

Rezoning Case C9-13-04 Northern Star PAD, Old Spanish Trail  
SR to Planned Area Development (PAD) Ward 4  
City of Tucson Zoning Examiner Public Hearing 02/20/14

ZONING MEMBERS PRESENT:

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

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1           ZONING EXAMINER: The next case we have this evening is  
2 C9-13-04, Northern Star Planned Area Development, Old Spanish  
3 Trail, SR to Planned Area Development. Mr. Moyer.

4           MR. MOYER: This is a request by Michael Grassinger of  
5 the Planning Center on behalf of the property owner, Joe Yee, to  
6 rezone approximately 60 acres from SR to PAD zoning to establish  
7 the Northern Star Planned Area Development on the west side of -  
8 the Northern Star Planned Area Development on the west side of  
9 Houghton Road south of Old Spanish Trail and north of Golf Links  
10 Road. The proposal is for a mixed use community activity center  
11 with commercial, retail, entertainment, office and residential  
12 uses.

13           Policy direction for this area is provided by Plan  
14 Tucson and the Pantano East Area Plan. The rezoning site is  
15 identified in Plan Tucson on the future growth scenario map as a  
16 neighborhood with greater in-fill potential. The plan supports a  
17 mixture of commercial, office, and residential uses at the  
18 intersections of major transportation corridors such as Houghton  
19 Road and Golf Links Road.

20           The PAD, as proposed, would establish an activity  
21 center that would take advantage of the existing infrastructure

1 and further the creation of a multi-(inaudible) opportunities  
2 along both of these corridors serving residential uses already  
3 developed in the area. This type of mixed use activity center  
4 would have the potential to reduce air pollution, improve  
5 delivery of services and create an inviting place to live, work  
6 and play.

7 The proposed design for the perimeter of the site  
8 includes buffers for adjacent scenic routes and the existing  
9 residential neighbors while maintaining features of the natural  
10 environment, including the existing drainage pattern which is  
11 consistent with the goals and policies of Plan Tucson.

12 Similar to Plan Tucson, the Pantano East Area Plan  
13 supports community commercial uses at the intersections of major  
14 streets, the need for a mix of land uses to reduce trips, the  
15 compatibility of proposed development with existing land uses,  
16 the creation of new pedestrian and bikeway systems, and  
17 maintaining natural habitat within and along the edges of new  
18 development.

19 The project site is bordered on three sides by  
20 designated arterial streets. Houghton Road on the east, Old  
21 Spanish Trail on the north and Golf Links on the south. Houghton  
22 Road, Houghton Road, and Old Spanish Trail are also designated as  
23 scenic routes, and Golf Links Road is designated as a gateway  
24 route.

1           The Planned Area Development document anticipates a mix  
2 of land uses and opportunities to meet the diverse needs of the  
3 immediate area and the broader community. Approximately ten  
4 acres of the PAD are proposed to be retained for open space with  
5 30-foot and 20-foot natural buffer yards along Old Spanish Trail  
6 and Houghton Road respectively. A ten-foot wide landscape border  
7 will be provided along Golf Links Road.

8           The PAD also includes a 100-foot landscape buffer area  
9 planted with canopy trees, shrubs and accent plants along the  
10 west edge adjacent to existing low-density residential. A  
11 building setback of between 150 and 200 feet is proposed along  
12 the western Planned Area Development boundary with a 200-foot  
13 setback for large retail - large-scale retail development.

14           The actual development area of the PAD will be  
15 approximately 50 acres with the proposed uses to include  
16 residential, commercial, retail, entertainment and office.  
17 The PAD is divided into five development areas based on a  
18 modified C-2 zone. The PAD list permitted and prohibited uses  
19 with the development areas - area boundaries determined by the  
20 interior spine roads and subject to change, depending on the  
21 final layout of those spine roads.

22           The most intensely developed area of the site will be  
23 in Development Area Two located in the southeastern portion of  
24 the site with a height of between 85 and 100 feet. Building

1 height is limited to 50 feet in Development Area One, 40 feet in  
2 Development - and 40 feet in Development Areas Three, Four and  
3 Five.

