



# MEMORANDUM

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DATE: November 20, 2014  
For December 11, 2014 Hearing

TO: Linus Kafka  
Zoning Examiner

FROM: Ernie Duarte  
Planning & Development Services  
Director

SUBJECT: SPECIAL EXCEPTION LAND USE  
PLANNING & DEVELOPMENT SERVICES REPORT  
SE-14-73 Goodwill Industries – Chantilly Drive, C-1 Zone (Ward 6)

**Issue** – This is a request by Rhonda Rawson of ADC, Inc., on behalf of the owner, Goodwill Industries of Southern Arizona, requesting a Special Exception Land Use (SELU) for a household goods donation center in the C-1 zone. The special exception site is located on the northwest corner of Broadway Boulevard and Chantilly Drive (see Case Location Map). The preliminary development plan proposes the establishment of a Goodwill household goods donation center in an existing 1,170 square foot building on a 0.29 acre site.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of the request, subject to the attached preliminary conditions.

## Background Information

Existing Land Use: Vacant commercial building, formerly a coffee shop

### Surrounding Zones and Land Uses:

North: Zoned C-1; Multi-family residential  
South: Zoned C-1; Retail commercial  
East: Zoned C-1; Financial institution  
West: Zoned C-1; Commercial, fast food restaurants

Previous Cases on the Property: None

### Related Cases:

SE-13-03 Goodwill Industries – Broadway Boulevard, C-1 Zone This was a request allow a household goods donation center in an 842-square-foot vacant tenant space in a strip commercial center located on the north side of Broadway Boulevard, 375 feet east of Plumer Avenue. The Zoning Examiner approved the request on March 14, 2014.

SE-12-72 Goodwill Industries – 22<sup>nd</sup> Street, C-1 Zone This was a request to allow a household goods donation center in a 1,500-square-foot vacant tenant space in an approximately 15-acre commercial development located on the northeast corner of 22<sup>nd</sup> Street and Wilmot Road. The Zoning Examiner approved the request on September 20, 2012.

SE-11-01 Goodwill Industries – Tanque Verde Road, C-1 This was a request to allow a household goods donation center in a 2,374 square foot commercial building located on the south side of Tanque Verde Road approximately 100 feet west of Indian Ruins Road, in an existing 2,374 square foot commercial building. The Zoning Examiner approved the request on April 14, 2011.

**Applicant’s Request** – To establish a household goods donation center in an existing building as a Special Exception Land Use in the C-1 zone.

**Planning Considerations** – Policy direction is provided by the *Sewell/Hudlow Neighborhood Plan (SHNP)* and *Plan Tucson*. The special exception site is located within a mixed-use corridor as identified on the Future Growth Scenario Map of *Plan Tucson*. Mixed-use corridors provide a higher-intensity mix of jobs, services, and housing along major streets. *Plan Tucson* supports commercial uses at the intersections of arterial streets and along major transportation corridors. Compatible redevelopment and intensification of commercial land uses is supported at appropriate locations when adjacent residential neighborhood character and integrity can be protected. Land Use policies support the protection of established residential neighborhoods by supporting compatible development, which may include appropriate nonresidential uses, where the scale and intensity of those uses will be compatible with adjacent residences and when primary access can be provided from a major street. Policies encourage the redevelopment and/or expansion of current strip commercial development that will improve traffic flow, pedestrian mobility and safety, and streetscape quality, stabilizes and enhances the transition edge when adjacent to existing and future residential uses, and screens and buffers adjacent residential properties. Buildings and their associated activities, such as, but not limited to, loading zones and dumpsters, should be oriented away from adjacent residential uses, toward the interior of the site or toward boundaries adjacent to similar uses.

The special exception site is designated on *S/Sewell/Hudlow Neighborhood Plan* Map 4 for Office/Commercial uses. The proposed donation center will be located on an existing commercial site. The *SHNP* supports efficient site designs that minimizes vehicular access points and integrates adjacent non-residential developments through vehicular and pedestrian circulation systems. Policies also support screening parking areas along street frontage with landscape berms, or three-foot-high masonry walls. To enhance the visual appearance of solid, long walls policies promote using a varied alignment and decorative treatment. Transportation policies promote working with the Transportation Department to limit non-local traffic on neighborhood streets.

To the east across Chantilly Drive is a credit union, and to the west are fast food restaurants, zoned C-1. To the north is a two-story multi-family complex, zoned C-1, with R-3 zoning on its northern half. Across Broadway Boulevard, to the south, are multiple parcels with a mix of

commercial uses. The nearest residential units are located immediately to the north in the adjacent residential apartment complex.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 15 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the special exception site.

