



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

September 12, 2014

**C9-14-06 Bolt – Park Avenue, O-3 to C-1
Public Hearing: August 28, 2014**

BACKGROUND

This is a request by Jesus Cedeno of JACA Design, LLC, on behalf of the property owners, Robert E. Bolt, Trustee, La Casita Water Company, Inc., to rezone approximately 1.33 acres located on the east side of Park Avenue and the north side of Alvord Road from O-3 to C-1 zoning.

Land use policy direction for this area is provided by the *Kino Area Plan* and *Plan Tucson*.

PUBLIC HEARING SUMMARY (Minutes Attached)

Glenn Moyer, Planning and Development Services Department, presented the staff report with a recommendation for approval. Mr. Moyer commented that one approval and no protests were received in the formal protest area.

Jesus Cedeno presented the rezoning request.

FINDINGS OF FACT

This is a request by Jesus Cedeno of JACA Design, LLC, on behalf of the property owners, Robert E. Bolt, Trustee, La Casita Water Company, Inc., to rezone approximately 1.33 acres from O-3 to C-1 zoning. The rezoning site is located on the east side of Park Avenue and the north side of Alvord Road. The preliminary development plan proposes a mixed-use development including a 4,000 square foot one-story retail market and seven one-story residential units.

The retail market will sell groceries, baked goods, and meats, but will not sell alcohol or tobacco. To limit the impact of the retail market, hours of operation for outdoor activities, including but not limited to deliveries and pick-ups, trash collection, and amplified music or loudspeakers, will be limited to between 7:00 AM and 9:00 PM, seven days a week. As a mixed use retail and residential development, architectural design will be coherent throughout the development. Buildings will be designed with the same amount of architectural detailing on all sides. Perimeter and screen walls will complement the design and color scheme of the buildings.

C9-14-06 Bolt – Park Avenue

Rezoning: R-2 to I-1

The rezoning site is an upside down “L” shaped parcel with one frontage on Park Avenue and one frontage on Alvord Road, near the intersection of those streets. The area surrounding the rezoning site is a mix of vacant land, low intensity commercial development, and residential development. The site wraps around two parcels, currently zoned O-3. One parcel is developed with two one-story single family residences and the other is vacant. Parcels to the west across Park Avenue are zoned R-2 and either developed with single and multi-family residential dwellings or vacant. To the south, across Alvord Road, is a one story multi-family residential building, and a 25 unit, three-story apartment building, both zoned O-3. To the east is a religious use, zoned R-2. To the northeast is a two-story apartment complex zoned O-3. To the north of the rezoning site is land zoned C-1, developed with a restaurant and attached residence.

The rezoning site has frontage on both Park Avenue and Alvord Road. Park Avenue is identified as an arterial street on the *Major Streets and Routes Plan* map. Alvord is a local street. Primary access for the retail market is from Park Avenue. Secondary access is from Alvord Road. An internal driveway will connect Park Avenue to Alvord Road through the development.

Land use policy direction for this area is provided by the *Kino Area Plan* and *Plan Tucson*. The rezoning site is located with an existing neighborhood as identified on the Future Growth Scenario Map of *Plan Tucson*. Existing neighborhoods are characterized in *Plan Tucson* as largely built-out residential neighborhoods and commercial districts in which minimal new development or redevelopment is expected in the next few decades. The goal is to maintain the character of these neighborhoods while accommodating some new development and encouraging reinvestment, services, and amenities that contribute to further neighborhood stability. Environmentally sensitive infill projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines are supported when they enhance the overall function and visual quality of the street, adjacent properties, and the community. Urban heat island effects should be mitigated. New development should utilize solutions and strategies included in the Design Guidelines Manual.

The *Kino Area Plan* goals include providing a balance of uses and a wide range of activities, including employment, shopping, housing, and recreation. Additional residential units should be encouraged, including duplexes, apartments, and townhouses. Commercial functions should be designed to best serve the needs of the neighborhood, community, and region.

CONCLUSION

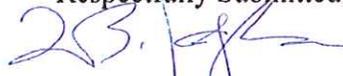
The proposed rezoning is consistent with, and supported by the *Kino Area Plan* and *Plan Tucson* which supports industrial development at this location. Subject to compliance with the attached preliminary conditions, approval of the requested C-1 zoning is appropriate.

C9-14-06 Bolt – Park Avenue
Rezoning: R-2 to I-1

RECOMMENDATION

The Zoning Examiner recommends approval of C-1 zoning.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read '23. jk', is written over the typed name.

Linus Kafka
Zoning Examiner

ATTACHMENTS:

Public Hearing Minutes
Rezoning Staff Report

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner
Glenn Moyer, Planning & Development Services
Delma Sanchez, City Recording Clerk

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1 ZONING EXAMINER: All right. While Mr. Mar and Mr.
2 Alvarez are talking, let's turn to Case No. C9-14-06 Bolt-Park
3 Avenue. Mr. Moyer.

4 MR. MOYER: This is a request by Jesus Cedeno of
5 J-A-C-A Design LLC on behalf of the property owners, Robert E.
6 Bolt, Trustee, La Casita Water Company, Inc. to rezone
7 approximately 1.33 acres from O-3 to C-1 zoning. The rezoning
8 site is located on the east side of Park Avenue and the north
9 side of Alvord Road.

10 The Preliminary Development Plan proposes a mixed use
11 development, including a 4,000 square foot one-story retail
12 market and a seven - and seven one-story residential units.

13 Land use policy for this area is provided by the Kino
14 Area Plan and Plan Tucson. The rezoning site is located within
15 an existing neighborhood as identified on the Future Growth
16 Scenario Map of Plan Tucson.

17 The goal is to maintain the character of these
18 neighborhoods while accommodating some new development and
19 encouraging reinvestment services and amenities that contribute
20 to further neighborhood stability.

21 Environmentally sensitive in-fill projects reflect

1 sensitivity to site and neighborhood conditions, and adhere to
2 relevant site and architectural design guidelines are supported
3 when they enhance the overall function and visual quality of the
4 street, adjacent properties and the community.

5 The overall goal of the Kino Area Plan is to provide a
6 balance of uses and a wide range of activities, including
7 employment, shopping, housing and recreation. The development,
8 as proposed, including a 4,000-square-foot retail market and
9 seven residential units, will all be single story.

10 The retail market will sell groceries, baked goods,
11 meats and will not sell alcohol or tobacco. To limit the impact
12 of the retail market, hours of operation for (inaudible)
13 activities, including but not limited to deliveries and pickups,
14 trash pickup and amplified music from loudspeakers should be
15 limited to 7:00 A.M. to 9:00 P.M. seven days a week.

16 Architectural design of the buildings can play a
17 significant role in enhancing the visual quality of the project
18 for residents and the community. Rooftop and ground-mounted
19 mechanical equipment, outdoor storage areas, loading zones and
20 dumpsters should be screened from view from within and outside
21 the project.

22 Primary, primary access is for - primarily access for
23 the retail market is from Park Avenue. Secondary access is from
24 Alvord Road. An internal driveway will connect Park Avenue to

1 Alvord Road through the development. To reduce cut-through
2 traffic, speed tables and/or speed humps should be included in
3 the driveway design.

4 This development is within an area identified by the
5 Arizona Health Services as a high heat vulnerability index area.
6 Increasing the reflectivity of paved surfaces and/or providing
7 shade reduces heat absorption and the heat island effect.

8 The proposed rezoning is consistent with and supported
9 by the Kino Area Plan and Plan Tucson. Subject to compliance
10 with the attached preliminary conditions, approval of the
11 requested C-1 zoning is appropriate.

12 And as of today, Planning & Development Services
13 Department has received one approval and zero protests.

14 ZONING EXAMINER: Thank you, Mr. Moyer. Is the
15 Applicant or the Applicant's agent here? Let me ask by a show of
16 hands, how many people are here on the Bolt case, Bolt-Park
17 Avenue case this evening? Ohh. And, sir, you're familiar with
18 these drawings? Okay. So I'm gonna - we can angle them more
19 towards, towards me. If you're, are you representative of Jaca
20 Design?

21 MR. CEDENO: Yes, sir.

22 ZONING EXAMINER: Okay. You're already a principal on
23 the case, so you don't have to fill out one of those cards.
24 You'll get a letter automatically.

1 ZONING EXAMINER: And what was your position on that?

2 MR. CEDENO: They are very glad that we are not going
3 to sell alcohol or tobacco in the store.

4 ZONING EXAMINER: And if that were to be an additional
5 condition, you'd be agreeable to that?

6 MR. CEDENO: Yes.

7 ZONING EXAMINER: Okay. Is there anybody here wishing
8 to speak on this case this evening? All right. Mr. Moyer,
9 anything further?

10 MR. MOYER: Nothing further.

11 ZONING EXAMINER: All right. With that, Case No. C9-
12 14-06 is hereby closed. Thank you, sir.

13 MR. CEDENO: I just want to mention maybe you want to
14 keep for your record, we have a (inaudible) 17 for your file.

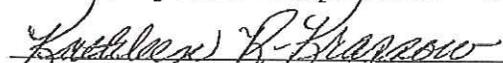
15 ZONING EXAMINER: Okay. I thought I had one. Thank
16 you. All right. Thank you, sir.

17 MR. CEDENO: Dismiss. Thank you.

18 (Case No. C9-14-06 is closed.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 09/04/14



KATHLEEN R. KRASSOW - Owner
M&M Typing Service