime associated with fast-food business. The minutes indicate the meeting ended with the applicant stating it takes roughly 12-18 months to complete the process and build.

Mr. Shenitzer explained about the up-coming public hearing (process) where neighbors can voice their opinions about the project.

Applicable Land Use Policies: Policy direction is provided by the Sewell-Hudlow Neighborhood Plan (SHNP) and the Plan Tucson (PT).

Sewell-Hudlow Neighborhood Plan (SHNP). Non-residential policy 1, direction is to ensure efficient site designs that minimizes vehicular points; integrate with adjacent non-residential developments by having vehicular and pedestrian circulation systems. As outlined in the SHNP Land Use Development Map, Non-residential policy 5 supports neighborhood commercial (i.e., C-1) uses and low-rise office development on Broadway Boulevard on the subject site. Parking policy 2 supports screening parking areas along street frontage with landscape berms, or three-foot-high masonry walls, to screen parking areas. The land use map supports medium- to high-density residential, low-rise office and neighborhood commercial uses on the site. To enhance the visual appearance of solid, long walls, policies promote using a varied alignment and decorative treatment. Transportation Policy 2.a. promotes working with the Transportation Department to limit non-local traffic on neighborhood streets. Architectural Elements, policy 1 supports a transition of building heights with greater setbacks when adjacent to less intense residential development. Transportation policy 2.a. supports a site design that limits non-local traffic on local neighborhood streets. Site design to demonstrate on-site non-residential traffic will be directed onto Broadway Boulevard, a Gateway arterial street.

Plan Tucson (PT): The Future Growth Scenario Map shows Broadway Boulevard in this area to be part of the Mixed-Use Corridors which allow higher intensity mix of jobs, services, and housing along major streets. Supports a mix of high frequency transit options, as well as pedestrian and bicycle facilities. Plan policies protect residential neighborhoods by supporting compatible development (Policy LT4). Non-residential uses are supported, where the scale and intensity of use will be compatible with adjacent uses (Policy LT1). Appropriate locations for commercial uses are supported, with priority for development in the existing urbanized area ? to promote use and improvement of existing infrastructure, increase pedestrian activity and transit use.

Guideline (LT28.1.7) supports developments that preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community. The Plan Tucson also supports the retention and expansion of existing business (LT28.1.11).

Specific guidelines for Mixed-use Centers include; support neighborhood-scaled activity nodes that are designed to provide direct pedestrian and bicycle connection to the neighborhood they serve (LT28.5.3). Further support for infill includes redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines (LT28.5.8).

### Assessment:

Site Design - The site is located one parcel east of the Broadway Boulevard and Craycroft Road intersection. The site fronts Broadway Boulevard and is buffered from the adjacent low-density residential neighborhood located to the north by 10th Street, a local street. Currently the site has split zoning with the north half zoned R-3 high density residential and the south half fronting Broadway Boulevard zoned C-1 commercial. The rezoning request is to allow the full site to have the C-1 commercial zone and redevelop with neighborhood-scale commercial retail and food services. The request is to expand the commercial zone from Broadway north to 10th Street, at an alignment comparable with other commercial sites in the same area fronting Broadway Boulevard. The north commercial alignment abuts 10th Street, which is a logical buffer between commercial along Broadway Boulevard and the interior of the residential neighborhood located to the north.

Planning staff also considers Policy by SHNP and PT, as it relates to connectivity between proposed rezoning sites and adjacent land uses. In this case, the applicant

## Plan Review and Permit Application Results

has been in communication with the property owner(s) of the commercial development to the west, to consider vehicular cross-access. However, based on their discussions, there will not be a cross-access easement at this time.

Another issue that needs further mitigation is that the on-site proposed improvements as shown on the PDP include commercial buildings at a height of twenty-eight (28') feet. At the time of the rezoning presubmittal meeting with planning staff and at the required neighborhood meeting, building height were presented at twenty-four (24) feet. Without the applicant conducting a second neighborhood meeting to discuss changes to their prior proposal, staff recommends a building height to reflect that presented to the neighborhood.

The DCR touches on the concept of proposed buildings being compatible with surrounding land uses and to be designed with four-sided architectural character and detail comparable to the front façade. However, neither the DCR nor PDP include detailed renderings or conceptual architectural drawings to show how the site design will address these issues. To address Plan policy, staff recommends architectural features and design elements be carried out at the same level of detail on all four-sides of the proposed buildings. It is recommended four-sided building elevations drawn to scale and in color be provided to show architectural design elements and color theme for the overall-site design. These conceptual drawings will also assist in addressing building mass and scale.

The proposed perimeter wall along the neighborhood edge is shown to be at five feet in height. However, at the neighborhood meeting held on February 24, 2014, Neighbors voiced a preference for a six foot tall masonry wall and asked about the color of wall, and preferred a higher density landscape buffer to reduce graffiti along the neighborhood perimeter. Plan policy related to compatibility with surrounding land uses can be partially addressed by providing street elevations of proposed improvements along those perimeters. Renderings drawn to scale, should include perimeter wall height, perimeter design and color, landscape material at maturity, access points, and the proposed building elevation(s) in the background.

The PDP shows uses such as; loading zones, trash containers, and drive-thru lanes/menu boards are shown to be at least fifty feet away from the residential neighborhood located north of 10th Street and east of Leonora Avenue. The PDP also shows proposed drive-through stacking lane areas with little or no landscape to protect from the exposure to full sun/glare and heat during peak drive-through hours. The DCR and PDP should address this issue and could include landscape to mitigate and reduce heat island effect. Staff recommends, when possible, to have landscape border with canopy trees that can provide shade on drive-through stacking lanes. The proposed Museum Palo Verde tree has filtered shade and staff recommends a specie with more dense foliage, such as native thorn-less mesquite tree , or other compatible approved full canopy drought tolerant trees.

Another issue to consider is outdoor lighting and how lighting will be shielded to reduce and minimize light glare and spill over onto area residential neighborhoods. Light fixtures to be mounted on building(s) or on pole(s) at a minimum height needed to safely illuminate for pedestrian and on-site traffic circulation. Outdoor light fixtures to be oriented, recessed, and/or shielded to reduce light spill over beyond north and east property boundaries.

The applicant proposes to locate the two new buildings at least one hundred (100) feet from the north boundary of the site, which is the residential edge. The redevelopment of this site will contribute to the vitality and stabilization of the Broadway commercial corridor, visually improving the arterial gateway streetscape character and provide neighborhood-scale commercial services to the area neighborhoods.

Compatibility/Intensity. In general, the land use plan policies support C-1 commercial uses at the proposed rezoning site and surrounding properties fronting the Broadway commercial corridor. As proposed the site design is placing most of the commercial activities; buildings, drive-through lanes, outdoor patio area closer to Broadway and away from the residential edge located to the north. On-site circulation and integration with the adjacent commercial development should help improve business activity. Site circulation may also improve if drive-through lanes are designed to allow ample room for the stacking of vehicles in the drive-through lane without hindering on-site traffic circulation that may spill over onto off-site public street traffic flow. As designed, the drive-thru lane on the east building could create an off-site traffic issue at the Broadway access point. As proposed, the east building drive-through lane has its entrance/access point at approximately twelve (12) feet from the only entrance to the rezoning site from Broadway Boulevard. At peak hours, its possible stacking of this drive-through lane could extend out to Broadway right-of-way. Staff recommends drive-through lane entry point(s) be designed in mind with how the on-site traffic circulation may affect the overall site access onto public streets. Options

## Plan Review and Permit Application Results

to consider would be to move the entry point of drive-through lanes at least fifty feet from any public street, or increase drive-through lane stacking to keep peak hour traffic within the drive-through lanes and not effect on-site PAAL's or public streets traffic flow. An option may be to redesign the east building drive-through lane to be double lane from entry point up to where the menu boards are to be located. Or move the drive-through entry point further north away from the Broadway Boulevard site entrance. This may require building footprint layout modifications to the east building.