### **Design Considerations**

Land Use Compatibility – The proposed special exception use is to be located within an existing vacant building in the C-1 Neighborhood Commercial zone. Proposed improvements include upgraded landscaping and pedestrian circulation, new signage, and restriping for required on-site parking and to create PAALS for on-site vehicle circulation. The proposed commercial development meets *Plan* policy direction to be compatible in size, scale, and mass with adjacent uses, and provides support services for the residential neighborhood. The Design Compatibility Report addressed the Code requirements for the SELU. The Security Management Plan, submitted as part of the application, has been reviewed by staff, and is acceptable.

Drainage/Grading/Vegetation – A new street landscape border is proposed along the Broadway Boulevard and Chantilly Drive frontages.

Road Improvements/Vehicular Access/Circulation – The site has two access points from Broadway Boulevard and one access point from Chantilly Drive, which will be gated for use only by Goodwill trucks to pickup donations. Customer access is from Broadway Boulevard only. Broadway Boulevard is identified on the *Major Street and Routes Plan* (MS&R) as a gateway arterial street with a 150-foot right-of-way width, and Chantilly Drive is identified as a local street with a 60-foot right-of-way width.

### **Use-Specific Standards**

The application materials refer the Performance Criteria of the Land Use Code, however, the application must be reviewed under the Unified Development Code. The standards are the same. Below are the Use-Specific Standards for “Salvaging and Recycling, (limited to household goods donation center)” subject to: *UDC* Sec. 4.9.5.G.2, Sec. 4.9.5.G.6-.12; Sec. 4.9.13.A.2; Sec. 4.9.13.B, .C, and .D. Approval is through the Zoning Examiner Special Exception Procedure, *UDC* 3.4.3. Following each standard, in *Italics*, are the applicant’s responses.

UDC Table 4.8-4 Salvaging and Recycling (limited to household goods donation center).

UDC 4.9.5.G.2 All salvaging and recycling activities and storage are to occur within an enclosed building.

*Comment: The existing 1,170 square foot structure will house all activities including a retail store. There will be no salvaging or recycling activities occurring outside the structure.*

UDC 4.9.5.G.6 In addition to the requirements of Sec. 7.6 *Landscaping and Screening*, there must be a screen wall at least six (6) feet in height between this use and any residential zone.

*Comment: Surrounding parcels are also C-1 zoning. Commercial uses are on the west, north, and east of the subject parcel. There is an existing 2-story apartment complex facility to the north, which is also in C-1 zoning. The apartment is screened from the proposed use by existing chain link fencing with slats, and by masonry walls. There will be new landscaping along the street perimeters for additional screening.*

UDC 4.9.5.G.7 The household goods donation center must be located in a permanent building staffed by an attendant who remains on the premises during the center's hours of operation.

*Comment: This project will have an employee on premises during all hours of operation. Hours are listed in the submitted Security Management Plan (7:30 a.m. 5:30 p.m., 7 days per week).*

UDC 4.9.5.G.8 Security procedures or physical barriers must be provided to prevent after-hours drop-off of donated items and to prohibit nighttime access to these items.

*Comment: Goodwill Industries has in place a system of trucks that circulate between their donation centers to deter after-hour drop-off as well as pick up any items that have been dropped off. This, in combination with security locks and nighttime lighting, is effective in deterring such activities.*

UDC 4.9.5.G.9 The applicant must submit a security management plan, which describes the operation of the center, to the Zoning Administrator for review and approval. The plan must include: the days and hours of operation for the center; descriptions of the planned security procedures and/or physical barriers planned to prohibit both vehicular access when the center is closed and outside storage when the center is closed; the outdoor lighting schematic; and the operational procedures planned to implement the security management plan. Any changes or amendments to the security management plan must be filed with and approved by the Zoning Administrator. If the use is operated in a manner that violates the security plan or conditions for permitting the use, the use may be suspended in accordance with Section 10.4 *Penalties and Remedies*.

*Comment: Please see the Goodwill Security Management Plan for additional information.*

UDC 4.9.5.G.10 Signs must be posted on the site providing the days and hours of operation and stating that donations are not to be left after the center has closed.

*Comment: Signs indicating the designated drop-off location, hours of operations, statements that donors should not leave donations after hours, and listing items that Goodwill does not accept will be prominently displayed on or near the donation site door.*

UDC 4.9.5.G.11 One (1) drive-through service lane may be provided for customer drop-off of donated items.

*Comment: The project will have one drive thru service drop-off lane, where the donated goods can be dropped off directly into the existing building.*

UDC 4.9.5.G.12 The household goods donation center must be located on, and have access from, either a street designated as an arterial street in the *Major Streets and Routes Plan (MS&RP)*, or a local street in a commercial or industrial park which has direct access to an arterial street.

*Comment: Access to the drop-off lane is from Broadway Boulevard (a paved designated Gateway arterial street). The access from Chantilly Drive is gated, opened only for the Goodwill trucks to pick up the donations.*

UDC 4.9.13.A.2 Access – The use must have access from a paved public street on the *Major Streets and Routes (MS&R) Plan*.

*Comment: The proposed Goodwill has direct access to Broadway Blvd, an arterial per the MS&RP.*

UDC 4.9.13.B Hours – The principal use is restricted to hours of operation of 7:00 a.m. to 10:00 p.m.

*Comment: The Goodwill Security Management Plan dictates that the hours of operation will be from 7:30 a.m. until 5:30 p.m., 7 days per week.*

UDC 4.9.13.C Lighting – In addition to the requirements of Chapter 6, Section 6-101, *Outdoor Lighting Code*, of the Tucson Code, any outdoor lighting utilized in conjunction with the use shall be located and directed so as to eliminate glare toward streets and adjoining R-3 or more restrictive zoning.

*Comment: All lighting is oriented to face down and is either under full cover or full cut-off fixture.*

UDC 4.9.13.D Noise – In addition to the requirements of Section 16-31, *Excessive Noise*, of the Tucson Code, the use must be located within an enclosed building. There shall be no openings on the side of the building adjacent to R-3 or more restrictive zoning.

*Comment: All operations will take place within an enclosed building.*

Staff comment: *The proposal is in substantial compliance with the UDC Use-Specific Standards for the requested SELU.*

**Conclusion** – The proposed donation center will make use of an existing structure in compliance with the *Sewell/Hudlow Neighborhood Plan* and *Plan Tucson*. In addition, the proposal complies with the UDC Use-Specific Standards and the Security Management Plan is acceptable. Subject to compliance with the attached preliminary conditions, approval of the requested household goods donation center is appropriate.

## Preliminary Conditions

PROCEDURAL

1. A development package in substantial compliance with the preliminary development package dated September 26, 2014, the Design Compatibility Report, and the Security Management Plan shall be submitted and approved in accordance with Section 2-06 and Section 3 of the Administrative Manual.
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 (I) in the form approved by the City Attorney titled "Agreement to Waive Any Claims Against the City for Special Exception Land Use".
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. 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. Three (3) years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception land use.

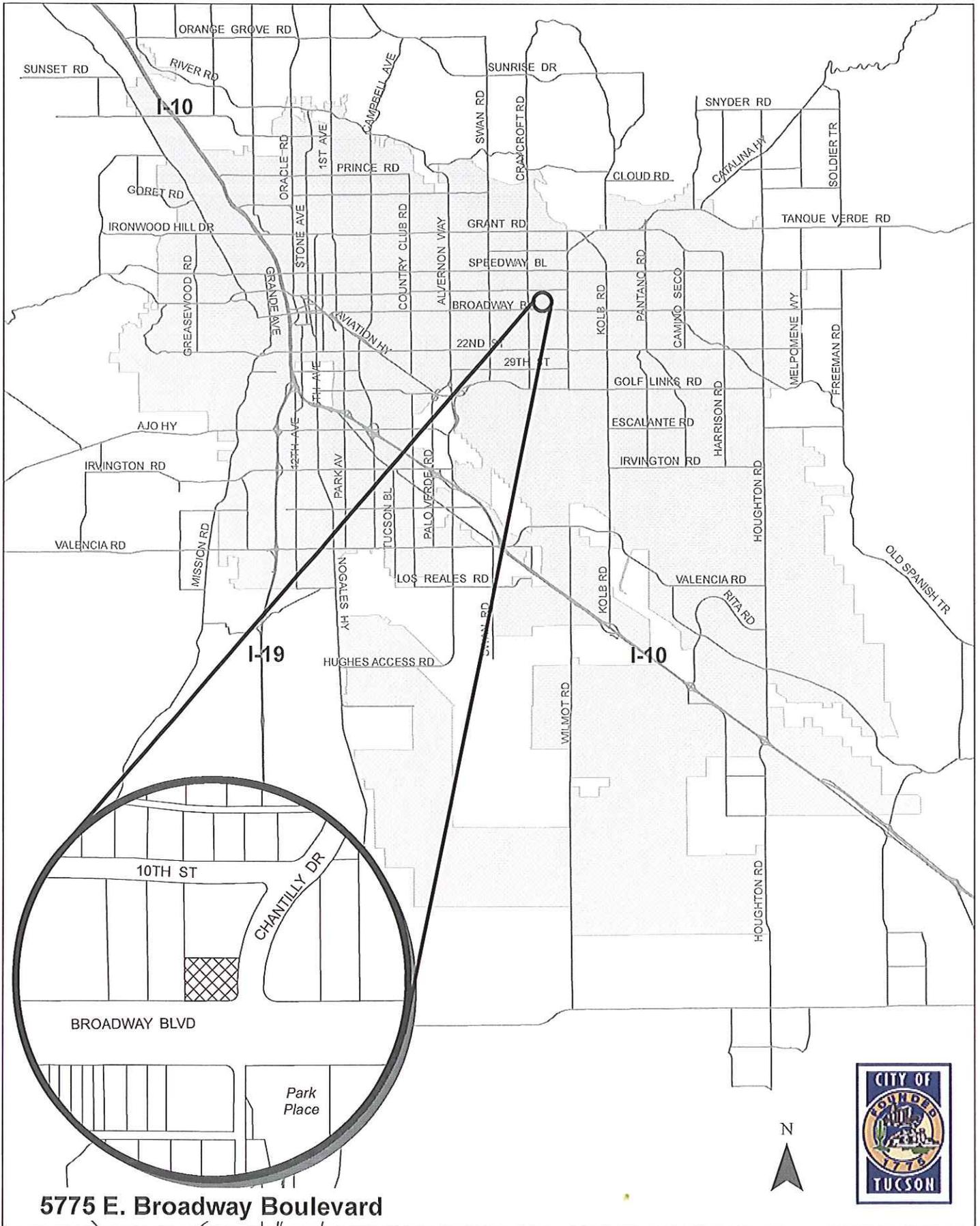
LAND USE COMPATIBILITY

7. The existing fencing, along the north property line adjacent to residential uses, shall include desert-tone color slats to provide an opaque screen.
8. A street landscape border shall be installed on the site along Chantilly Drive and Broadway Boulevard frontages.
9. Refuse containers shall be screened with masonry walls painted with a color similar to the redeveloped structure on the site
10. Six (6) inch wide fence block or greater shall be used for screen walls.
11. Access to Chantilly Drive shall be limited to donation pickup by locked gate. All other access to Chantilly Drive to be closed.

Preliminary Conditions

12. Operation of the household goods donation center shall be subject to the provisions of the Security Management Plan date stamped September 26, 2014.

# SE-14-73 Goodwill - Chantilly Drive



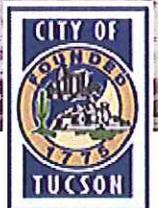
5775 E. Broadway Boulevard



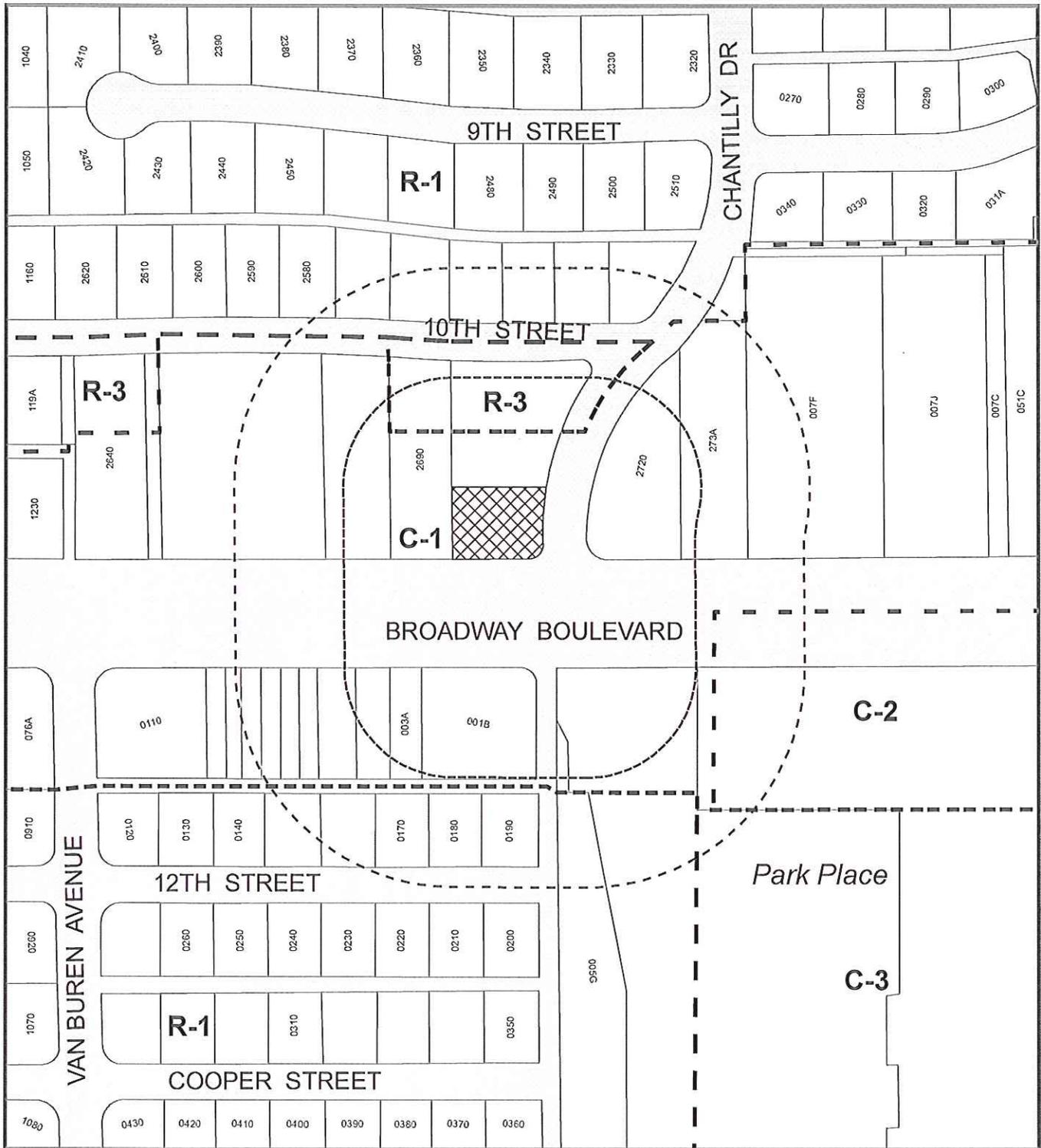


SE-14-73 Goodwill - Chantilly Drive  
2014 Aerial

0 50 100 200  
Feet  
1 inch = 200 feet



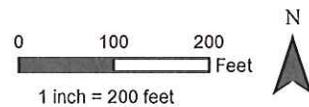
# SE-14-73 Goodwill - Chantilly Drive Z.E. Special Exception



-  Area of Special Exception Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries
- C-1** Zoning of Requested Area



Address: 5775 E. Broadway Boulevard  
 Base Maps: Sec.12 T.14 R.14  
 Ward: 6



**PUBLIC FACILITIES AND SERVICES REPORT FOR December 11, 2014**  
(as of November 21, 2014)

**SE-14-73 Goodwill – Chantilly Drive, C-1 Zone**

**CITY AGENCIES**

**Planning & Development Services – Zoning Review:** See attached comments dated 10/13/14.  
**Planning & Development Services – Engineering:** See attached comments dated 10/13/14.  
**Planning & Development Services – Community Design:** See attached comments dated 11/5/14.  
**Transportation – Traffic Engineering:** See attached comments dated 10/21/14.

**No Objections Noted**

**Office of Conservation & Sustainable Development**  
**Transportation – Engineering**  
**Planning & Development Services – Engineering**  
**Planning & Development Services – Zoning Enforcement**  
**Planning & Development Services – Sign Code**  
**Tucson Fire Department**  
**Community Services – Historic Preservation Officer**  
**Environmental Services**  
**Tucson Parks and Recreation**  
**Tucson Police Department**  
**Planning & Development Services – Landscape**

**NON-CITY AGENCIES**

**PAG-TPD:** Estimated traffic generation of proposed development: 15 vehicle trips per day.

**No Objections Noted**

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

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, November 26, 2014 at [http://cms3.tucsonaz.gov/planning/prog\\_proj/projects/rezoning/index.html](http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html)



Place  
Stamp  
Here

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

SE-14-73

Expose this flap - Affix stamp and return

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

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SE-14-73  
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED