MEMORANDUM

DATE: April 8, 2015
For April 23, 2015 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte, Director
Planning & Development
Services Department

SUBJECT: SPECIAL EXCEPTION LAND USE
PLANNING & DEVELOPMENT SERVICES REPORT
SE-15-06 The Shops at Midvale – Valencia Road, C-2 Zoning (Ward 1)

Issue – This is a request by Ali Fakih of Sustainability Engineering Group, on behalf of the property owners, Landmark Title Trust, to allow a Large Retail Establishment Use as a special exception land use in the C-2 zone. The special exception site is located at the southwest corner of West Valencia Road and South Valley Indian Agency Connect Road (Indian Agency Road - see Case Location Map). The preliminary development plan proposes a large retail establishment retail shops, a restaurant, and fueling station on an approximately 13.44 acres.

A large retail establishment use (an LRE, a single retail business with over 100,000 square feet of floor area including outdoor display areas) in the C-2 zone requires approval through a Mayor and Council Special Exception Procedure. This process requires a recommendation from the Development Review Board regarding compliance with LRE design criteria, and an overall recommendation from the Planning and Development Services Department, and a public hearing before the Zoning Examiner. After the close of the public hearing, the Zoning Examiner will forward a recommendation to the Mayor and Council for a decision to grant the request with or without conditions or to deny the request.

Planning and Development Services Recommendation – The Planning & Development Services Department recommends approval of the requested special exception use, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Vacant Land

Surrounding Zones and Land Uses:
North: Zoned C-2; Commercial retail
South: Zoned Pima County SH; Church and Residential
East: Zoned C-1 and I-1; Commercial retail and Industrial park
West: Zoned C-2 and Pima County SH; Commercial retail and storage, and vacant

Previous Cases on the Property:

C9-07-20 JVBM Properties – Valencia Road, SH to C-2 This was a rezoning request to allow the development of a proposed shopping center on a 13.13-acre site comprisde of 104,500 square feet of commercial and retail space, including a bank, restaurants, and a day care center at the southwest corner of Valencia Road and Indian Agency Road. On November 18, 2008, Mayor and Council adopted Ordinance No. 10602 and on December 11, 2009, a subdivision plat was recorded, effectuating the requested C-2 zoning.

C15-07-01 West Valencia Annexation District, SH to SH This rezoning from County SH to City SH zoning was for the establishment of original City zoning for the 13.37-acre West Valencia Annexation District located at the southwest corner of Valencia Road and Indian Agency Road. On June 19, 2007 the Mayor and Council adopted a Pre-annexation and Development Agreement (PADA) between JVBM Properties, LLC and the City of Tucson under Resolution No. 20693 and directed staff to proceed with the West Valencia Annexation District. On December 18, 2007 Mayor and Council adopted Ordinance No. 10488 rezoning the site to City SH. Ordinance No. 10488 became effective January 26, 2008.

The PADA references that no further dedications of property or improvements to either Valencia Road or Indian Agency Road, including additional lanes, will be requested by the City as part of the Future Zoning or in order to allow for the development of the property for the anticipated uses. However, the PADA refers to the establishment of C-2 zoning which was completed in 2009 (see above). The current request for a special exception under the existing C-2 zoning is not impacted by the existence of the PADA.

Related Cases:

SE-07-01 Target – Oracle Road, C-2 Zoning. This was a special exception request to allow construction of a large retail establishment (LRE) on 15.2 acres located at the northeast corner of Oracle Road and Roger Road, the proposed project included approximately 188,187 square foot LRE, and 28,130 square feet of other retail uses in two additional buildings. On May 1, 2007 Mayor and Council adopted Ordinance No. 10400 and on August 27, 2008, a development plan (D07-0025) was approved.

SE-03-06 Home Depot – Oracle Road, OCR-2 Zoning. This was a special exception land use request for a 153,920 square foot home improvement store and 356,619 square feet of retail, office, and restaurant use on 34.32 acres located on the southwest corner of Oracle and Wetmore Roads. On September 15, 2003, the Mayor and Council approved the special exception land use request.

SE-01-33 Lowe's – Oracle Road, C-2 Zoning. This was a special exception land use request for a 165,000 square foot home improvement store on approximately 13 acres located on the southwest corner of Oracle Road and Limberlost Drive. On February 6, 2002, the Mayor and Council approved the special exception land use request.

C9-93-04 Estes - Valencia Road, R-4 to B-2A (now C-2) This was a rezoning request for 18.55 acres located across Valencia Road to north of the subject special exception site allow construction of a 214,437 square foot K-Mart store. On May 17, 1993, Mayor and Council adopted Ordinance No. 8050. Ordinance No. 8050 became effective June 16, 1993. On July 8, 2003, a minor change of development plan was approved and the building was re-purposed as a 182,415 square foot Lowes Home Improvement Warehouse, and an additional 37,090 square feet made available for another tenant for a total 219,505 square feet.

Applicant's Request – The applicant is requesting a special exception to allow a large retail establishment (LRE) and fuel center with retail/restaurant shops on an approximately 13.44 acre site zoned C-2. The proposal includes an LRE with 102,564 square feet, an associated fuel center that includes a 176 square foot kiosk and a 6,880 square foot canopy, proposed 8,300 square foot of retail/restaurant use.

Procedural Requirements – The *Uniform Development Code (UDC)* establishes procedures for the review of special exception land use requests. The review process for an LRE consists of multiple tiers. The Development Review Board provides a recommendation to the Planning and Development Services Director addressing whether or not the project complies with the design criteria enumerated in *UDC* Section 4.9.9.D related to compatibility, architecture, and site design where specific criteria are not provided. The Planning and Development Services Director provides a recommendation to the Zoning Examiner in a report containing factual information that has been obtained for the request (this report). The Zoning Examiner holds a public hearing and prepares a recommendation which is forwarded to the Mayor and Council for a decision.

The special exception site is also subject to conditions established by Mayor and Council in case C9-07-20 JVBM Properties – Valencia Road, SH to C-2. The rezoning did not anticipate development of an LRE, therefore, development of an LRE at this location, in addition to Mayor and Council approval of the special exception request, will require Mayor and Council approval of a change of rezoning conditions.

Planning Considerations – Land use policy direction for this area is provided by *Plan Tucson* and the *Santa Cruz Area Plan*. The rezoning site is located within 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 by expanding and maintaining a healthy drought-tolerant low-water use urban forest and by minimizing heat generation and retention from the built environment using a range of strategies such as energy rated and cool roofing material. New development should utilize solutions and strategies

included in the Design Guidelines Manual to provide an improved level of community design. *Plan Tucson* identifies a higher-intensity mix of jobs, services, and housing along major street and promotes commercial uses along major transportation corridors and in or adjacent to regional activity centers and employment centers.

The *Santa Cruz Area Plan* specifically calls out that commercial uses are appropriate near the intersection of Valencia Road and Indian Agency Road and encourages and supports developments that respond to physical characteristics of the site, and adjacent land use patterns. Development should enhance the visual appeal of the streetscape, and incorporate neighborhood recommendations into site planning and design.

The special exception site is a simple rectangle, approximately 660 feet by 890 feet, with the longer dimension running north-south. It is surrounded by commercial, retail, and manufacturing uses to the north, east, and directly west, zoned C-2, C-1 and I-1, and C-2 respectively. A religious use zoned Pima County SH is adjacent to the south. Vacant land zoned Pima County SH is adjacent to the southern portion of the west property line of the site. Pima County SH zoning is a low density residential zone, with a minimum lot size of 36,000 square feet.