Broadway Boulevard is a gateway arterial street and all improvements along Broadway should address the gateway concept of improved view corridors including embellished landscaping. In particular, the drive-through lane(s) are proposed between the buildings and Broadway Boulevard, and as designed, gives high visibility to the stacking of vehicle along Broadway frontage. Aside from the proposed low masonry wall with sparse trees, mitigation can be improved by providing an embellished landscape border to reduce visual impacts on Broadway Boulevard. Staff recommends the landscape layout and density be reconsidered along Broadway frontage.

The nearest residential unit is approximately one hundred and thirty (130) feet from the proposed commercial activities, this includes outdoor open patio area, drive-thru menu board and take out windows. If hours of operation extend into late hours, outdoor activities to exclude loud speakers, such as but not limited to; live music or DJ's, special events, car/motorcycle shows etc. Staff believes a site design addressing plan policy direction can create a neighborhood scale commercial site to be compatible with adjacent land uses.

Conclusion: The Sewell-Hudlow Neighborhood Plan and Plan Tucson can support C-1 commercial land uses on this site, subject to compliance with applicable policies of the SHNP and PT. A plan amendment is not required. Staff offers the following for consideration as conditions of rezoning:

1. Drive-through lane(s) entry points shall be located with minimum fifty (50) foot setback from public street access points, or deduction in setback (as may be approved by City of Tucson Department of Transportation, Traffic Engineering Section) on setback if drive-through lane design includes double stacking lanes (up to menu boards), to minimize on-site traffic circulation congestion.  
" SHNP, Non-Residential Policy 1, and Policy2,  
" SHNP, Parking Policy 2,  
" SHNP, Transportation Policy 2.a,  
" PT, Chapter 3, Built Environment, Policy LT1, and LT4,  
" PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8
2. Rezoning site, shall limit secondary access onto Leonora Avenue as right-out only onto Leonora Avenue, directing traffic onto Broadway Boulevard, as shown on PDP dated 4/23/14.  
" SHNP, Non-Residential Policy 1, and Policy2,  
" SHNP, Parking Policy 2,  
" SHNP, Transportation Policy 2.a,  
" PT, Chapter 3, Built Environment, Policy LT1, and LT4,  
" PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8
3. No direct vehicular access permitted from rezoning site onto 10th Street.  
" SHNP, Non-Residential Policy 1, and Policy2,  
" SHNP, Parking Policy 2,  
" SHNP, Transportation Policy 2.a,  
" PT, Chapter 3, Built Environment, Policy LT1, and LT4,  
" PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8
4. Building height shall not exceed twenty-four feet (24) in height. Retail/food service buildings shall be setback no less than one-hundred twenty feet (120) from the north property line, as indicated on the PDP dated 4/23/14.  
" SHNP, Non-Residential Policy 1, and Policy2,  
" SHNP, Parking Policy 2,  
" SHNP, Transportation Policy 2.a,  
" PT, Chapter 3, Built Environment, Policy LT1, and LT4,  
" PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8
5. Development plan will include four-sided building elevations (façades) showing architectural features and detail elements at the same level of detail on all four sides for each building. Also provide masonry wall elevations (perimeter walls), to show compatibility in architectural design and color theme with surrounding land uses. Building elevations and perimeter masonry wall elevations to be drawn in color and to scale, with dimensions and color palette.

## Plan Review and Permit Application Results

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8

6. Landscape buffer area located between the on-site perimeter masonry wall and 10th Street, adjacent to the north property line shall include native thorn-less canopy tree for every twenty linear feet of frontage along 10th Street.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8

8. Landscape buffer area located between the on-site perimeter masonry wall and sidewalk, adjacent to that portion of the east property line located north of the access point onto Leonora Avenue shall include native thorn-less canopy tree for every twenty linear feet.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

9 A six (6') foot tall masonry wall with no less than six (6) inch wide masonry block material shall be located as part of the landscape buffer along the full length of the north perimeter adjacent to 10th Street, and that portion of the east perimeter landscape buffer located north of the Leonora Avenue access entrance.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

7. All on-site boundary perimeter masonry walls shall be graffiti-resistant material that incorporates two (2) or more of the following visually appealing design treatments, such as the use of decorative materials like stucco, tile, stone, or brick; a visually-interesting design on the wall surface; and/or a varied wall alignment (job, curve, notch, setback, etc.). Graffiti to be removed within five working days of discovery.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8

8. Outdoor noise-generating activities such as but not limit to; trash dumpsters, loading zone, outdoor menu boards, and outdoor open patio areas shall be a minimum of fifty (50) feet from the north property line.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

9. All outdoor security lighting to be full cutoff directed down and shielded away from residential parcels and public right-of-way. Outdoor lighting layout and lighting fixture detail shall be submitted as part of the development plan.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

10. Landscape borders adjacent to drive-through lanes shall have native thorn-less mesquite trees placed twenty (20') feet on center to create a solid tree canopy at maturity, to mitigate and minimize sun glare and heat island effect on drive-through lane vehicles.

- " SHNP, Non-Residential Policy 1, and Policy2,
- " SHNP, Parking Policy 2,
- " SHNP, Transportation Policy 2.a,
- " PT, Chapter 3, Built Environment, Policy LT1, and LT4,
- " PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

Plan Review and Permit Application Results

11. Hours of operation for outdoor activities, including; deliveries/pick-ups, trash pick-up, and outdoor services associated with the open patio area are limited 6:00 a.m. to 10:00 p.m.

" SHNP, Non-Residential Policy 1, and Policy2,

" SHNP, Parking Policy 2,

" SHNP, Transportation Policy 2.a,

" PT, Chapter 3, Built Environment, Policy LT1, and LT4,

" PT, Chapter 3, Built Environment, Guideline LT28.1.7, LT28.1.11, LT28.5.3, and LT28.5.8.

S:\UPDfiles\DevRev\CASE\_REVIEW\REZONING\REZ 2014\ C9-14-3 Ina Road Group - Broadway Blvd.com

05/22/2014      CLAURIE1      DOT ENGINEERING      Approved with conditions

**Comments:**  
The Preliminary Development Plan is acceptable; however a traffic study is required to adequately determine neighborhood impacts, and recommendations. A traffic count should be performed as a baseline for future reference.

The following rezoning conditions are recommended by TDOT:

1. The installation of standard 6' width sidewalks and standard wheelchair ramps along Broadway Boulevard.
2. The installation of standard curb and sidewalk and wheelchair ramps along Leonora Avenue frontage.
3. The closure of all existing driveways that are proposed to be removed. Curb openings will be closed with new curb and sidewalks.
4. Chip Seal Leonora from Broadway to 10th Street.
5. Developer will be responsible for neighborhood traffic mitigation if traffic volume increases after opening year of development.

If you have any questions I can be reached at 837-6659 or zelin.canchola@tucsonaz.gov

05/22/2014      JOSE ORTIZ      DOT TRAFFIC      Approved with conditions

**Comments:**  
See Zelin Conchola's comments

05/22/2014      MARTIN BROWN      FIRE      Approved with conditions

**Comments:**  
Based on square footage, building 1 has an occupant load of 290 and building 2 (food service portion) has an occupant load of 200. A-2 occupancies with an occupant load of 100 or more require fire sprinklers. No fire service lines are indicated on the plans. Please resolve, clarify with information on DP plan.

05/22/2014      CLAURIE1      OFFICE OF CONSERVATION & SUSTAINABLE DEVELOPMENT      Approved with conditions

**Comments:**  
TO: Carolyn Laurie, Lead Planner FROM: Irene Ogata, RLA, ASLA, CPM  
Planning & Development Services Urban Landscape Manager

SUBJECT: Case : C9-14-03 Broadway Festival

This project is a request to rezone a parcel from C-1 and R-3 to C-1 commercial to allow development of a commercial center for retail and food service. The proposed preliminary development plan includes 2 separate buildings, both with drive-through food service.

The City of Tucson has been moving toward achieving sustainable development, mitigation of Urban Heat Islands, climate change resiliency and green building principles. In addition to the recently adopted and voter ratified Plan Tucson: Tucson's General and Sustainability Plan 2013, Mayor and Council endorsed the United Nations Urban Environmental Accords in 2005, adopted the US Mayors' Climate Protection Agreement

## Plan Review and Permit Application Results

in 2006, endorsed the City of Tucson Urban Landscape Framework and adopted the City's Framework for Advancing Sustainability in 2008.

Surfaces, such as paving from roadways and asphalt parking areas contribute to approximately 40% of impervious surfaces in a city. These impervious surfaces, in turn, contribute to increasing urban heat islands. The unintended consequences include health risks to vulnerable populations being exposed to heat exhaustion during extreme heat events; and also increasing energy use due to the need to cool facilities; both onsite and to adjacent facilities. Increasing reflectivity of these paved surfaces, providing shade (trees and/or shade structures) or pervious surfaces mitigate the heat absorption quality of dark pavement. The City encourages developers to work with staff to apply best management practices to mitigate urban heat island effects, reduce energy consumption and work towards community resiliency.

In the arid southwest, water is a critical resource being addressed through a number of different applications. In 2009, Mayor and Council adopted a Commercial Rainwater Harvesting Ordinance and amended the landscape bufferyard ordinance changing the required number of trees in parking lots. Both ordinances address not only efficiency in water resources, but also human health and mitigation of urban heat islands. In 2008, the city's Transportation Dept. approved curb cut standards to allow street drainage to flow into planting basins next to residential roadways; and in 2013 approved an Active Guidelines Policy for Green Streets that includes green infrastructure/low impact development practices. Tucson Water has been offering rebates and incentives for high efficiency toilets and rainwater harvesting.

### 1. Relevant Policy/Ordinance:

a. General Service Architecture and Engineering Division, Design and Construction Standards, Division 7: Thermo and Moisture Protection

b. Rainwater Harvesting Ordinance (No. 10957) and associated Development Standards (10-03.00)

c. Department of Transportation: Landscape Policy for curb cuts; Active Practice Guidelines for Landscape Design; Active Practice Guidelines for Green Streets

d. Plan Tucson Policies

#### i. Energy & Climate Readiness

1) EC3: Reduce the urban heat island effect by minimizing heat generation and retention from the built environment using a range of strategies.

2) EC9: Assess and address the vulnerability of the community's health and safety, economy, and natural resources to climate change, and develop assurances that vulnerable and disadvantaged populations are not disproportionately impacted by climate change.

#### ii. Water Resources:

1) WR2: Expand the use of alternative sources of water for potable and non-potable uses, including rainwater, gray water, reclaimed water, effluent, and stormwater.

2) WR6: Integrate land use and water resources planning.

3) WR8: Integrate the use of green infrastructure and low impact development for stormwater management in public and private development and redevelopment projects.

#### iii. Green Infrastructure:

1) GI1: encourage green infrastructure and low impact development techniques for stormwater management in public and private new development and redevelopment, and in roadway projects.

2) GI4: Expand and maintain a healthy, drought-tolerant, low-water use tree canopy and urban forest to provide ecosystem services, mitigate the urban heat island and improve the attractiveness of neighborhoods and the city as a whole and;

3) GI6: Protect, restore, enhance, and manage trees for their long-term health, including providing guidance on proper planting, care and maintenance.

### 2. Targets in the U.S. Mayors Climate Protection Agreement applicable to this site include:

C.5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;

C.7. Practice and promote sustainable building practices using the U.S. Green building Council's LEED program or a similar system;

C.10. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO2

The following conditions of rezoning are requested for this project:

1. Development of this site shall be subject to the Commercial Rainwater Harvesting Ordinance.

2. Development of this site shall be subject to current parking requirements for shade.

3. Tree root zone within the paved parking area have a minimum of 300 cubic feet (no deeper than 3') of uncompacted soil (less than 90% compaction); if utilizing structured/engineered soil where 95% or greater compaction permitted, then 600 cubic feet of structured soil (no deeper than 3') shall be required.

Plan Review and Permit Application Results

- 4. Mature trees, trunk diameter 4" above ground that is greater than 8" and in fair to good health, will be preserved in place; if this is not possible, trees are to be assessed for utilizing an acceptable valuation assessment methodology, equivalent to standards of the International Society of Arborists. Funds will be set aside in an established Tree Bank, such as Trees for Tucson, to be used for revegetation/landscape enhancement and/or improvements of public street rights-of-way or residential neighborhoods or parks within a radius of 2 miles.
- 5. Roofing material to be either Energy Star rated or rated as a cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emittance greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.
- 6. Parking: no more than 10% over the total required parking spaces of the commercial spaces of the site. Any excess area to be incorporated into landscaped areas and/or re-designed as water harvesting infiltration areas with additional vegetation, including trees. 20% over the minimum parking shall be permitted if the additional parking areas are paved with permeable pavement/pavers and/or parking shade structures constructed with cool roofs, or solar panels shall be an acceptable alternative.

05/22/2014      CLAURIE1      OTHER AGENCIES      Approved with conditions  
**Comments:**  
none

05/22/2014      CLAURIE1      TDOT STREETS      Approved with conditions  
**Comments:**  
See Zelin Conchola's comments.

**No FINAL STATUS record available for this Workflow**

**Conditions:**  
none

Back

Help



# CITY OF TUCSON

May 2, 2014

**SUBJECT:** Broadway Festival @ 5601 E Broadway Boulevard  
Rezoning Case C9-14-03 TDOT Review

**PROJECT REVIEWER:** Zelin Canchola,  
TDOT Permit Center

The Preliminary Development Plan is acceptable; however a traffic study is required to adequately determine neighborhood impacts, and recommendations. A traffic count should be performed as a baseline for future reference.

The following rezoning conditions are recommended by TDOT:

1. The installation of standard 6' width sidewalks and standard wheelchair ramps along Broadway Boulevard.
2. The installation of standard curb and sidewalk and wheelchair ramps along Leonora Avenue frontage.
3. The closure of all existing driveways that are proposed to be removed. Curb openings will be closed with new curb and sidewalks.
4. Chip Seal Leonora from Broadway to 10<sup>th</sup> Street.
5. Developer will be responsible for neighborhood traffic mitigation if traffic volume increases after opening year of development.

If you have any questions I can be reached at 837-6659 or [zelin.canchola@tucsonaz.gov](mailto:zelin.canchola@tucsonaz.gov)



# MEMORANDUM

*Office of Integrated Planning*

**DATE:** May 19, 2014

**TO:** Carolyn Laurie, Lead Planner  
Planning & Development Services

**FROM:** Irene Ogata, RLA, ASLA, CPM  
Urban Landscape Manager

**SUBJECT:** Case : C9-14-03 Broadway Festival

This project is a request to rezone a parcel from C-1 and R-3 to C-1 commercial to allow development of a commercial center for retail and food service. The proposed preliminary development plan includes 2 separate buildings, both with drive-through food service.

The City of Tucson has been moving toward achieving sustainable development, mitigation of Urban Heat Islands, climate change resiliency and green building principles. In addition to the recently adopted and voter ratified Plan Tucson: Tucson's General and Sustainability Plan 2013, Mayor and Council endorsed the United Nations Urban Environmental Accords in 2005, adopted the US Mayors' Climate Protection Agreement in 2006, endorsed the City of Tucson Urban Landscape Framework and adopted the City's Framework for Advancing Sustainability in 2008.

Surfaces, such as paving from roadways and asphalt parking areas contribute to approximately 40% of impervious surfaces in a city. These impervious surfaces, in turn, contribute to increasing urban heat islands. The unintended consequences include health risks to vulnerable populations being exposed to heat exhaustion during extreme heat events; and also increasing energy use due to the need to cool facilities; both onsite and to adjacent facilities. Increasing reflectivity of these paved surfaces, providing shade (trees and/or shade structures) or pervious surfaces mitigate the heat absorption quality of dark pavement. The City encourages developers to work with staff to apply best management practices to mitigate urban heat island effects, reduce energy consumption and work towards community resiliency.

In the arid southwest, water is a critical resource being addressed through a number of different applications. In 2009, Mayor and Council adopted a Commercial Rainwater Harvesting Ordinance and amended the landscape bufferyard ordinance changing the required number of trees in parking lots. Both ordinances address not only efficiency in water resources, but also human health and mitigation of urban heat islands. In 2008, the city's Transportation Dept. approved curb cut standards to allow street drainage to flow into planting basins next to residential roadways; and in 2013 approved an Active Guidelines Policy for Green Streets that includes green infrastructure/low impact development practices. Tucson Water has been offering rebates and incentives for high efficiency toilets and rainwater harvesting.

TO: Carolyn Laurie  
SUBJECT: C9-14-03  
Page 2

1. Relevant Policy/Ordinance:
  - a. General Service Architecture and Engineering Division, Design and Construction Standards, Division 7: Thermo and Moisture Protection
  - b. Rainwater Harvesting Ordinance (No. 10957) and associated Development Standards (10-03.00)
  - c. Department of Transportation: Landscape Policy for curb cuts; Active Practice Guidelines for Landscape Design; Active Practice Guidelines for Green Streets
  - d. Plan Tucson Policies
    - i. Energy & Climate Readiness
      - 1) EC3: Reduce the urban heat island effect by minimizing heat generation and retention from the built environment using a range of strategies.
      - 2) EC9: Assess and address the vulnerability of the community's health and safety, economy, and natural resources to climate change, and develop assurances that vulnerable and disadvantaged populations are not disproportionately impacted by climate change.
    - ii. Water Resources:
      - 1) WR2: Expand the use of alternative sources of water for potable and non-potable uses, including rainwater, gray water, reclaimed water, effluent, and stormwater.
      - 2) WR6: Integrate land use and water resources planning.
      - 3) WR8: Integrate the use of green infrastructure and low impact development for stormwater management in public and private development and redevelopment projects.
    - iii. Green Infrastructure:
      - 1) GI1: encourage green infrastructure and low impact development techniques for stormwater management in public and private new development and redevelopment, and in roadway projects.
      - 2) GI4: Expand and maintain a healthy, drought-tolerant, low-water use tree canopy and urban forest to provide ecosystem services, mitigate the urban heat island and improve the attractiveness of neighborhoods and the city as a whole and;
      - 3) GI6: Protect, restore, enhance, and manage trees for their long-term health, including providing guidance on proper planting, care and maintenance.
2. Targets in the U.S. Mayors Climate Protection Agreement applicable to this site include:
  - C.5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;
  - C.7. Practice and promote sustainable building practices using the U.S. Green building Council's LEED program or a similar system;
  - C.10. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO2

TO: Carolyn Laurie  
SUBJECT: C9-14-03  
Page 3

The following conditions of rezoning are requested for this project:

1. Development of this site shall be subject to the Commercial Rainwater Harvesting Ordinance.
2. Development of this site shall be subject to current parking requirements for shade.
3. Tree root zone within the paved parking area have a minimum of 300 cubic feet (no deeper than 3') of uncompacted soil (less than 90% compaction); if utilizing structured/engineered soil where 95% or greater compaction permitted, then 600 cubic feet of structured soil (no deeper than 3') shall be required.
4. Mature trees, trunk diameter 4' above ground that is greater than 8" and in fair to good health, will be preserved in place; if this is not possible, trees are to be assessed for utilizing an acceptable valuation assessment methodology, equivalent to standards of the International Society of Arborists. Funds will be set aside in an established Tree Bank, such as Trees for Tucson, to be used for revegetation/landscape enhancement and/or improvements of public street rights-of-way or residential neighborhoods or parks within a radius of 2 miles.
5. Roofing material to be either Energy Star rated or rated as a cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emittance greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.
6. Parking: no more than 10% over the total required parking spaces of the commercial spaces of the site. Any excess area to be incorporated into landscaped areas and/or re-designed as water harvesting infiltration areas with additional vegetation, including trees. 20% over the minimum parking shall be permitted if the additional parking areas are paved with permeable pavement/pavers and/or parking shade structures constructed with cool roofs, or solar panels shall be an acceptable alternative.



6

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# MEMORANDUM

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**DATE:** May 30, 2014

**TO:** File

**FROM:** Rezoning Section

**SUBJECT:** Certification of Mail Out of Zoning Examiner Public Hearing Notice on Rezoning Site

**REZONING CASE NAME:** C9-14-03 Broadway Festival – Leonora Avenue

This serves to place on record the fact that on May 30, 2014, BJ Viestenz, mailed notice of the Zoning Examiner's June 19, 2014, public hearing for rezoning case C9-14-03 a minimum of fifteen (15) days prior to the public hearing.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

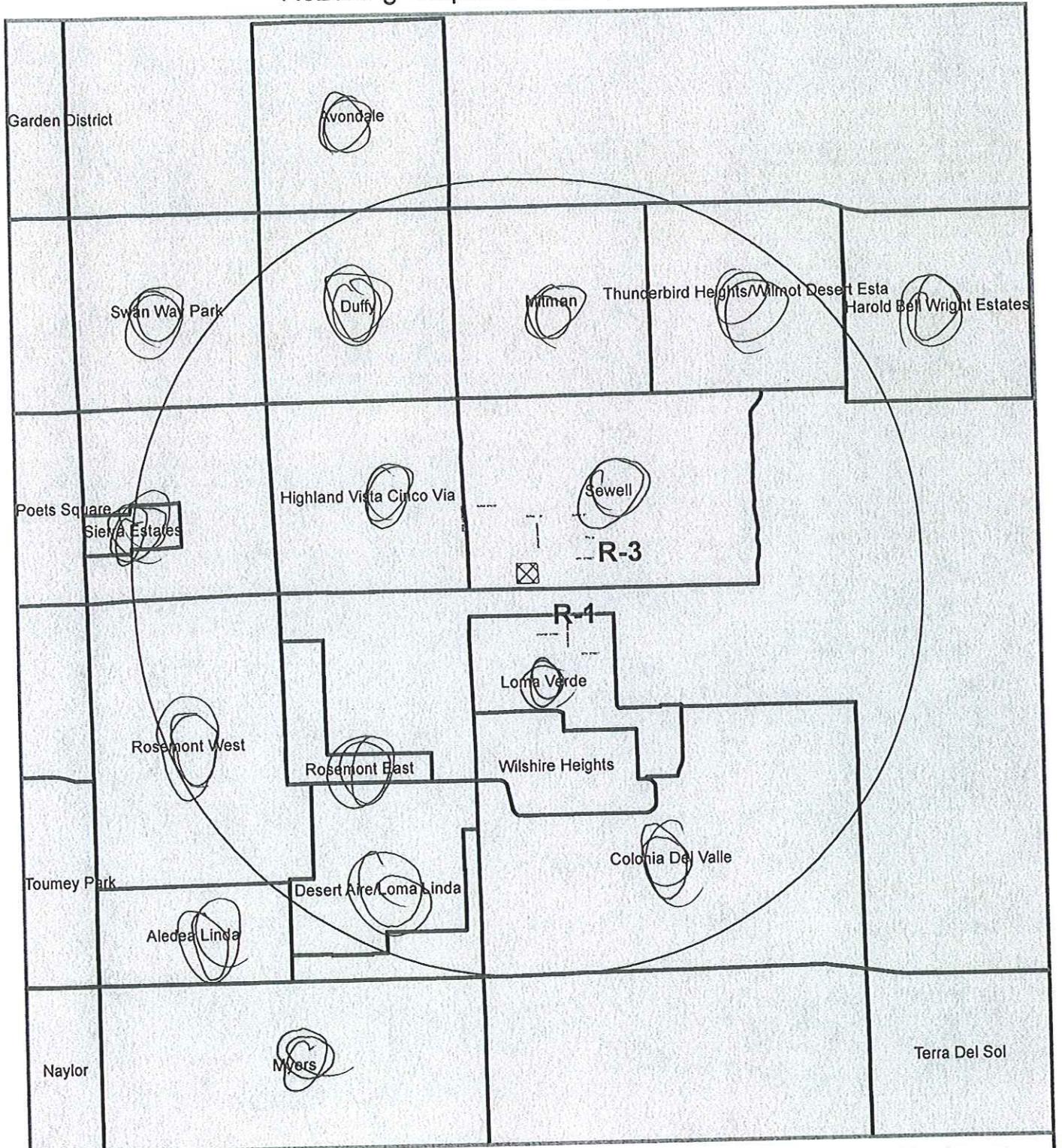
05/30/2014

Attachment: copy of mailing list

cc: Linus Kafka, Zoning Examiner

# C9-14-03 Broadway Festival - Leonora Avenue

## Rezoning Request: from R-3 to C-1



Address: 5601 E. Broadway Boulevard  
 Base Maps: Sec.12 T.14 R.14  
 Ward: 6



 Area of Rezoning Request

0 5000  
 Feet  
 1 inch = 2,000 feet



created by: JR, 5/5/2014



CITY OF  
TUCSON  
PLANNING &  
DEVELOPMENT  
SERVICES  
DEPARTMENT

May 6, 2014

Subject: C9-14-03 Broadway Festival—Lenora Avenue

Dear Neighborhood Association Representative:

A rezoning case has been filed for a property located on the northwest corner of Broadway Boulevard and Leonora Avenue, currently split zoned R-3 (high density residential) and C-1 (commercial). The proposed redevelopment will include retail and restaurant uses on approximately acres.

A Zoning Examiner's public hearing has been tentatively scheduled for June 19, 2014, at 6:30 P.M. in the Mayor and Council Chambers, 255 West Alameda. The file is available for review during regular business hours at the Planning and Development Services Department, 201 North Stone Avenue, 2nd Floor, or on the internet at <http://www.tucsonaz.gov/PRO/pro/devactionsrch.jsp> . After accessing this link, click the "advanced Search" button and enter the "C9" case number in the activity number box.

If you need additional information, please contact Peter McLaughlin or me at 791-5550.

Sincerely,

Carolyn Laurie  
Lead Planner

Attachment: Preliminary Development Plan

s:\rezoning\CL\2014\03 neighborhood.doc

201 N. STONE AVENUE  
P.O. BOX 27210 • TUCSON, AZ 85726-7210  
(520) 791-5550 • FAX (520) 791-4340  
E-Mail: Michael.Wyneken@tucsonaz.gov

**SITE PLAN KEYNOTES**

1. 6" VERTICAL CONCRETE CURB PER DOT STD DTL 209.
2. CONCRETE SIDEWALK PER DOT STD DTL 203, WIDTH PER PLAN.
3. 2" ASPHALT PAVEMENT OVER 4" COMPACTED A/C.
4. 8" THICK CONCRETE DUMPTERS APPROACH PAD PER DETAIL 2/C.2.
5. ACCESSIBLE RAMP, 1:12 SLOPE, TYPICAL.
6. CURB ACCESS RAMP WITH 2" DETECTABLE WARNING STRIP PER 2009 ICC A117.1.
7. CONCRETE SIDEWALK FUSH WITH PAVEMENT.
8. SHORT TERM BIKE PARKING POST.
9. LONG TERM BIKE PARKING LOCKERS.
10. 3" HIGH MASONRY SCREEN WALL.
11. LOADING ZONE STRIPING.
12. RECYCLING BINS FOR SMALL ITEMS.
13. 2'-5" HIGH MASONRY SCREEN WALL (OR ALTERNATE TO PROVIDE 2'-6" HIGH VEGETATION SHRUB SCREEN).
14. CONCRETE WHEEL STOPS.
15. H.C. SIGN PER DETAIL 1/C.2.
16. TYPICAL PARKING PER DETAIL 2/C.2.
17. CONCRETE DRIVEWAY, COORDINATE FINISH AND COLOR WITH OWNER.
18. CONCRETE SIDEWALK, COORDINATE FINISH AND COLOR WITH OWNER.
19. RIGHT TURN ONLY SIGN.
20. ARROW INDICATES TYPICAL SURFACE WATER DRAINAGE FLOW DIRECTION.
21. 6" DEPRESSED LANDSCAPE AREA FOR RAIN WATER HARVESTING.

**DRAINAGE STATEMENT**

1. THE SITE IS LOCATED WITHIN AN UNDEVELOPED AREA WITH A FLAT TO SLIGHTLY SLOPING TO THE SOUTH. THE DRAINAGE PATTERN IS TYPICAL OF A RAIN FOREST ENVIRONMENT AND IS NOT MODIFIED.

2. THE AREA IS LOCATED WITHIN A RAIN FOREST ENVIRONMENT WHICH IS NOT DEGRADED AS BALANCED BANKS OF CRITICAL HABITAT DETENTION IS NOT REQUIRED.

3. THE DRAINAGE PATTERN IS TYPICAL OF A RAIN FOREST ENVIRONMENT AND IS NOT MODIFIED. THE DRAINAGE PATTERN IS TYPICAL OF A RAIN FOREST ENVIRONMENT AND IS NOT MODIFIED.

4. WATERMARKING ANALYSIS IS PROVIDED ON THE LANDSCAPE PLAN.

5. THE DRAINAGE PATTERN IS TYPICAL OF A RAIN FOREST ENVIRONMENT WHICH IS NOT DEGRADED AS BALANCED BANKS OF CRITICAL HABITAT DETENTION IS NOT REQUIRED.

6. THE DRAINAGE PATTERN IS TYPICAL OF A RAIN FOREST ENVIRONMENT WHICH IS NOT DEGRADED AS BALANCED BANKS OF CRITICAL HABITAT DETENTION IS NOT REQUIRED.

**CITY OF TUCSON**

**DEVELOPMENT PACKAGE**

**PLSD APPROVAL**

<input type="checkbox"/> 10/1	<input type="checkbox"/> 10/2	<input type="checkbox"/> 10/3	<input type="checkbox"/> 10/4
<input type="checkbox"/> 10/5	<input type="checkbox"/> 10/6	<input type="checkbox"/> 10/7	<input type="checkbox"/> 10/8
<input type="checkbox"/> 10/9	<input type="checkbox"/> 10/10	<input type="checkbox"/> 10/11	<input type="checkbox"/> 10/12
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<input type="checkbox"/> 10/17	<input type="checkbox"/> 10/18	<input type="checkbox"/> 10/19	<input type="checkbox"/> 10/20
<input type="checkbox"/> 10/21	<input type="checkbox"/> 10/22	<input type="checkbox"/> 10/23	<input type="checkbox"/> 10/24
<input type="checkbox"/> 10/25	<input type="checkbox"/> 10/26	<input type="checkbox"/> 10/27	<input type="checkbox"/> 10/28
<input type="checkbox"/> 10/29	<input type="checkbox"/> 10/30	<input type="checkbox"/> 10/31	<input type="checkbox"/> 10/32

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

PROJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

SCALE: 1"=20'-0"

CONTOUR INTERVALS = 1'-0"

**SITE PLAN**

REZONING CASE # C-3

DP14-

**BROADWAY FESTIVAL**

LOT 40, OF LENDORA ANNEX,  
BOOK 10 OF MAPS AT PAGE 38,  
WITHIN SEC 12, T14S, R14E GASRM  
PIMA COUNTY, ARIZONA

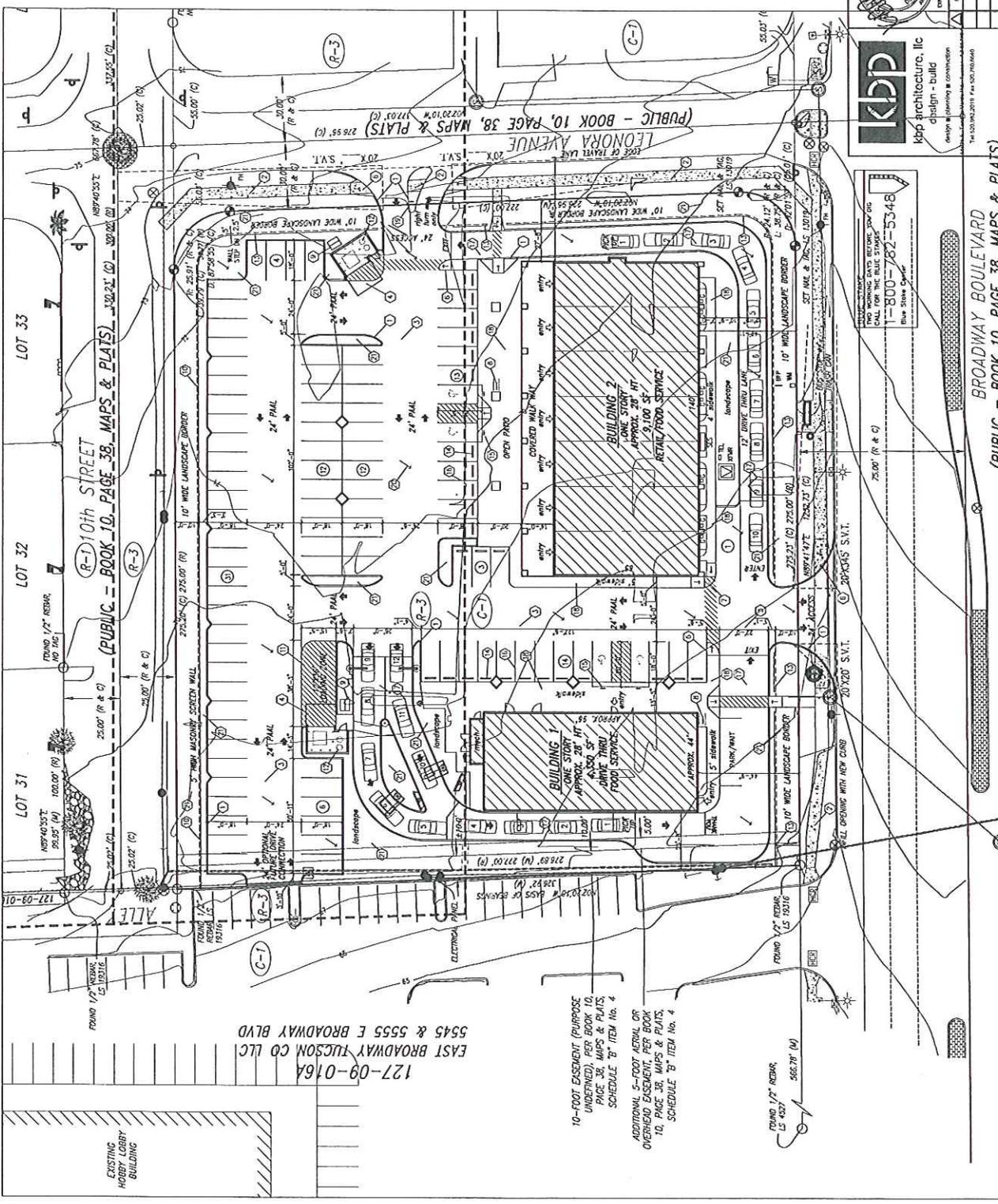
5501 E. BROADWAY BLVD.

DATE: 4-25-14

KAP JOB NO.: 2487

**C-3**

sheet 3 of 5



**kbp architecture, llc**

design - build

design | planning | construction

74.102.002.2019 #4307.0016460

1-800-782-5344

Blue

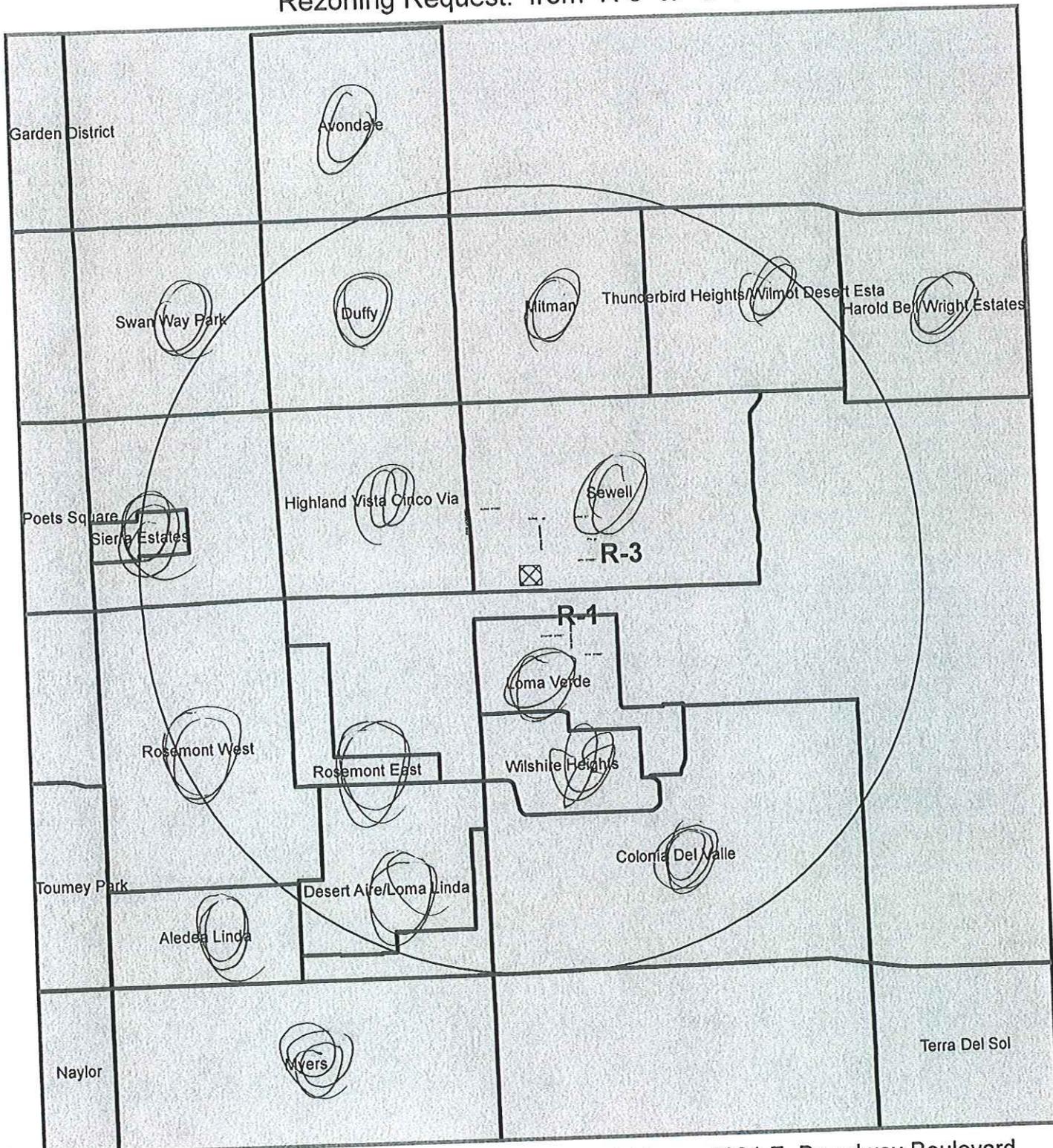
127-09-016A  
EAST BROADWAY TUCSON CO LLC  
5545 & 5555 E BROADWAY BLVD

10-FOOT EASEMENT (PURPOSE UNDETERMINED), PER BOOK 10, PAGE 38, MAPS & PLATS, SCHEDULE "B" ITEM No. 4

ADDITIONAL 5-FOOT AETRAL OR OVERHEAD EASEMENT, PER BOOK 10, PAGE 38, MAPS & PLATS, SCHEDULE "B" ITEM No. 4

# C9-14-03 Broadway Festival - Leonora Avenue

## Rezoning Request: from R-3 to C-1



Area of Rezoning Request



Address: 5601 E. Broadway Boulevard  
 Base Maps: Sec.12 T.14 R.14  
 Ward: 6

0 500

Feet

1 inch = 2,000 feet



created by: JR, 4/30/2014

## CITY OF TUCSON PUBLIC HEARING NOTICE

County Assessor records indicate that you are an owner of property located within 300 feet of a parcel(s) that is being considered for a rezoning.

The Zoning Examiner, on behalf of the Mayor and Council, conducts a public hearing and considers testimony for each rezoning in the City of Tucson. Persons attending the hearing are to observe rules of propriety, decorum, and good conduct and are to refrain from rude or slanderous remarks. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

After the Public Hearing, the Zoning Examiner issues written reports with findings of fact and a recommendation. A preliminary report is issued five working days after the close of the public hearing. A final report is issued 14 days after the close of the public hearing and transmitted to the Mayor and Council. Any person may request a public hearing before Mayor and Council provided the written appeal is filed with the City Clerk within 14 days after the close of the Zoning Examiner's public hearing. The Mayor and Council make the final decision on all rezoning requests.

You may speak in favor or in opposition to the rezoning during the public hearing. You may also submit a written approval or protest. A form is attached for your convenience.

### PUBLIC HEARING INFORMATION

Date: June 19, 2014

Time: 6:30 PM

Location: Mayor and Council Chambers\* First Floor, City Hall, 255 West Alameda, Tucson, Arizona

The Council Chambers is wheelchair accessible. A request for reasonable accommodation for persons with disabilities must be made to the City Clerk's Office by parties at least five working days in advance of the scheduled meeting and can be made by calling (520) 791-4213 or (520) 791-2639 (TDD).

### APPLICANT

Steve Shenitzer  
5633 E. Grant Road  
Tucson, AZ 85712

### PROPOSED REZONING

Case: C9-14-03 Broadway Festival – Leonora Ave (Ward 6)

Requested Zoning Change: R-3/ C-1 to C-1

Location: The northwestern corner of Leonora Avenue and Broadway Boulevard.

Proposed Development: The redevelopment proposes the restaurant and retail uses be adjacent to the Broadway Boulevard frontage with associated parking and landscape buffer along 10<sup>th</sup> Avenue.

Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: C9-14-03 Broadway Festival – Leonora Ave (Ward 6)

Petición de Rezonificación: R-3 a C-1

Locación: La esquina noroeste de la avenida Leonora y el boulevard de Broadway

Desarrollo Propuesto: Redesarrollo del sitio para el restaurante y el uso al por menor con aparcamiento asociado

Si usted desea este documento escrito en Español, por favor llame al número de teléfono: 791-5550

For further information, please call Carolyn Laurie at (520) 837-4953 or write to Planning & Development Services Department – Rezoning Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, AZ 85726

## ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Unified Development Code, Article 4, which can be found at <http://www.ci.tucson.az.us> )

**Current Zoning:** Parcel is currently split zoned

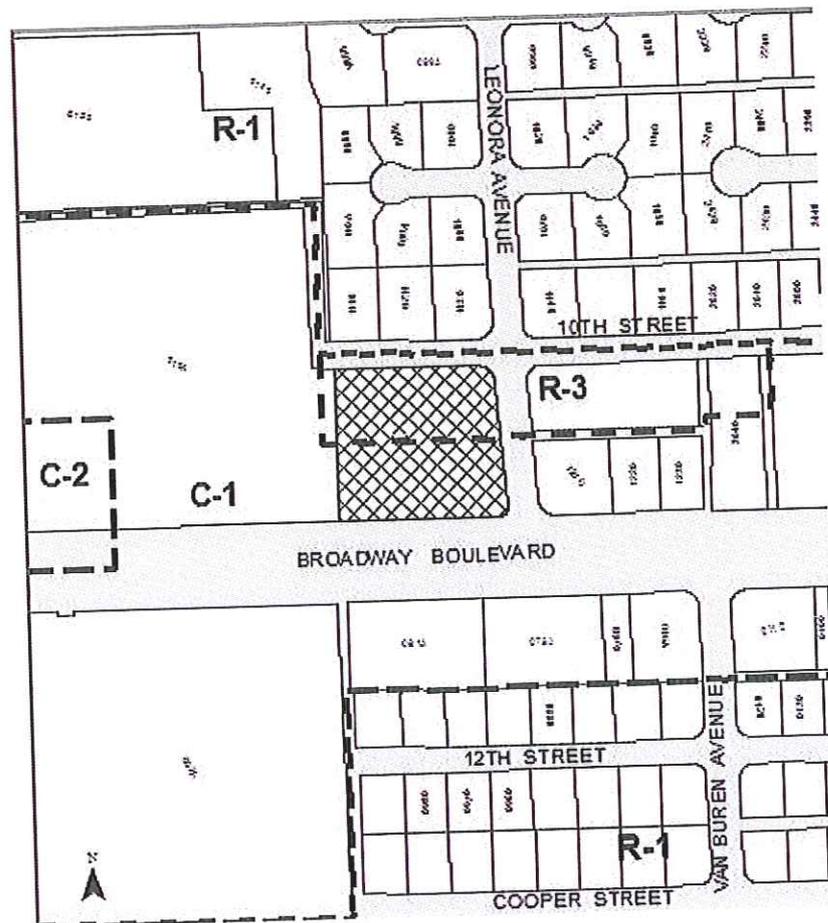
**R-3 High Density Residential:** Primarily for apartment houses; single-family development permitted.

**C-1 Neighborhood Commercial:** Low-intensity, small-scale commercial and office uses that are compatible in size and design with adjacent residential uses.

### Requested Zoning:

**C-1 Neighborhood Commercial**

**NOTE:** Rezoning request will create one consistent C-1 zoning designation on the parcel of record.

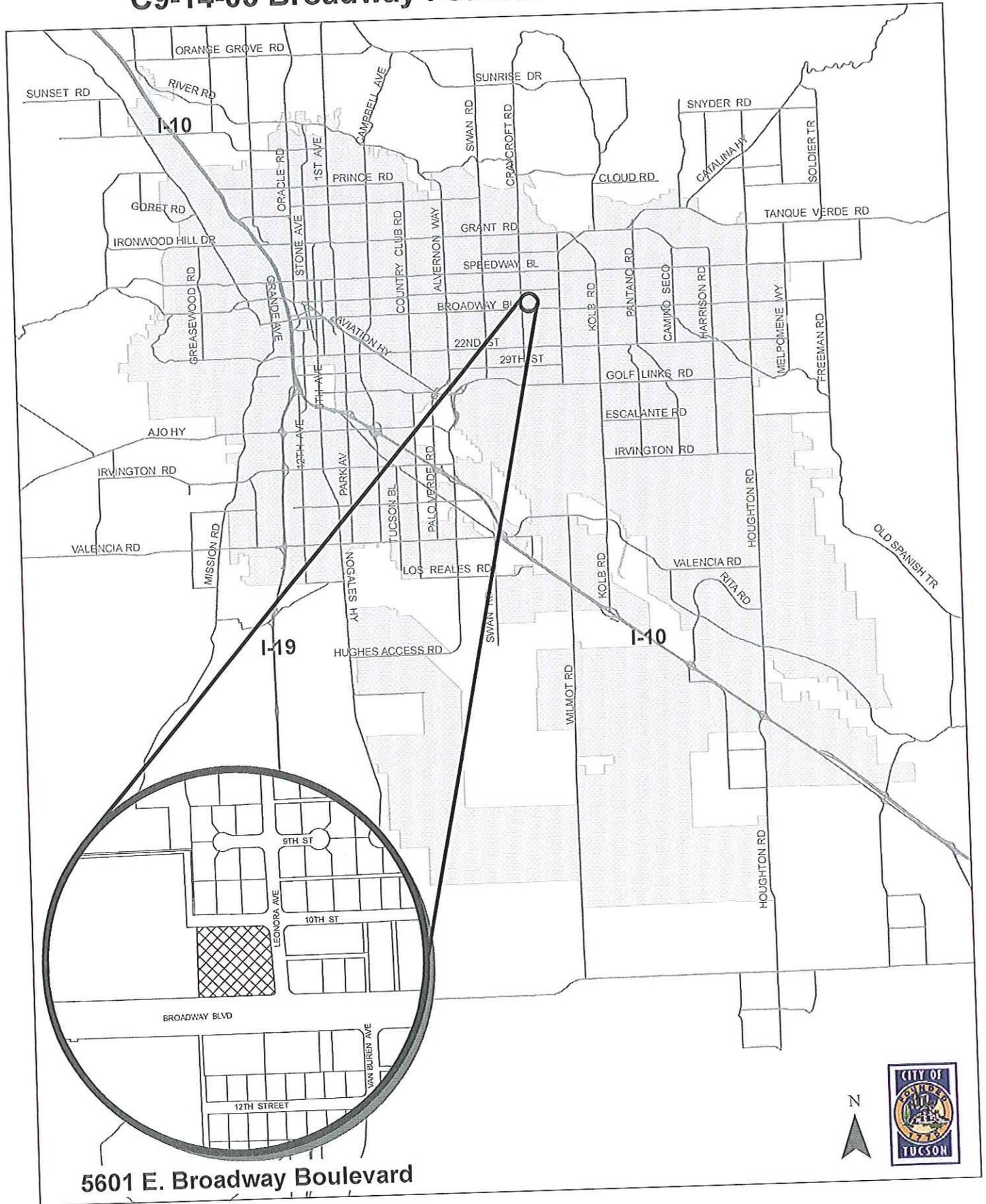


C9-14-03

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, June 3, 2014 at

[http://cms3.tucsonaz.gov/planning/prog\\_proj/projects/rezoning/index.html](http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html)

# C9-14-03 Broadway Festival - Leonora Avenue



5601 E. Broadway Boulevard



## Approval – Protest Form



If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning & Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

Approvals and protests must have an owner's signature to be recorded.

Case: C9-14-03 Broadway Festival – Leonora Ave, (Ward6)

C-1 and R-3 (high density, residential development) to C-1 (Low-intensity commercial)

\_\_\_\_\_  
I/We the undersigned property owners, wish to

- APPROVE the proposed rezoning.  
 PROTEST the proposed rezoning.

Reason:

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PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: \_\_\_\_\_ Date \_\_\_\_\_

C9-14-03  
IMPORTANT REZONING NOTICE ENCLOSED

City of Tucson  
Planning and Development Services  
Department - Rezoning Section CL  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210



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Expose this flap - Affix stamp and return

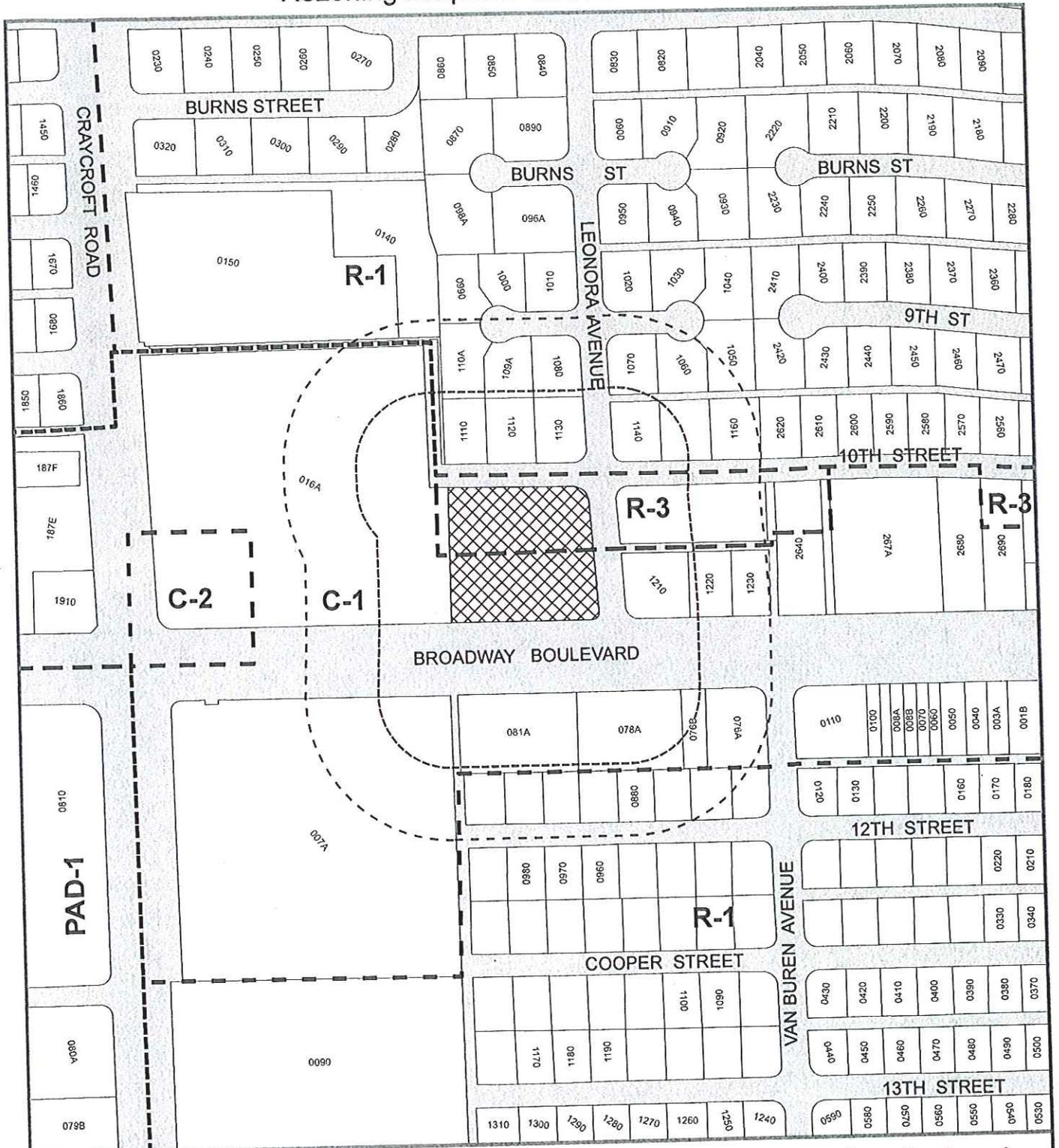
C9-14-03 Broadway Festival - Leonora Ave, (Ward 6)

City of Tucson  
Planning and Development Services Department  
Rezoning Section CL  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

Stamp  
Here

# C9-14-03 Broadway Festival - Leonora Avenue

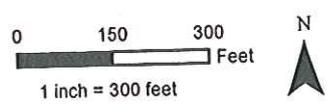
## Rezoning Request: from R-3 to C-1



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



Address: 5601 E. Broadway Boulevard  
 Base Maps: Sec.12 T.14 R.14  
 Ward: 6



created by: JR, 5/5/2014