4 The proposed PAD is consistent with applicable policy  
5 direction provided by Plan Tucson and the Pantano East Area Plan.

6 The proposal meets the intent of the policy direction regarding  
7 compatibility of scale, density and character of the surrounding  
8 development. Subject to the plans, policies and requirements set  
9 forth in the PAD document, rezoning of the site to Planned Area  
10 Development is appropriate. No additional conditions of rezoning  
11 are required.

12 As of today, the Planning & Development Services  
13 Department had received written twelve approvals and seven  
14 protests. One of the protests is within the 150-foot protest  
15 area, equating to a protest by area of zero percent to the north,  
16 south and east, and 1.8% to the west.

17 The protest level is significant because if the protest  
18 level exceeds more than 20% in any one of the four compass  
19 directions around the rezoning site, a three-quarters majority  
20 vote of Mayor and Council is required to adopt a rezoning  
21 ordinance.

22 ZONING EXAMINER: Thank you, Mr. Moyer. And I have  
23 copies of all those protests and approval letters and the  
24 supplemental material that may have been provided with them.

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1 And let me just reiterate. For those of you who want a copy of  
2 the preliminary report and you testify tonight, just put a star  
3 next to your name, or indicate some, in some way that you want a  
4 copy of the report.

5 If you're not testifying tonight, but you want a copy  
6 of that report, I'll place a piece of paper up at the podium for  
7 you to just be able to sign in apart from the sign-in sheet,  
8 which is really just for the speakers. So I'll leave that up  
9 there right now. And then who's gonna be giving the  
10 presentation? Mr. Grassinger. Okay.

11 MR. GRASSINGER: Good evening, Mr. Kafka. Mike  
12 Grassinger with the Planning Center at 110 South Church Avenue  
13 here in Tucson representing the owner.

14 The - appreciate the, the attendance tonight. I think  
15 almost everybody that's here has seen this presentation at least  
16 once, although maybe not in the final version in a couple places.  
17 So I will proceed through it rather quickly out of courtesy to  
18 those people.

19 The property, as everybody knows, is located at the  
20 inter- -- at the - it's bounded on three sides by arterial  
21 streets: Old Spanish Trail on the north, Houghton Road on the  
22 east, and Golf Links on the south.

23 We - move forward. As you can see, there's a lot of  
24 development that has occurred around the site, particularly

1 residential on, on the east side, and this is a city facility  
2 with a reservoir and then a commercial development that is  
3 occurring along the south side of the property.

4 The zoning in the area, the zoning on the particular -  
5 on our particular parcel is SR, which at sometime in the past  
6 almost everything out there was SR and has all been rezoned to a  
7 variety of things. As you can see, there's commercial zoning on  
8 the south and on the east side of the property, and a variety of  
9 different residential zones in other places.

10 The proposal is to change - rezone this to our PAD,  
11 Planned Area Development, that will also provide modifications to  
12 the wash ordinance, the scenic corridor zone and large retail  
13 establishment design criteria. And we've presented that, and  
14 talked about that in, in a variety of neighborhood meetings. So  
15 it's been disclosed.

16 The project area, as Mr. Moyer said, 60 acres, and Mr.  
17 Yee has owned this property for more than 40 years and has been  
18 supportive of all the other rezonings that have occurred in the  
19 area.

20 The property, as was mentioned, is divided into - is  
21 this out of focus or is it just my eyes? The variety of areas  
22 were - have been designated, based mainly on some, some variation  
23 in uses, but mostly regarding building heights, setbacks, and,  
24 and some design standards.

1           The conceptual road alignment that you see is very much  
2 conceptual, as I said. The idea is that we have committed to  
3 only three access points on all three of the frontages, one major  
4 access point on each, and two minor, the minor being that those  
5 will be right in/right out only.

6           The other three are anticipated to be full turning  
7 movements, although that may not occur on the Houghton Road  
8 entrance. That - Houghton Road is under design right now to be  
9 widened to six lanes, and Mr. Yee is working with the RTA on, on  
10 that particular exercise as well.

11           As you can see, we have also incorporated a significant  
12 buffer area along the west side, and we're leaving the East View  
13 Wash un- -- undeveloped and natural in that area. This, this  
14 just is mainly to talk about the buffers.

15           We have a 100, a 100-foot landscape buffer along in  
16 this area, and - well, actually the whole area here is landscape  
17 buffer with a trail that will be built throughout that area, and  
18 I'll talk about that in a second.

19           We also - the Plan also requires a building setback  
20 that is relatively significant as well. This - along this area  
21 is 150, 150-foot setback, and then around the rest of it is 200-  
22 foot building setback, the difference being, one of the reasons  
23 is that there is a road that, that borders this area and a wall  
24 that is also designed to, to buffer from the future development

1 of this area. And that was, was done as, as part of Mr. Yee's  
2 disclosure during the rezonings of these properties that he had  
3 always intended to develop this property for a mix of, of uses,  
4 some of which are non-residential.

5 The setbacks along the streets are standard that are  
6 required as part of the code, and mainly 20-foot building  
7 setbacks along Houghton Road, Golf Links and Old Spanish Trail.

8 This is the trail that I mentioned that would be part  
9 of, of the, of the project. It will be through the, what I call  
10 the western 50 feet or so of the landscape buffer, and then along  
11 the wash and ties into the sidewalk system along the exterior,  
12 but also ties into internal pedestrian requirements that would be  
13 part of development that occurs.

14 The, the major difference in building heights is, is  
15 reflected here. On the area east, I'm sorry, west of this  
16 conceptual alignment, this is all restricted to 40 feet in  
17 height. Fifty feet building height is permitted in, in Areas One  
18 and Two. The, the only exception is that, let me see. No, it's  
19 not in there.

20 There is an area in Area Two here on this side that  
21 would allow, and it's defined within the PAD, would allow  
22 building heights up to 100 foot, and restricted to one structure  
23 at that height. The - we, we developed a conceptual site plan,  
24 and this is purely conceptual at this point, and we've been clear

1 about that, that is only one of many variations that could occur.  
2 And it, it reflects the potential for a big box facility here.

3 In this case, we're talking about theaters located in  
4 this location. This would be the 100-foot building with an  
5 associated parking garage next to it. There's a, what we call a  
6 boutique, restaurant and shops area here taking advantage of the  
7 natural amenity of the wash in this area. And then your standard  
8 kind of development of retail, office types of, of development  
9 along the edges.

10 In this area back here, well, this is envisioned to be  
11 offices or medical type of facilities. This is - was, was  
12 identified as potentially garden apartments or assisted living  
13 facilities, and potentially also there's been a lot of requests  
14 or (inaudible) I shouldn't say requests, but an idea of a hotel  
15 facility in that area. So again, sort of a conceptual idea.

16 What we also showed everybody was how these elevations  
17 would affect views from the adjoining neighbors. And we have a -  
18 one cross section here and another one down below. They - the  
19 top one, Elevation A, shows the arrangement where there's an  
20 existing residential home here, the property line, or patio wall  
21 is located here. We then have our 100-foot landscape buffer, and  
22 then another 100-foot before the building starts. So the 200-  
23 foot building setback through here. The second cross section is  
24 a little hard to see at this level, and we've broken it into two

1 pieces, but it starts again back here at the house.

2 The 200-foot building setback, and it takes you up to,  
3 to the, the parking garage is probably a little high in this  
4 rendering. I don't think it would get that tall. But the 100-  
5 foot building height is, is right here. The - just to show it in  
6 a little more detail - again, it's getting fuzzy, I think. The -  
7 and then that's the second half of it, but the 200-foot building  
8 setback is about here. And then we go, again, to the, to the  
9 larger structure.

10 The - to give people an idea of that, this is standing  
11 at the corner of Houghton and Golf Links looking northwest. And  
12 you would, you would see the, the, the building structure here.  
13 This is the - what Houghton Road would look like when constructed  
14 - three lanes south, a median and crosswalks and so forth. So  
15 this would be some sort of a, a little retail store on the  
16 corner, and then that's the, the larger facility behind it.

17 This is, again, standing on Houghton Road, oops, at  
18 this location, and looking more westerly, and maybe a little bit  
19 to the south. The big box facility we talked about is back here.  
20 Again, we're standing on the sidewalk at, at Houghton Road right  
21 here looking between smaller buildings located along in that  
22 area, and then the big box in, in the rear.

23 This is a rendering of a concept, concept that you're  
24 standing just inside of Golf Links Road looking to the north to

1 that little boutique area that we talked about. The wash that  
2 runs through the property is shown back here. These would be  
3 restaurants and maybe some offices and medical facilities, but  
4 some retail. So that, that's the, the vision, if you will, of,  
5 of the owner, and what we, we would like to see occur on this  
6 property.

7 In summary, it's located not so much at the corner, but  
8 it's bounded on three sides by major arterial streets. The, the  
9 development standards address landscape buffers, building  
10 setbacks, and land use controls which - to protect privacy of  
11 surrounding neighborhoods.

12 There are restricted uses that are associated with,  
13 with the PAD. Houghton Road will be widened to six lanes which  
14 will accommodate the, the development of this site. And that's  
15 one of Mr. Yee's issues, his patience has been rewarded because  
16 he waited until the road was actually slated for development  
17 before getting, getting involved in trying to develop something  
18 that, that might not have the capacity for the traffic.

19 The - it's a - we're reducing automobile dependence by  
20 providing local neighborhood services as well as employment  
21 opportunities on this site. No vehicular access permitted to  
22 adjacent residential streets. The East View Wash amenity will be  
23 used for development.

24 We have had three neighborhood meetings, general

1 neighborhood meetings, and three Northern Star Committee  
2 meetings, not to mention other incidental meetings with  
3 individuals throughout the two years that this process has been  
4 going on.

5 And that resulted in a neighborhood agreement which was  
6 negotiated between the neighborhoods and Mr. Yee, and that was  
7 all agreed upon and signed and has been incorporated into the PAD  
8 so that although the, the agreement itself will stand alone and  
9 be recorded as part of a deed restriction, also, the secondary  
10 assurance is that those - all those elements have been  
11 incorporated into the PAD.

12 Just, just to really quickly go through it. This is  
13 Houghton Road again. This is the west side, this is the east  
14 where the greenway will be developed. But you see, there are  
15 three travel lanes in either direction, a median and then  
16 sidewalks.

17 That pretty much is, is our presentation, and we are -  
18 I have, I have had a chance to review all of the protest and  
19 approval letters. And I would, I would say that the protests  
20 that were recorded actually have been addressed through the  
21 neighborhood agreement and incorporation into the PAD.

22 I understand that people, some people didn't have the  
23 opportunity to be involved in this, but if, if they could look at  
24 the PAD, I think they would see that their concerns have been

1 addressed. So, thank you.

2 ZONING EXAMINER: Thank you, Mr. Grassinger. I'm gonna  
3 hold off on anything and let other folks comment. So, at this  
4 time, I'd like to hear from anybody. Show of hands. Anybody  
5 want to speak in favor of the application? Sir, yeah. And if  
6 you could just sign in there.

7 MR. SELEZNOV: I certainly will. My name is Andy  
8 Seleznov, and I am Director of Leasing and Partner of Larsen  
9 Baker. We own the project to the southwest corner of Golf Links  
10 and Houghton with Quik Trips and, and Goodwill there. And I just  
11 wanted to comment that our group supports the rezoning and  
12 supports the project. Thank you.

13 ZONING EXAMINER: All right. Thank you. And that's  
14 the parcel to the, directly to the south?

15 MR. SELEZNOV: Correct.

16 MR. BUNKER: My name is Pat Bunker. I'm the President  
17 of the Old Spanish Neighborhood Trail Association (sic) - Spanish  
18 Trail Neighborhood Association. I've had kind of a unique view  
19 of this thing. I've been the President for that neighborhood  
20 association for the last three years, and I am about a 40-plus  
21 year resident of that area.

22 So I've seen the developments come and go from those  
23 places and I've gotta tell you, this is about the most thought-  
24 out development that, that I've been able to, to see, and be a

1 participant in. I've seen that area as a bike riding area, as a  
2 wildcat dump area, as - I think there was even a high school sign  
3 up there at one point in time. And so myself, personally, I'm,  
4 I'm very excited to see this kind of development coming into the  
5 area.

6 As far as speaking on behalf of the Old Spanish Trail  
7 Neighborhood Association, we're gonna speak in support of this  
8 development and, and in support of the rezoning. I know about  
9 the process in that area. It's just like the gentleman speaking  
10 before.

11 We had a five-acre parcel, family-owned land since  
12 1963, and we had to go through the development process, or the  
13 rezoning process so we could build a single-family house on it.  
14 So - and I know how much work that takes into. We had to go from  
15 suburban ranch just like what everything was developed out there,  
16 or designed to R-2.

17 So understand what the process is. I will tell you  
18 that we have had three meetings on this, at least three meetings  
19 where we've discussed this issue. And we've had nobody come out  
20 there and say that they were not in support of the issue. I've  
21 gotta hand it to Mr. Yee. He has been very, very aware and very  
22 - he worked very well with the people when they had their  
23 concerns on this issue. I understand the (inaudible) issue.

24 So far recently I'd say within the ten years we've had

1 the Target that came into the area, was very well done. We've  
2 had the Office Max, 22nd Street and Harrison very well done. Now  
3 we've got the Chipolte area on the other side that was very well  
4 done. We haven't had any concerns on that.

5 When we have our neighborhood association meetings, the  
6 neighbors come in there and anybody that has traffic issues or,  
7 or any of that other kind of stuff, the people, the development  
8 people, the, the people that own those organizations are right  
9 there to take care of those issues.

10 It's been a very, very win/win situation with the  
11 developer and, and we've had the Walmart come in, we've had the  
12 Quik Trip come in. So it's, it's, it's been, it's been very good  
13 for that area. And I'll tell you something else about Ward 4,  
14 and this kind of stuff (inaudible)

15 We don't have a whole lot of those kind of developments  
16 in that area. So myself personally, my daughter's sitting in the  
17 audience, she got all excited. She's like, "Hey, this could be a  
18 job for me," right next to our house. I said, "Absolutely."

19 The city needs development. The city needs in-fill,  
20 responsible in-fill with developers and with the owners. And I  
21 think with this particular area, this is exactly what you've got.  
22 A little concerned about the traffic issues, but I know that  
23 RTA's coming in. Houghton, Harrison, or Houghton's being widened  
24 up, so I think that that's gonna end up taking care of itself

1 eventually.

2 So, in conclusion, I won't take up too much more of  
3 your time. I just wanted to say that we are very much in support  
4 of this as far as the Old Spanish Trail Neighborhood Association  
5 goes. We represent about a thousand people in that neighborhood  
6 association, and I've not had - I know you've had seven  
7 distensions. I've not had anybody that called me up as the  
8 President and said, "Hey, I'm really worried about this." So  
9 that's where I stand. So, thank you.

10 ZONING EXAMINER: Thank you very much.

11 MR. BUNKER: Yeah.

12 ZONING EXAMINER: Anyone else wishing to speak in favor  
13 of the application? Sir.

14 MR. GOEBEL: Sign in?

15 ZONING EXAMINER: Yeah. The, the sign-in, that's the  
16 correct sign-in sheet, yeah.

17 MR. GOEBEL: Okay. All right. My name is Don Goebel,  
18 I live at 9996 East Emberwood. And that's in the Rancho Pariso  
19 Neighborhood just west of the project.

20 First, I'd like to say thank you for the opportunity  
21 to voice my approval for this project. Mr. Yee has done a  
22 commendable job holding this property together for so many years  
23 and not letting it be broken up into smaller developments. He  
24 and the Planning Center have a great vision for the parcels of

1 land and the community.

2 They have been very understanding of the neighborhoods.  
3 They've had meetings with us to discuss what our concerns were.  
4 As I understand it, they've had more meetings than typically  
5 would need to have been done. They've listened to what we've had  
6 to say and from what I see they've included it.

7 I think this PAD will serve east Tucson well by  
8 bringing more than just retail jobs to the east side of Tucson.  
9 It will bring more office type jobs, which I think we sorely  
10 need, and so we're not having to commute to other parts of town.  
11 And that's all I have to say. Thank you very much.

12 ZONING EXAMINER: Thank you, sir. Anyone else wishing  
13 to speak in favor of the application? Ma'am.

14 MS. JOOSTEN: My name is Joyce Joosten. I am currently  
15 the Vice-President of the Old Spanish Trail Neighborhood  
16 Association. And I'm actually one of the founders of this  
17 association 15 years ago.

18 I - this - I've been involved in many different  
19 rezonings, including the Target big box to the north of us. And  
20 I have to say that - and I've known Joe a long time. I can say  
21 that as, as the Planning Center clearly spoke, he has advocated  
22 for every rezoning that has gone through on - in our association.  
23 So he is not a sheep in wool's clothing.

24 I've always known this was coming up, and - but even

1 so, when I looked at the original project of the 60 acres at C-2  
2 zoning, I was like a deer in the headlights. When I saw the  
3 potential of what this could be, even though with Joe's best  
4 intentions, if he ended up moving on from this project, I was  
5 very concerned about what would happen once the, the PAD was  
6 approved.

7 So with that in mind, I took the opportunity to meet  
8 with City planners. I met with Peter McLaughlin and John Beal  
9 (ph.) and, and in addition, met with other neighbors, other  
10 concerned parties in the community. Met with the biking  
11 community. I was - also met with Larsen & Baker who's a  
12 developer to the south because we needed kind of a road map on  
13 what we were going to do to make sure that Joe's intentions and  
14 our assurances were met.

15 And so then we came up with this beautiful, colorful,  
16 little map that the Planning Center made look very professional  
17 and nice. And came up with taking the intent of the different  
18 needs. We met many times as neighbors trying to come up with  
19 what uses were gonna be permitted, which ones weren't. And, you  
20 know, bike paths and, and neighborhood trails and, you know, just  
21 on and on and on.

22 I can't begin to even say in the few minutes here of  
23 the effort that went into this of trying to put something  
24 together that we feel was gonna be good for everyone. And during

1 that whole process, as much as developers like to, "Let's do it,  
2 let's get it done, let's make it happen," you know, Joe took the  
3 time, listened to our concerns and this has been a long, ongoing  
4 process.

5 This isn't something that neighbors do every day of  
6 their life. And so it took a long time for us to put it all  
7 together. And I really want to commend the, the Planning Center,  
8 the City people, all the neighbors who stepped up. Many meetings  
9 we had at my house, trying to put this all together.

10 In conjunction with that, neighbors only get to talk to  
11 each other, associations only talk to each other. We don't get  
12 to have a Planning Center who guides us on how we're going to  
13 advocate or protest or how we're gonna put this stuff together  
14 and have our, our community input. And so I really appreciate  
15 the opportunity to do this 'cause I know that this is something -  
16 the way this worked is the way it should work on all communities.

17 We had the Planning Center who helped us. Joe, who  
18 stood by, made it happen. Neighbors who contributed, the, the  
19 different people who are interested. The, the biking community,  
20 other people, all stepped up and said, "Okay. This - these are  
21 our concerns." We put that together, and we tried to put it in  
22 here.

23 One of the things that I am concerned about is the  
24 traffic - of the infrastructure. Not so much the traffic, but

1 the infrastructure. As with the Target, when we had that funky  
2 X, Old Spanish Trail intersection, that took a long time to  
3 evolve that to something that even I, who lived in that  
4 neighborhood, could go, "Oh, okay. I'm supposed to go this way."

5 We have to trust that the City is going to take that  
6 into consideration and make sure that - I mean we all know we  
7 don't have the funding for those six lanes on Houghton yet, you  
8 know? And as much as we want to say, "Hey, it's a done deal,"  
9 it's not.

10 And we also have Old Spanish Trail that has limited  
11 infrastructure, and so we're looking to you folks to make sure  
12 that when this goes in place that those things are done safely so  
13 that we can all traverse, and we're not bottlenecked where we're  
14 at.

15 With that said, obviously, I'm in support of the  
16 project. I think we're worked really hard, and I think that  
17 everybody deserves a pat on the back, and I hope that it will  
18 pass and will be recommended. Thank you.

19 ZONING EXAMINER: Thank you. Anyone else wishing to  
20 speak in favor of the application? Anybody wishing to speak in  
21 opposition to the application? Anybody want to comment on the  
22 application whether pro or con? All right. Mr. Grassinger.

23 MR. GRASSINGER: Yes, sir. Any questions?

24 ZONING EXAMINER: I, I just have a couple of things I

1 want to clarify in my own head, and that is can you briefly walk  
2 me through some of the standards in the PAD regarding the large  
3 retail that are different from the large retail criteria in the  
4 code?

5 MR. GRASSINGER: The main part of it is really not a  
6 whole lot of difference. What, what we've done is we've pre-  
7 noticed and pre-held our neighborhood meeting for the future PAD,  
8 or future large retail format store. That's really - is there -  
9 Kelly's gonna help me 'cause she's more detailed.

10 KELLY: The other big part is that the Big Box  
11 Ordinance requires a certain amount of grocery and, and we've  
12 taken that out of the PAD. We're allowing the - actually with  
13 the neighborhood involved, we came up with a maximum square  
14 footage for a large retail. And they felt comfortable with the  
15 225,000 square feet. So we, we've included that in the PAD.

16 And then the other, the other thing that we've written  
17 in here is about the buffers and screening. Normally when you  
18 build a single big box, or large retail store, you're, you're  
19 required to put a certain amount of buffers and, and screening  
20 around that building.

21 Well, we wanted this to be a cohesive development. We  
22 don't want huge walls just around one building. We wanted to  
23 integrate all the buildings together. So, so there's screening  
24 required within the PAD, but we've put that screening along the

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1 neighbor- -- existing neighborhood there. So, so we've written  
2 in some modifications to that. But we are adhering to the 200-  
3 foot setback to adjacent properties that's indicated in the  
4 Unified Development Code.

5 ZONING EXAMINER: And, and you've gotten - eliminated  
6 the, the grocery requirement?

7 KELLY: Yes.

8 ZONING EXAMINER: Okay.

9 MR. GRASSINGER: The restriction, yes.

10 ZONING EXAMINER: Restriction. And then the other  
11 question I had was about there's some conflicting information, or  
12 at least I felt it conflicted, I'm not sure it actually does,  
13 about whether there'd be pedestrian access to the residential  
14 developments to the west, and I don't know if that's a settled  
15 issue or not.

16 MR. GRASSINGER: I think it's settled in that there  
17 will be no pedestrian access to, to the adjacent neighborhoods.  
18 That was something that, unless there's somebody who, who  
19 disagrees, I think during the meetings, that was the prevalent,  
20 prevail- -- prevailing sentiment, that they did not want any kind  
21 of connection in that regard.

22 ZONING EXAMINER: And, and you concur with that? Okay.  
23 All right. I don't have any further questions. Do you have any  
24 further comments you want to make?

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1 MR. GRASSINGER: Just, just one thing. As you're well  
2 aware, we don't always come forward with this kind of cohesive  
3 support, and you can remember one more more recently. But I  
4 think the credit has to go to Mr. Yee.

5 The difference in those kind of - between those kind of  
6 projects is typically the, the, the property owner or the client.  
7 And he has been the most accommodating owner/client that I have  
8 ever worked with. I think he gets most of the credit for this.  
9 Thank you.

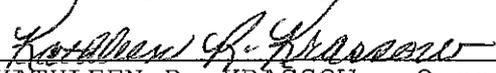
10 ZONING EXAMINER: All right. Well, I'll ask one more  
11 time if anybody else has anything they want to say. And seeing  
12 no one, I want to thank everybody for coming out and giving voice  
13 to their opinions and approvals and concerns. And thank you, Mr.  
14 Yee and Mr. Grassinger, and with that Case No. C9-13-04 Northern  
15 Star, Old Spanish Trail, SR to PAD is hereby closed. Thank you.

16 (Case C9-13-04 was closed.)

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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: 02/25/14

  
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KATHLEEN R. KRASSOW - Owner  
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