Vehicular access is proposed from two points on Valencia Road and three points on Indian Agency Road. Valencia Road is identified as a Gateway Route and an arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan (MS&R)* map. Indian Agency Road is a local street. The intersection of Valencia Road and Indian Agency Road is signalized.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 19,242 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The special exception site was rezoned in from SH to C-2 in 2009 (see previous case C9-07-20 JVBM Properties – Valencia Road, SH to C-2, above). At that time the proposed building area for the development totaled 104,500 square feet in six buildings with a 55,000 square foot anchor retail use, restaurants, a day care facility, and a bank. The new proposal will have 115,040 square feet in four buildings with an over 102,564 square foot LRE anchor, an associated fuel center, and retail/restaurant uses. As an LRE, the proposed project must address the LRE design guidelines (Uniform Development Code 4.9.9.D)

Drainage/Vegetation/Heat Island – The site is impacted by a 100-year floodplain, which will require preparation of a Drainage Report, including details of detention/retention. There are drainage channels along the north, east, and south boundaries of the site. Landscaping proposed for these drainage channels will also serve as landscape border/screening areas. Detention/retention basin floors shall be graded to drain either toward the outlet source or other logical point. Basin floors shall not be flat. The previous rezoning case required that drainage channels have a sandy

bottom to maximize water harvesting. Vegetation should be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter. Parking areas and pedestrian circulation paths are subject to current shade requirements. There should be no more than ten percent over the minimum required parking spaces for commercial development. Paving with pervious paving or cool paving material would be considered an acceptable alternative to allow twenty percent over the required parking spaces. Roofing material to be either Energy Star rated or rated as a cool roof.

Road Improvements – Two vehicular access drives are proposed along Valencia Road. The east access point will be limited to right-in/right-out due to the existing median in Valencia Road. Three access drives are proposed along Indian Agency Road. The *Major Streets and Routes* map designates Valencia Road as a Gateway arterial, and Indian Agency Road as a local street. Installation of right-turn deceleration lanes to all driveways along Valencia Road will be required. The City of Tucson Transportation Access Management Guidelines requires a Traffic Impact Analysis (TIA) for any development that generates more than 100 trips during the peak hour. Pima Association of Governments estimates that the proposed developments for this area would generate over 1,000 peak-hour trips.

Large Retail Establishment Design Standards – Large Retail Establishments (establishments greater than 100,000 square feet of floor area - aka LRE's or big box retail) are subject to specific design standards as enumerated in UDC Section 4.9.9.D. Variances from the standards are not permitted; however, if one or more of the standards cannot be met, the applicant may request approval where there is substantial compliance with the Large Retail Establishment Design Standards. The standards are provided below in their entirety. Point-by-point staff discussion of each standard is provided in *italics*.

4.9.9.D. 1. Site Design and relationship to Surrounding Community

a. Vehicular Access
The project shall provide safety and protection to adjacent residential uses by having motor vehicle access from a major street as designated by the adopted Major Streets and Routes (MS&R) Plan. Access can also be provided from a street that is not designated by the MS&R Plan, provided it can be shown that any negative impacts on residential uses or residentially zoned properties can be mitigated.

Two motor vehicle access drives are proposed from Valencia Road, identified as a gateway arterial street on the MS&R map. The east drive will be restricted to right-in/right-out only as there is a median in Valencia at this location. The west drive will have full access. Three full access drives are proposed from Indian Agency Road, a local street. Adjacent development to the west across Indian Agency Road is commercial/industrial. Direct access for southbound movements will not create cut-through traffic as Indian Agency does not provided connectivity beyond the local area.

b. Buffers

The project shall provide visual and noise buffers where the site is adjacent to a residential use or residentially zoned property. This can be accomplished by providing a minimum building setback of at least 200 feet from a residential use or residentially zoned property that is adjacent to the site. An eight foot high, or higher, masonry screen wall and at least a 20-foot wide landscape buffer shall be provided adjacent to the site property line where it adjoins a residential use or residentially zoned property. The landscape buffer shall be placed on the inside of the screen wall and shall include, in addition to shrubs and groundcover, canopy trees at 20- to 30-foot intervals depending on the separation needed for the tree canopies to touch at maturity to form a noise, light, and visual screen above the screen wall. No other uses, such as, but not limited to, parking or storage, shall be permitted within the landscape buffer area.

The applicant is proposing to provide a 67 foot setback from the LRE building to the residential property to the west (zoned SH – minimum lot size 36,000 square feet) and a 74 foot setback to the residential property to the south (also zoned SH). Adjacent to the SH zoning the preliminary development plan shows a ten foot landscape border with a five foot tall vegetative screen on the west, and a ten foot landscape border with a six to eight foot tall vegetative screen within a four foot deep, 40 foot wide drainage channel on the south. In addition to the ten foot landscape border on the south side of the drainage channel, the applicant is proposing additional trees on the north side of the drainage channel. Citing drainage patterns, the applicant is proposing to not provide the eight foot high, or higher, masonry screen walls referenced in the LRE ordinance at either the west or south property line adjacent to SH zoning. A 55 to 80 foot wide landscaped drainage channel is proposed along Indian Agency Road, and a 45 to 55 foot wide landscaped drainage channel is proposed along Valencia Road.

The preliminary development plan submitted in support of the 2007 rezoning showed a 90 foot setback with five foot wall on the south property line. Considering the increased intensity of use evidenced by the greater traffic numbers for this proposal, the scale of the single LRE building, and the requirement for the special exception, additional buffers are appropriate, including a minimum eight foot tall masonry wall on the west and south adjacent to SH zoning. A wall is essential to screen neighboring residential properties from truck traffic and outdoor activities occurring behind the LRE building. Along the south property line where drainage is an issue, the wall should be placed 40 feet north of the property line, north of the drainage channel, and a ten foot wide landscape buffer placed north of the wall.

All perimeter walls should be graffiti-resistant and incorporate one or more visually appealing treatments into the design. Design treatments should include the use of two or more decorative materials like stucco, tile, stone, or brick in a visually interesting design on the wall surface. The wall alignment should be varied (jog, curve, notch, setback, etc.) to reduce the appearance of mass. A wall detail demonstrating compliance with this condition should be included in the development package submittal. The landscape buffer north of the wall should be planted with canopy tree species that will grow a height of 20 to 25 feet, planted a maximum of 30 feet on center, to augment the buffering provided by the eight foot tall masonry wall. The wall will also be softened by the proposed vegetation within the 40 foot wide drainage channel. The resulting buffer would be approximately 50 to 55 feet wide, consistent with previous LRE's approved in 2001, 2003, and 2007 (see related cases above).

c. Outdoor Storage Areas

The project shall mitigate visual and noise impacts on residential uses, residentially zoned properties, and streets that may be adjacent to the site from outdoor storage areas (when permitted by the zone district requirements). The mitigation can be accomplished by locating these areas on-site and at least 200 feet from any residential use or residentially zoned property that is adjacent to the site. The areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. The screen shall be at least eight feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. Storage materials shall not be visible above the screen wall. It is preferred that these outdoor storage areas be placed between buildings in a manner that would allow the buildings to act as screens.

The preliminary development plan shows an outdoor display area on the north side of the LRE building (but does not include this area in the square footage calculation for the LRE). There are no other outdoor storage areas anywhere on the site, including south of the LRE building. To ensure the site in maintained in compliance with this condition, there should be procedures in place, such as daily inspections conducted and recorded by the owner/operator.

d. Trash Collection Areas

The project shall mitigate visual and noise impacts on adjoining residential neighborhoods and streets from trash collection areas by locating these areas on-site and at least 200 feet from any residential use, residentially zoned property, and street that is adjacent to the site. The areas shall be screened or enclosed so that they are not visible from public streets, public sidewalks,

internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas shall conform to the predominant materials used on the site. The screen shall be at least eight feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. It is preferred that these trash collection areas be placed between buildings to allow the buildings to act as screens. No trash shall be removed between 4:00 p.m. and 9:00 a.m. as part of scheduled trash collection.

The trash compactor unit is located at the rear (south) of the LRE building, approximately 110 feet from residential property. The compactor abuts the building wall and is screened by a ten (10) feet high masonry wall. Trash removal times will be between 4:00 p.m. and 9:00 a.m. To ensure compliance with this condition, there should be procedures in place, such as a daily log of violations by drivers, with corrective actions taken by the owner/operator noted.

e. Pedestrian Flow

The project shall provide pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development to project a friendly, inviting image. Sidewalks shall be at least eight feet wide and unobstructed and shall connect the public street sidewalks to the main entrances to the stores, transit stops on- or off-site, and other buildings on the site, in addition to providing convenient access to adjacent residential neighborhoods. Sidewalks shall be provided along the full length of any building where it adjoins a parking lot. Sidewalks shall have an associated three foot wide landscape strip for their entire length, except at intersections with parking area access lanes (PAALs). The landscaping shall include canopy trees or other shading devices to shade at least 65 to 75% of the sidewalks during the major part of the day (shadow pattern needs to be taken into consideration).

The primary goal of the pedestrian flow requirement is to provide a complete pedestrian system that provides connectivity, pedestrian shading, and incorporates wide paths that promote safety and ease of use for shopping carts and pedestrians to pass each other.

The preliminary development plan shows a relatively complete pedestrian system connecting the LRE building and the building at the corner of Valencia Road and Indian Agency Road to the public streets. The preliminary development plan does not show eight foot wide sidewalks and the gas station is not connected to the pedestrian system as required per the UDC. The 2007 rezoning case requires two pedestrian walkways (north-to-south) to be provided from Valencia Road to the main building pads in the southern portion of the site.

Staff recommends a primary pedestrian system with eight foot wide sidewalks together with a minimum three foot wide landscape strip, with at least 65-75% of the each segment of the system shaded during the major part of the day using canopy trees or other devices. The primary pedestrian system should include the following segments: 1) the full front of both the LRE building and the "Shops A" as identified on the preliminary development plan, 2) from the LRE to Valencia Road, 3) from Shops A to Indian Agency Road. At a minimum the primary pedestrian system should be eight feet wide with a three foot landscape strip. Other pedestrian connections as required by the UDC need not meet the requirement for the primary pedestrian system. At all locations where paths cross parking area access lanes, alternate pavement treatment (i.e. pavement color, texture, material, etc.) should be provided to accentuate with path location.

f. Central Features and Community Spaces

The project shall provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design (shall not conflict with traffic lanes or pedestrian paths). Pedestrian ways shall be anchored by special design features, such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development shall have at least two of these features.

The proposed site plan shows two pedestrian pathway (north-to-south from Valencia Road to the LRE and in-line stores at the southern portion of the site. Additional, features to be incorporated into the project design are:

- *Colored stamped pavement will be placed for the paths crossing driveways to add interest and provide a safe delineation of the crossing.*
- *The north elevation (front) incorporates a lower lighter tan colored canopy supported by concrete block columns and the entrances are projected away from the building 15 feet with a steel canopy over the door at 10 feet high to promote a human scale to the building.*
- *Storefront windows are utilized on the front of the building to create an inviting atmosphere.*
- *There is an existing bus stop across the street on Valencia Road (westbound) and bus stops located approximately 1200 feet west and 500 feet east of the site on Valencia Road (eastbound). A new bus stop at the project location is not planned.*

- *Applicant provided notes from citizen outreach which raised concerns from residents that site features providing open space or gathering spaces would allow for loitering. However there are opportunities for some pocket spaces along the pedestrian walkways. The pedestrian entrance area in front of the LRE and in-line stores has been widened to allow gathering and inviting space. However the sidewalk width fronting the in-line stores should have a similar sidewalk width as the LRE.*

g. Delivery and Loading Spaces

(1) Delivery and loading operations shall be designed and located to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations shall not be permitted between 10:00 p.m. and 7:00 a.m. Delivery and loading spaces shall be setback at least 200 feet from a residential use or residentially zoned property that is adjacent to the site, unless such operations are located entirely within an enclosed building, provided it is no closer than the allowable building setback.

(2) Delivery trucks shall not be parked in close proximity to or within a designated delivery or loading area during non-delivery hours with motors and/or refrigeration/generators running, unless the area where the trucks are parked is setback at least 300 feet from residential property to mitigate the truck noise. The setback shall not apply if the main building is located between the truck parking and the residential use or residentially zoned property to act as the screen.

(3) The delivery and loading areas shall be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen shall be of masonry construction and at least ten feet high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock. The masonry screen assures the highest level of noise abatement. It is preferred that the delivery and loading spaces be enclosed within a building or placed between buildings in a manner that would allow the buildings to act as screens.

The applicant is requesting there be no limits on delivery times. The primary delivery operations will occur from within the building at recessed loading docks (the delivery trailer abuts the building with the dock floor located within the building). The loading dock area is located at the rear of the LRE building and is screened from the residential property to the south by a ten-foot high masonry wall. The loading docks are located approximately 74-feet from the south property line, and 275 feet from Indian Agency Road and are screened from the road by dense vegetation. The recessed dock pavement is

approximately four (4) feet below finished floor elevation and provides fourteen feet of screening height for the delivery vehicle. To ensure effective screening, the recessed paving area should extend the full length of the tractor-trailer combination, at least 75 feet from the bay doors. Trucks traffic entering and leaving the site should be screened from residential property by the ten foot tall wall located along the outside of the driveway system.

Delivery vehicles arriving during non-delivery hours should be prohibited from waiting or staging south or west of the LRE building, with "No Stopping, Standing, or Parking" signs and signage directing drivers to stage north of the LRE building conspicuously placed in several location south of the LRE. Fry's will direct delivery trucks not to run motors and/or generators during non-delivery hours. To ensure compliance with this condition, there should be procedures in place, such as a daily log of violations by drivers, with corrective actions taken by the owner/operator noted.

h. Traffic Impacts

The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) report for the development using the Institute of Transportation Engineers' Trip Generation publication as the standard for trip generation calculation, as well as a parking generation report proposing the number of motor vehicle parking spaces required for the project, if different from shopping center calculations. The scope and standards for the TIA report shall be approved by the Department of Transportation, prior to submittal of the TIA report. The parking generation report shall be accepted by the Department of Transportation and PDSD, prior to the first public hearing. The TIA report shall identify traffic flow impacts on the public streets, recommend mitigation measures to address those conditions that fall below the standards established by the adopted regional Mobility Management Plan, and show how the applicant will provide the recommended improvements. The Mayor and Council may approve a parking requirement that supersedes the number required by Section 7.4, Motor Vehicle and Bicycle Parking, as part of their review process. The TIA and parking generation reports are applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised TIA report and revised parking generation report.

A TIA has been submitted by Southwest Traffic Engineering, LLC, dated March 4, 2015. The PDP shows proposed auto and bike parking at 397spaces and 24 spaces respectively. The applicant is stating that per the Pre Annexation Development Agreement (PADA) no further dedications or improvements to either Valencia Road or Indian Agency Road, are required. However, the PADA refers to the establishment of C-2 zoning which was

completed in 2009. This is a request for a special exception under the existing C-2 zoning.

Valencia Road is a fully developed six lane divided roadway with curbs and sidewalk. Indian Agency Road is a strip-paved three lane cross-section without curbs or sidewalks. The layout of vehicular access points maintains the concept approved for the development proposed for the 2007 rezoning, and as in the 2007 rezoning, no improvements to Indian Agency Road are proposed (again, because of the applicant's assertion that the PADA exempts this development). However, the Pima Association of Government Transportation Planning Division estimates the LRE and associated commercial uses now being proposed will generate more than 50 percent more traffic than the 2007 proposal (19,242 ADT v 12,298 ADT) Therefore improvements to Indian Agency Road, as identified in the required Transportation Impact Analysis, are appropriate.

i. Outdoor Lighting
A photometric plan and outdoor lighting report shall be required that provides information on how outdoor lighting is addressed to mitigate negative impacts on adjacent residential uses or residentially zoned properties. The report shall also address the negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on adjacent residential properties or zones and how they will be mitigated. Outdoor lighting between 10:00 p.m. and 7:00 a.m. shall be limited to low-pressure sodium lighting.

The applicant has submitted an outdoor lighting report and photometric lighting plan. Proposed lighting fixtures should be shielded to shine light down and prevent light spilling across property lines or into public right-of-ways. LED lighting is proposed for the site. These lights will be on a timer that dims the site lighting at preset times.

j. Outdoor Sales Display/Ancillary Uses
Measures to mitigate any negative impacts to a residential use or residentially zoned property that is adjacent to the site from the location of any outdoor activity associated with services to the public, such as, but not limited to, outdoor merchandise display and sales, outdoor storage, and outdoor snack bar and eating areas shall be required. The outside activity shall be setback at least 250 feet and oriented to face away from any residential use or residentially zoned property that is adjacent to the site, unless a building is located between the activity and the residential property.

An outdoor display area is identified on north side of the LRE building, with the building shielding display area from the residentially-zoned property to the south and west. This area is well over 250-feet from the residential area

to the south and approximately 225 feet from the residential area to the west. There is no display area shown in parking lot for any future displays such as Christmas tree lot.

k. Hazardous Materials
The project shall provide a Hazardous Materials Management Plan and Hazardous Materials Inventory Statement (HMMP and HMIS) as provided in the Fire Code to assure that the building site and design will protect public health and safety from accidental exposure to hazardous materials as provided in the Tucson Fire Code.

Applicant has provided a HMMP/HMIS report for this project. Refer to Appendix XIV for the subject report, including the material storage location plan.

l. Noise Abatement
The project shall provide a noise mitigation plan indicating how the noise initiated by the land use will be mitigated to comply with noise standards in Section 16-31, Excessive Noise, of the Tucson Code. Trucks shall not be left idling between the hours of 6:00 p.m. and 7:00 a.m.

The applicant has provided a Noise Mitigation Plan. The applicant is proposing to direct any truck drivers who arrive between 6:00 PM and 7:00 AM to turn off vehicle motors during these hours or to park in designate area north of the LRE that is 300 feet or more away from the residential zoned properties. Masonry sound barriers are located at the delivery dock and perimeter walls vegetation will mitigate noise to the adjacent parcels.

m. Combination of Retail with Food and Beverage Sales
General Merchandise Sales and retail sales shall not be combined with Food and Beverage Sales except where one of the Land Use Classes consists of less than 10% of the gross floor area.

Per the applicant's narrative in the Design Compatibility Report, the Fry's grocery store provides customers with a unique shopping experience that promotes the one-stop shopping concept with an upscale feel and diverse amenities. A one-stop experience could generate less traffic trips in the area. Given the diverse market sector of retail items available, the retail sales portion of the building area is greater than ten (10 percent of the overall retail/grocery sales area. The applicant notes that while the LRE is greater than 100,000 square feet the inclusion of a mezzanine space not associated with the customer areas. The mezzanine space will operate as the manager's office, HR office, open offices for associates, break room, elevator equipment room, restrooms, mechanical/electrical room, computer room, computer

training room, locker room, and conference room. The break-down of the sales uses follows:

- *Total Sales Ares: 73,636 square feet*
- *General Merchandise: 16,314 square feet (22%)*
- *Grocery: 54,387 square feet (74%)*
- *Pharmacy: 2,935 square feet (4%)*

The above does not include outdoor storage on the north side of the LRE building; accurate figures will be required with the submittal of the development package.

2. Aesthetic Character of Buildings

a. Facades and Exterior Walls Including Sides and Back

The building shall be designed in a way that will reduce the massive scale and uniform and impersonal appearance and will provide visual interest consistent with the community's identity, character, and scale. Long building walls shall be broken up with projections or recessions with depths of at least 3% of the facade length along all sides of the building. Along any public street frontage, the building design should include windows, arcades, or awnings along at least 60% of the building length. Architectural treatment, similar to that provided to the front facade, shall be provided to the sides and rear of the building to mitigate any negative view from adjacent properties and/or streets.

The north elevation (front) incorporates a lower lighter tan canopy supported by columns and the entrances are projected away from the building 15 feet with a steel canopy over the door at 10 feet high to promote a human scale to the building. Storefront windows are utilized on the front of the building to create an inviting atmosphere. The building steps down to the south, in addition the east, and west façades incorporate four inch elevated projections for visual interest. The south elevation dock area is projected 49 feet from the building trying to break up the long façade as well as the use of contrasting split-face and concrete masonry units, continuing the theme of the store front. The side and rear facades would benefit from design elements such as awnings, greater projections, and more use of materials and themes from the front facade to strengthen the aesthetic character of the LRE building.

b. Detail Features

The project shall provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall, front, side, or rear, with color, texture change, wall offsets, reveals, or projecting ribs.

The provided building elevations show an array of different materials and design elements to create visual interest. The building design uses pilasters that incorporate a decorative split-face concrete masonry unit base with a cast stone cap trim. The pilasters are also ornamented with cast stone squares at the top, middle and lower sections. The painted steel entrance canopies are supported by decorative brackets. The parapet is a lighter tan band with decorative dentil elements of interest at the top. Building entrances should be inviting and appear to be designed with a pre-finished standing seam metal gabled-roofed elements incorporating exterior insulation and finish systems and concrete masonry units, clearstory windows and steel canopies in a complimenting manner. The side and rear elevations are monolithic with limited visual interest.

c. Roofs

The roof design shall provide variations in roof lines to add interest to, and reduce the massive scale of, large buildings. Roof features shall complement the architectural and visual character of adjoining neighborhoods. Roofs shall include two or more roof planes. Parapet walls shall be architecturally treated to avoid a plain, monotonous look, unless it is in keeping with the architectural style of the building, e.g., Santa Fe style with smooth walls.

The parapets on the east and west elevations simply step down following the roof which drains to the south. There is no parapet on the rear side of the LRE building leaving the flat, single plane, roof exposed. The side and rear roofline/parapets should have visual interest commensurate with the front elevation.

d. Materials and Color

The buildings shall have exterior building materials and colors that are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high-quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors shall be avoided, e.g., fluorescent or metallic. Construction materials, such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar material shall be avoided, unless the exterior surface is covered with an acceptable architectural treatment.

The building materials and colors are compatible with those used in the adjoining neighborhood. The earth tone colors and combination of split-face and precision concrete masonry unit, exterior insulation and finish system, pre-finished metal roof, cast stone, clearstory and storefront windows, steel entrance canopies are high quality materials and are complimentary to the surroundings.

e. Entryways
The building design shall provide design elements that give customers orientation on accessibility and that add aesthetically pleasing character to buildings by providing clearly defined, highly-visible customer entrances

The two entryways are pronounced with a higher gable roof and projection from the building. The entries also provide an inviting human scale with its transparency and lower canopy over the doors. Signage on the face of the entries and lighting will direct the customer into the building. Entrance sidewalk area will be a wider width and provide directional location for entrance area. Entrance sidewalk width should extend along in-line store to the east.

f. Screening of Mechanical Equipment
(1) Roof- or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.

(2) Ground-mounted mechanical equipment shall be screened. The screen shall be of masonry construction and be of sufficient height to block the view and noise of the equipment.

The rear elevation, and to a lesser extent the side elevations, do not screen roof mounted mechanical equipment. Considering the reduced building setbacks to the west (side) and south (rear), the street frontage on the east, and long sight lines especially from the south (rear), full screening of roof mounted mechanical equipment should be provided. To address design standards for the architectural treatment of the side and rear elevations to be similar to the front elevation, the screening should be accomplished through the use of integral parapets that are an extension of or blend into the architectural elements of the buildings. Any ground mounted equipment should be screened with masonry walls. Noise is mitigated by installing vibration dampers on each unit in conjunction with parapet walls. The ground mounted mechanical container and refrigeration equipment at the rear of building is screened by a ten foot concrete masonry unit wall.

3. Development Review Board DRB

All proposed Large Retail Establishments (LRE) shall be reviewed by the Design Review Board (DRB) for recommendation to the Planning and Development Services Director, who will make a recommendation on whether it complies with the performance criteria. The DRB will base its recommendation on whether or not

the project complies with the use specific standards related to compatibility, architecture, and site design, as provided in Sec. 4.9.9.D *Large Retail Establishment Design Standards*, where specific requirements are not provided. The applicant shall be responsible for providing all documentation and information necessary to show compliance, such as, but not limited to, site plans, building elevations, landscaping plans, floor plans, and outdoor lighting photometry plan.

The applicant attended the Design Review Board meeting on March 20, 2015. The DRB recommends approval subject to the following condition:

- Ensure shade is provided for at least 65-75% of all sidewalks during the major part of the day as per UDC Section 4.9.9.D.1.e

Conclusion – The subject site, at a signalized intersection on a Gateway Route, is an appropriate location for commercial development, as reflected by the previously approved and now existing C-2 zoning. The proposed land uses are consistent with the policy direction of the *Santa Cruz Area Plan and Plan Tucson.* The scale of the site is sufficient to allow a large retail establishment that meets the intent of large retail establishment design guidelines enumerated in *Unified Development Code* Section 4.9.9.D. However the proposed design falls short of that intent.

To be supportable, the reduced setbacks for the trash collection areas, the delivery and loading spaces, and the LRE building itself, as well as the increased delivery and loading hours, must be mitigated, and the visual appeal of the sides and rear of the building improved. The attached conditions have been prepared to meet the intent of the large retail establishment design guidelines and address the impact of the development, including traffic mitigation. Subject to the attached conditions, a large retail establishment can be supported at this location.

s:/special exception/2015/se-15-06 sr.doc

PROCEDURAL

1. A development package in substantial compliance with the special exception preliminary development plan dated April 2, 2015 and the Design Compatibility Report dated April 6, 2015, 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 (I) 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. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and/or associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.

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 the special exception.

Land Use Compatibility

8. All dumpsters shall be screened with 10 foot masonry sound wall and shall be located a minimum of 110 feet from residential zones and uses.

9. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; and a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); with trees and shrubs in voids created by the wall variations. Wall detail to be submitted with Development Package to show compliance with condition.

10. Six (6) inch wide fence block or greater shall be used for required perimeter walls.

11. The owner/developer shall provide building elevations that show five-side architectural design for all buildings on the development site. Side and rear building facades shall have architectural character and detail reflective of the front façade, such as but not limited to, windows, awning, and an array of different materials and color variation.

12. Delivery dock area for Large Retail Establishment to be screened by ten-foot high above grade masonry sound wall. Primary delivery operations shall occur from within the building at recessed loading docks with a four foot below grade recessed height extending 75 feet from bay doors.

13. Delivery Trucks shall not be parked or left idling between the hours of 6:00 pm and 7:00 am, within 300 feet of residential uses and/or residentially zoned property. Delivery truck staging area shall be north of the Large Retail Establishment.

14. All mechanical equipment and refrigeration equipment shall be screened, with noise vibration dampers for roof top equipment. Ground mounted mechanical equipment and refrigeration equipment to be screened by a ten-foot high CMU sound wall.

15. All outdoor lighting to be LED technology full cut-off fixture, directed downward and shielded away from residential and/or residentially zoned parcels and public right-of-way. Outdoor lighting layout and lighting fixture detail shall be submitted as part of development package and in compliance with the Photometric Plan submitted in Design Compatibility Report, March 9, 2015.

16. No outdoor storage allowed. No outdoor display allowed except on the north side of the Large Retail Establishment as identified on the Preliminary Development Plan, dated April 2, 2015.

17. The large retail establishment building shall be setback at a minimum of 67-feet from the residentially zoned property at the west, and a minimum of 84-feet from the residentially zoned property at the south. There shall be an eight foot wall on west property line adjacent to the SH zone. Along the south property line there shall be an eight foot wall and ten foot wide landscape strip with trees 30 feet on center on the north side of drainage channel. Trees to be of a species that will grow to a height of 20 to 25 feet. The 40 foot drainage channel on the south side shall include trees 20 feet on center. The resulting buffer shall be approximately 50 to 55 wide.

18. Trash compactor to be adjacent to building and screened by a ten-foot high masonry sound wall. No trash shall be removed between 4:00 pm and 9:00 am. Maintain daily logs of maintenance activities regarding trash, and debris at rear of Large Retail Establishment. Maintain daily logs of maintenance activities regarding truck and trash violations with written notice to vendor for each violation.

19. Prior to development package / development plan submittal design elevations for the large retail establishment will be submitted to City of Tucson Design professional for review of Unified Development Code Section 4.9.9.D.2.a-f. The Large Retail Establishment - South elevation shall include continuation of design elements such as but not limited to awnings, an array of building materials from the front of the building, windows, variation of color and texture, wall offsets, reveals or projecting ribs. Elevations shall include roof line variation with two or more planes.

<u>Drainage/Vegetation/Heat Island Mitigation</u>

20. If buffelgrass exists on the site, a buffelgrass mitigation management plan shall be established for the site, including common areas, prior to approval of the Native Plant Preservation Plan portion of the Landscape Plan.

21. The site shall provide one (1) canopy tree to every four (4) parking spaces.

22. Preparation of a complete Drainage Report, including details of detention/retention, is required.
    a) all flows of 100 cfs or more must be clearly delineated and verification of finishes floor elevations will be required. Complete compliance with the Floodplain Ordinance and floodplain permits and/or elevation certificates might be required.
    b) Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
    c) Detention/retention basins shall be located adjacent to a street or accessible common area. Basin side slopes in the adjacent area (s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
    d) Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.

e) Vegetation shall be used as screening and/or security barriers for minimum of ten percent of the basin perimeter.
f) All security barriers and screening for detention/retention basins shall meet Safe by Design guidelines.
g) Provide design detail of the proposed drainage channel that shows the landscaping for this buffer area. Indicate the type of materials, (sandy bottom to maximize water harvesting) and landscape plantings. No concrete lining.

23. All new landscaping will be native desert plants.

24. Building structures shall include roofing material to be either Energy Star rated or rated as cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emitance greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.

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

26. Parking: no more than 10% over the minimum required parking spaces for the commercial development. Paving with pervious paving, cool paving coating, or solar panels as shade structures will be considered an acceptable alternative to allow 20% over the required parking spaces.

27. Mature trees, trunk diameter 4.5 feet above existing grade that is greater than eight inches in fair to good health, will be preserved in place; if this is not possible, removed trees will be mitigated in one of the following ways:
    a) trees to be assessed for replacement value using an acceptable assessment methodology (International Society of Arborist); funds set aside in a Tree Fund to be used for revegetation/landscape enhancement and/or improvements within street rights-of-way, or within common space areas within the neighborhood association, within a mile radius from site;
    b) the following replacement to be in addition to the required landscape
        1) Trunk diameter 4.5-6" = replace with 3 trees, minimum 15 gallon.
        2) Trunk diameter > 6" – 8" = replace with 4 trees, minimum 15 gallon.
        3) Trunk diameter > 8" = replace with 5 trees, minimum 15 gallon.

<u>Road Improvements/Vehicular Access/Circulation</u>

28. Primary pedestrian system: shall include an eight foot wide pedestrian walkway together with a minimum three foot wide landscape area, with at least 65-75% of each segment of the system shaded during the major part of the day using canopy trees or other devices. The primary pedestrian system shall include the following segments:

a) the full front of both the LRE building and the "Shops A" as identified on the preliminary development plan;
b) from the LRE to Valencia Road;
c) from the Shops A to Indian Agency Road.

29. All pedestrian crossings shall be colored stamped pavement.

30. Dedication of Major Streets and Routes (MS&R) along Valencia Road will be required. Dedication of future Right-of-Way for intersection of Valencia Road and Indian Agency Road may be required.

31. Required installation of right turn deceleration lanes to all driveways along Valencia Road. Bicycle lanes and applicable striping/signage must be maintained by developer. North bound striping on Indian Agency Road may need modifications to accommodate southernmost driveway. Contact City of Tucson, Transportation Department as a Private Improvement Agreement (PIA) will be required for all work performed within the Right-of-Way.

32. Along Valencia Road and Indian Agency Road ensure that all existing signs that are affected by the off-site improvements and are applicable to the roadway remain in place or relocated to an appropriate location. If damaged or unsuitable for reuse the replace with new sign and/or post.

33. If existing light poles are impacted with the installation of the proposed improvements relocate if applicable. Contact City of Tucson Street Maintenance Electric Shop for further information.

34. Vehicular access limited to two points on Valencia Road, and three points on Indian Agency Road.

35. Provide six foot wide sidewalk with curb and gutter along Indian Agency Road.

36. Traffic Impact Analysis (TIA) required for each and any development that generates more than 100 trips during peak hour. Further review of the Traffic Impact Analysis is needed as additional requirements may be required according to the TIA and recommendations.

PUBLIC FACILITIES AND SERVICES REPORT FOR APRIL 23, 2015
(as of April 2, 2015)

SE-15-06 The Shops at Midvale – Valencia Road, C-2

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 2/3/15.
Planning & Development Services – Engineering: See attached comments dated 2/6/15.
Transportation – Traffic Engineering: See attached comments dated 2/11/15.
Planning & Development Services – Sign Code: See attached comments dated 2/12/15
Planning & Development Services – Community Design: See attached comments dated 2/18/15.
Office of Conservation & Sustainable Development: See attached comments dated 2/18/15.
Real Estate Program: See attached comments dated 2/18/15.

No Objections Noted

Tucson Fire Department
Tucson Water Department
Tucson Parks and Recreation
Tucson Police Department
Environmental Services
Transportation – Engineering
Planning & Development Services – Zoning Enforcement
Planning & Development Services – Landscape
Community Services – Historic Preservation Officer

NON-CITY AGENCIES

PAG-TPD: Estimated traffic generation of proposed development: 19,242 vehicle trips per day. See attached comments dated 2/18/15.
Pima County Development Services: See attached comments dated 2/24/15.

No Objections Noted

Arizona Department of Transportation
Pima County Wastewater
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base
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, April 8, 2015 at **http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html**

PRELIMINARY DEVELOPMENT PLAN FRY'S STORE #83
1801 W VALENCIA RD., TUCSON, AZ

NOTES:
1. THE DEVELOPER, ANY SUCCESSORS AND ASSIGNS, WILL HOLD THE CITY OF TUCSON, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THIS DEVELOPMENT AS SHOWN HEREON, NOW AND IN THE FUTURE, BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.
2. DRAINAGE WILL REMAIN IN ITS NATURAL STATE AND WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED OTHER THAN AS SHOWN ON THIS SITE PLAN.
3. NO STRUCTURE OR VEGETATION SHALL BE LOCATED OR MAINTAINED SO AS TO INTERFERE WITH THE SIGHT VISIBILITY TRIANGLES IN ACCORDANCE WITH DEVELOPMENT STANDARD 3-01.0.
4. ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
5. ON-SITE SANITARY SEWERS WILL BE PRIVATE AND WILL BE CONSTRUCTED, OPERATED, AND MAINTAINED ON A PRIVATE BASIS. THE LOCATION AND METHOD OF CONNECTION TO AN EXISTING PUBLIC SANITARY SEWER IS SUBJECT TO REVIEW AND APPROVAL BY THE PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT AT THE TIME OF SUBMITTAL OF PLUMBING OR BUILDING PLANS.
6. A PROPERTY OWNERS' ASSOCIATION WILL BE FORMED TO ACCEPT RESPONSIBILITY AND LIABILITY FOR CONSTRUCTION, MAINTENANCE, OPERATION, AND CONTROL OF ALL PRIVATE SEWERS.
7. MAINTENANCE AND OPERATION OF THE PRIVATE SANITARY SEWER TO ITS POINT OF CONNECTION TO THE PUBLIC SANITARY SEWER IS THE RESPONSIBILITY OF EACH AND EVERY PROPERTY OWNER WITHIN THIS DEVELOPMENT.
8. ANY WASTEWATER DISCHARGED INTO THE PUBLIC SANITARY SEWERAGE SYSTEM SHALL MEET THE REQUIREMENTS OF PIMA COUNTY ORDINANCE NO. 1991-140, AS CURRENTLY AMENDED.
9. SIGNAGE IS REVIEWED AND PERMITTED IN A SEPARATE PROCESS FROM THE DEVELOPMENT PLAN REVIEW, BUT MUST BE SHOWN ON THE DEVELOPMENT PLANS FOR SAFETY REASONS PERTAINING TO UTILITIES, EASEMENTS AND SIGHT VISIBILITY TRIANGLES.

PROJECT ADDRESS:
1801 W VALENCIA RD, TUCSON, AZ

LEGAL DESCRIPTION:
BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 15 SOUTH, RANGE 13 EAST, OF THE GILA AND SALT RIVER MERIDIAN, CITY OF TUCSON, PIMA COUNTY, ARIZONA.

PROJECT DESCRIPTION:
PROPOSED SHOPPING CENTER INCLUDING FRY'S GROCERY STORE & FUEL CENTER, WITH RETAIL AND RESTAURANT OUTLOTS.

PROJECT NOTES:

WATER HARVESTING TO BE PART OF THE FINAL SITE DESIGN PER APPLICABLE REQUIREMENTS.

EXISTING LOTS WITHIN THE PROJECT BOUNDARY TO BE COMBINED AND RE-PLATTED. FINAL LOT SPLIT WILL BE COMPRISED BY LOTS 1, 2 AND 3 GRAPHICALLY REPRESENTED IN THIS PLAN.

DRAINAGE NOTES:
THE DEVELOPER, ANY SUCCESSORS AND ASSIGNS, WILL HOLD THE CITY OF TUCSON, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THIS DEVELOPMENT AS SHOWN HEREON, NOW AND IN THE FUTURE, BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.

DRAINAGE WILL REMAIN IN ITS NATURAL STATE AND WILL NOT BE ALTERED, DISTURBED, OR OBSTRUCTED OTHER THAN AS SHOWN ON THIS SITE PLAN."

STREETS & ROADS NOTES:
ALL NEW PUBLIC ROADS WITHIN AND ADJACENT TO THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS. CONSTRUCTION PLANS WILL BE SUBMITTED TO THE CITY ENGINEER'S OFFICE FOR REVIEW AND APPROVAL.

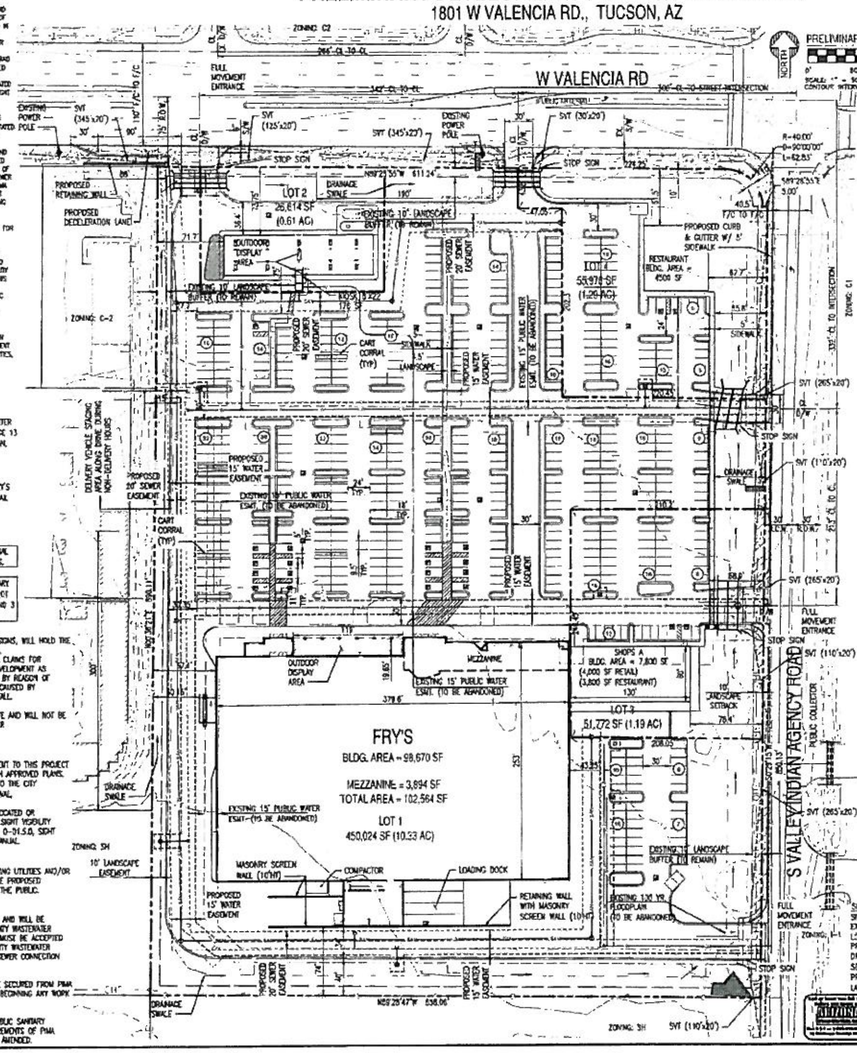
NO STRUCTURE OR VEGETATION SHALL BE LOCATED OR MAINTAINED SO AS TO INTERFERE WITH THE SIGHT VISIBILITY TRIANGLES IN ACCORDANCE WITH SECTION 1 0-01.5.0, SIGHT VISIBILITY, OF THE TECHNICAL STANDARDS MANUAL.

UTILITY NOTE:
ANY RELOCATION OR MODIFICATION OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSITATED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.

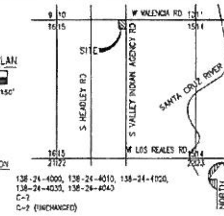
WASTEWATER MANAGEMENT NOTES:
ON-SITE SANITARY SEWERS WILL BE PUBLIC AND WILL BE DESIGNED AND CONSTRUCTED TO PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT STANDARDS AND MUST BE ACCEPTED AND RELEASED FOR SERVICE BY PIMA COUNTY WASTEWATER MANAGEMENT PRIOR TO THE ISSUANCE OF SEWER CONNECTION PERMITS.

A PROJECT CONSTRUCTION PERMIT MUST BE SECURED FROM PIMA COUNTY WASTEWATER MANAGEMENT BEFORE BEGINNING ANY WORK ON THIS PROJECT.

ANY WASTEWATER DISCHARGED INTO THE PUBLIC SANITARY SEWERAGE SYSTEM SHALL MEET THE REQUIREMENTS OF PIMA COUNTY ORDINANCE NO. 1991-140, OR AS AMENDED.



PRELIMINARY DEVELOPMENT PLAN
SCALE: 1" = 50'
CONTOUR INTERVAL = 1'



VICINITY MAP
SCALE: 3"=1 MILE
NW ¼ SECTION 15, T15S, R13E

GENERAL INFORMATION

APN:	138-24-4000, 138-24-4010, 138-24-4020, 138-24-4030, 138-24-4040
EXISTING ZONING IS:	C-2
PROPOSED ZONING:	C-2 (UNCHANGED)
ADJACENT ZONING	
NORTH:	W VALENCIA RD
EAST:	N VALLEY INDIAN AGENCY RD
SOUTH:	SH
WEST:	C-2 & SH
PROPOSED USE:	NEW SHOPPING & FUEL CENTER - RETAIL

CONSTRUCTION TYPE

BUILDING:	II-A, SPRINKLERED
CANOPY:	II-B, SPRINKLERED
KIOSK:	II-B, SPRINKLERED

OCCUPANCY: CANOPY & KIOSK & BUILDING - 'M'

LOT SIZE (GROSS):	584,386 SF (13.42 AC)
LOT 1 (FRY'S):	450,024 SF (10.33 AC)
LOT 2 (FUEL):	26,614 SF (0.61 AC)
LOT 3 (SHOPS A):	51,772 SF (1.19 AC)
LOT 4 (RESTAURANT):	55,976 SF (1.29 AC)

BUILDING AREA

	115,040 SF TOTAL BLDG AREA ON SITE
PROPOSED FRY'S:	102,564 SF
PROPOSED CANOPY:	6,880 SF
PROPOSED KIOSK:	176 SF (135 SF EXPOSED)
RESTAURANT:	4,500 SF
SHOPS A:	7,800 SF

BUILDING HEIGHT

MAX BUILDING HEIGHT:	40 FT
PROPOSED BUILDING:	36'-0" HT
PROPOSED CANOPY:	19'-6" HT / 15' CLEARANCE
PROPOSED KIOSK:	13'-0" HT

SETBACKS

BUILDING:	REQUIRED	PROVIDED
W VALENCIA RD:	21 FT. OR H (FT)	61.50 FT.
N VALLEY INDIAN AGENCY RD:	21 FT. OR H (FT)	62.70 FT.
WEST:	1½ (H) = 54 FT.	67.10 FT.
SOUTH:	1½ (H) = 54 FT.	74.00 FT.

LANDSCAPE:	REQUIRED	PROVIDED
WEST:	10 FT.	15 FT.
NORTH:	10 FT.	37 FT.
EAST:	10 FT.	59 FT.
SOUTH:	10 FT.	40 FT.

PARKING REVIEW:

REQUIRED FRY'S PARKING:	344 SPACES
AUTO PARKING (STORE):	1:300 SF (102,564 SF / 300 SF = 342 SPACES)
AUTO PARKING (FC):	1 SPACE PER EMPLOYEE (2 MIN)
BIKE PARKING (STORE):	1:12,000 SF LONG TERM (102,564 SF / 12,000 SF = 9) + 1/7000 SF SHORT TERM (102,564 SF / 7000 SF = 15) = 24 TOTAL
BIKE PARKING (FC):	N/A

TOTAL PROPOSED FRY'S PARKING

AUTO PARKING:	397 SPACES (RATIO = 398/98,670 = 4.03/1000)
BIKE PARKING:	24 SPACES

SHOPS A (LOT 3)

REQUIRED PARKING:	1:300 SF (4,000 SF / 300 SF = 14 SPACES) + 1:100 SF (3,800 SF / 100 SF = 38 SPACES) = 52 TOTAL
PROPOSED PARKING:	54 SPACES
REQUIRED BIKE PARKING:	1:12,000 SF LONG TERM (7,800 SF / 12,000 SF = 1; 2 - MIN) + 1/2,000 SF SHORT TERM (3,800 SF / 2,000 SF = 2) + 1/5,000 SF SHORT TERM (4,000 SF / 5,000 SF = 1; 2) = 6 TOTAL
PROPOSED BIKE PARKING:	6 SPACES

RESTAURANT (LOT 4)

REQUIRED PARKING:	1:100 SF (4,500 SF / 100 SF = 45 SPACES)
PROPOSED PARKING:	53 SPACES
REQUIRED BIKE PARKING:	1:12,000 SF LONG TERM (4,500 SF / 12,000 SF = 1, 2-MIN) + 1/2000 SF SHORT TERM (4,500 SF / 2,000 SF = 3) = 5 TOTAL
PROPOSED BIKE PARKING:	5 SPACES

ACCESSIBLE PARKING

REQUIRED PARKING:	11 SPACES
PROPOSED PARKING:	21 SPACES
VAN ACCESSIBLE:	21 SPACES

SHEET INDEX

SITE PLAN	SP1 (1 OF 6)
EXISTING EASEMENTS & LOT LINES PLAN	C1.00 (2 OF 6)
PRELIMINARY GRADING & DRAINAGE PLAN	C3.00 (3 OF 6)
SECTIONS	C3.10 (4 OF 6)
PRELIMINARY UTILITY PLAN	C4.00 (5 OF 6)
LANDSCAPE PLAN	(6 OF 6)

CASE NO.: C15-07-01, D5-08-33, C09-07-20, C9-06-20, S08-043

DEVELOPER
FRY'S FOOD STORES
500 S. 99TH AVE.
TOLLESON, ARIZONA 85353
623-907-1983
ATTN. GABE TORRES
EMAIL. GABRIEL.TORRES@FRYSFOOD.COM

APPLICANT
SUSTAINABILITY ENGINEERING GROUP
8280 E. GELDING DR. #101
SCOTTSDALE, ARIZONA 85260
480-318-5514
ATTN. ALI FAKIH
EMAIL. ALI@AZSEG.COM

LEGEND
- PROPERTY LINE
- LOT LINE
- PROPOSED WATER EASEMENT
- PROPOSED SEWER EASEMENT
- EXISTING EASEMENT
- EXISTING 100YR FLOODPLAIN
- PROPOSED DRAINAGE ARROW
- PROPOSED FIRE HYDRANT
- PROPOSED CATCH BASIN
- LOT CORNER MARK
- CART CORRAL

SUSTAINABILITY ENGINEERING GROUP
SEG

Fry's Food Stores of Arizona

The Kroger Co.

PROJECT: FRY'S #83 SHOPPING CENTER & FUEL CENTER
LOCATION: 1801 W VALENCIA RD, TUCSON, ARIZONA
DRAWN: MILES
DESIGNED: MILES
CHECKED: COUNSELL
PRINCIPAL: FAKIH
DATE: 03-27-2015
ISSUED FOR: ENTITLEMENT
JOB NO.: 14099E
SHEET TITLE: PRELIMINARY DEVELOPMENT PLAN
SHEET NO.: SP-1

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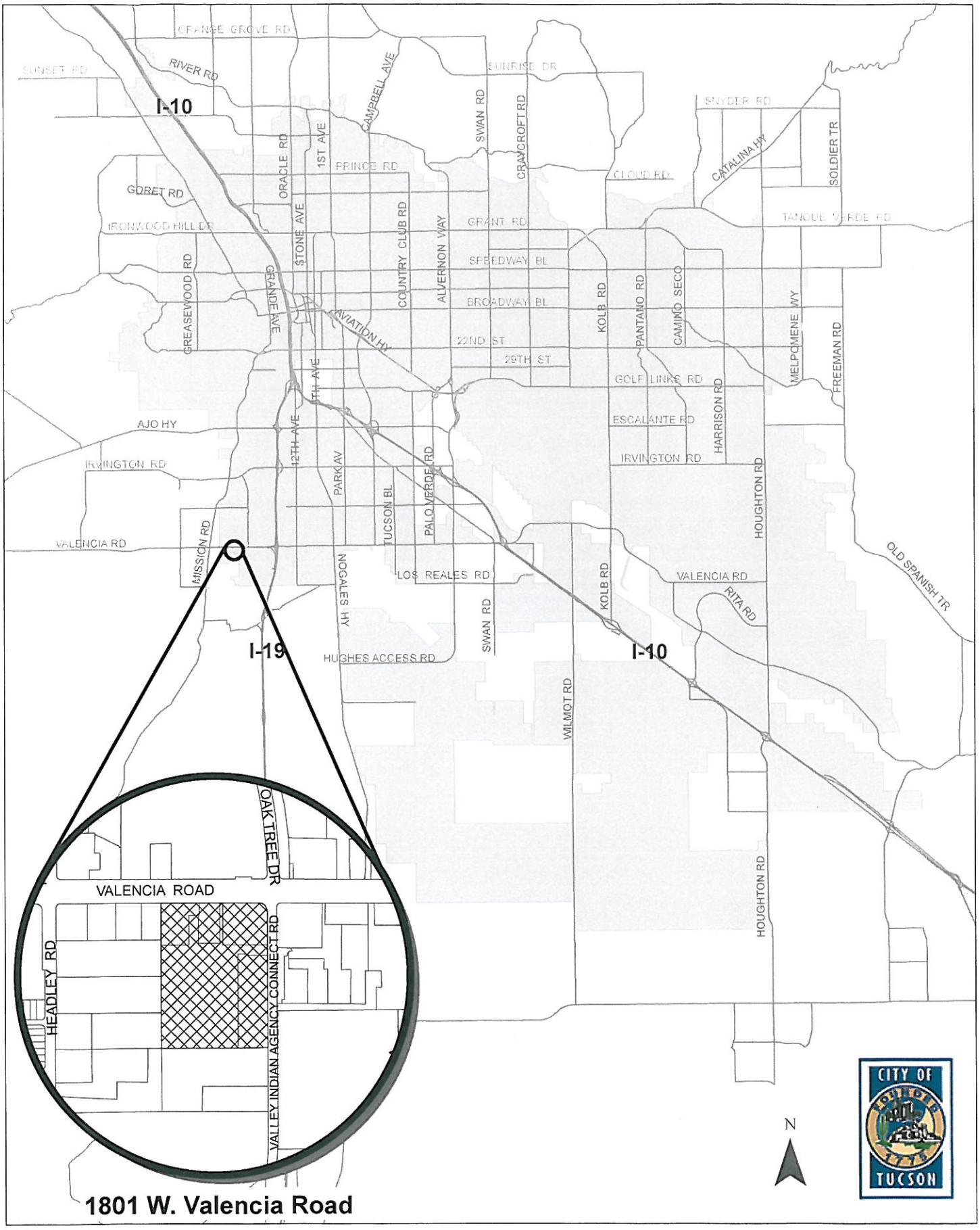
Special Exception
Preliminary Development Plan
S.E. 15-06 Date 4-2-15
Planning & Development Services

SE-15-06 The Shops at Midvale - Valencia Road



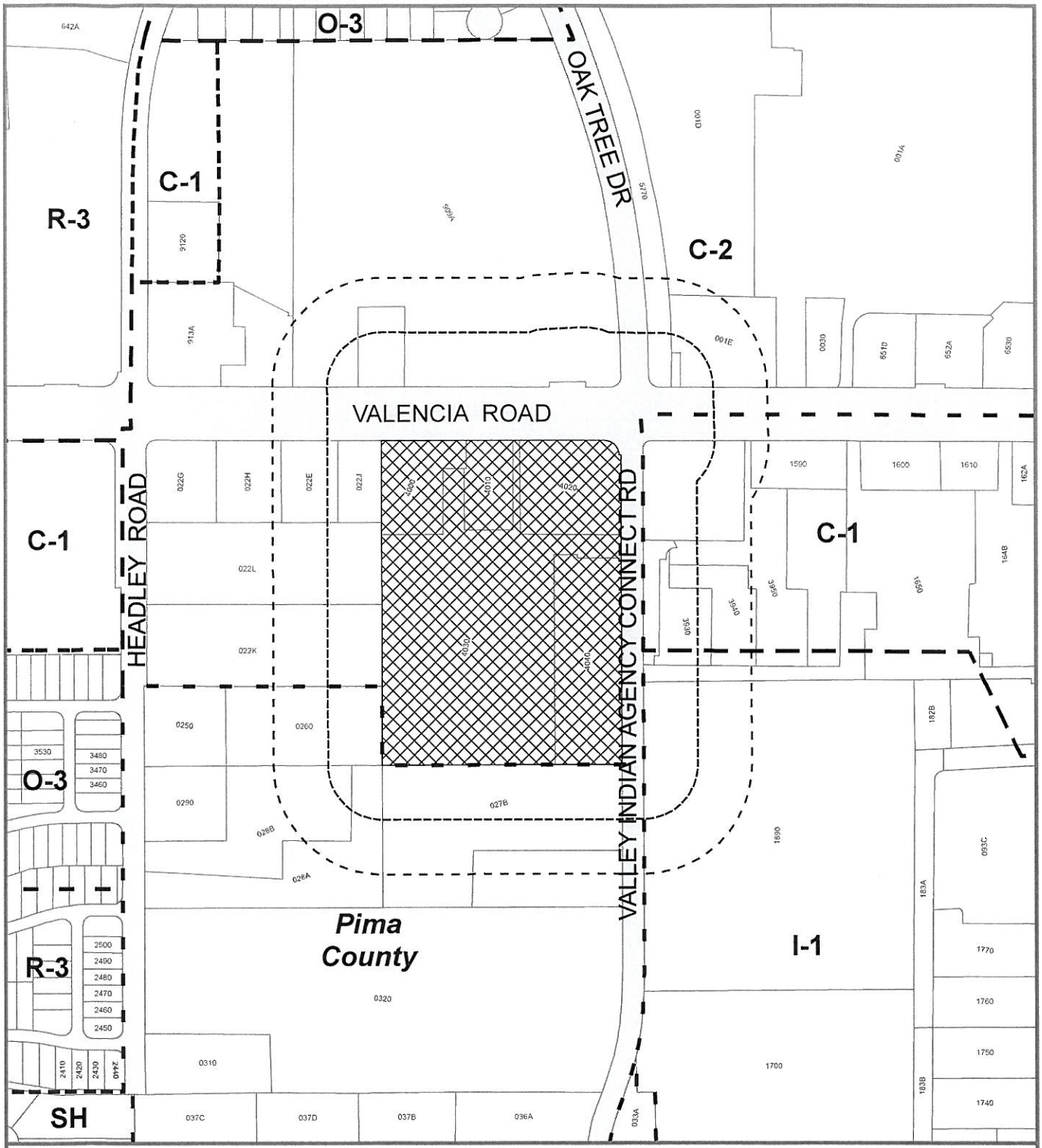
1801 W. Valencia Road

SE-15-06 The Shops at Midvale - Valencia Road
2014 Aerial

0 75 150 300 Feet
1 inch = 300 feet

N

SE-15-06 The Shops at Midvale - Valencia Road
M. & C. Special Exception



Area of Special Exception Request

150' Protest Area

300' Notification Area

Zone Boundaries

C-2 Zoning of Requested Area

Address: 1801 W. Valencia Road
Base Maps: Sec.15 T.15 R.13
Ward: 1

created by: JR, 2/2/2015

0 200 400 Feet

1 inch = 400 feet

N

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: **SE -15-06 The Shops at Midvale – Valencia Road, C-2 (Ward 1)**

I/We the undersigned property owners, wish to

☐ APPROVE the proposed Special Exception.
☐ PROTEST the proposed Special Exception.

Reason:

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

Owner's Signature: _____ Date _____

Place
Stamp
Here

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

SE-15-06

Expose this flap - Affix stamp and return

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

SE-15-06
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED