MEMORANDUM

DATE: August 17, 2015
For September 10, 2015 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte, Director
Planning & Development Services
Director

SUBJECT: SPECIAL EXCEPTION LAND USE
PLANNING & AND DEVELOPMENT SERVICES REPORT
SE-15-33 Bicycle B&B – Old Spanish Trail, SR (Ward 4)

Issue – This is a request by Pat Lopez of Rusing, Lopez, & Lizardi on behalf of the owner, Thomas Danielson, for approval of a Home Occupation, Travelers' Accommodation Lodging as a special exception in the SR zone. The special exception site is located on the northwest corner of Old Spanish Trail and Melpomene Way (see Case Location Map). The preliminary development plan (PDP) proposes a bicycle bed and breakfast with short and long-term bicycle parking and motor vehicle parking. The facility will be placed on a 3.38 acre site with an existing single-family residence.

A home occupation accessory use of this type is allowed in the SR zone subject to Sections 4.9.7.E.10, .11, and .13 and 4.9.7.H.2, and .5-.10 of the Unified Development Code (UDC) and requires approval through a Zoning Examiner Special Exception Procedure, in accordance with UDC Section 3.4.3. A public hearing before the Zoning Examiner is required. The Zoning Examiner will render a decision to grant the use with or without conditions, or to deny the use. The Zoning Examiner may also forward the request to the Design Review Board (DRB) for design review and recommendation.

The proposed special exception is allowed under the requirements of a Zoning Examiner Special Exception Procedure because accommodations are for no more than eight guests for a maximum of 14 days and no more than four sleeping rooms will be used to accommodate those guests, as required by the UDC.

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

Background Information

Existing Land Use: Single-Family Residential

Surrounding Zones and Land Uses:

North: Zoned SR; Single-family Residential
South: Zoned SR (Pima County); Single-family Residential
East: Zoned SR (Pima County); Single-family Residential
West: Zoned SR & SH; Single-family Residential and Cemetery

Previous Cases on the Property:

Related Cases:

Applicant's Request – "The applicant requests special exception approval for an existing single-family residence to be used as a home occupation, travelers' accommodation lodging for bicycles."

Planning Considerations – Land use policy direction for this area is provided by *Plan Tucson* and the *Rincon / Southeast Subregional Plan (RSSP)*. The special exception 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. *Plan Tucson* policy directs that the application of the Pima County Conservation Land System designation and requirements be considered in rezoning reviews. *Plan Tucson* supports the utilization of solutions and strategies outlined in the Design Guidelines Manual to provide an improved level of community design such as methods to conserve and enhance habitat when development occurs and accessibility to open space that connects with surrounding public natural areas. *Plan Tucson* supports an interconnected urban trail system throughout the city to meet the recreational needs of pedestrian, bicyclist, and equestrians.

The *RSSP* Map Detail #14, 29th Street / Los Reales provides land use policy direction for this area and identifies the special exception site as Low Intensity Urban with a density cap of 0.3 RAC. The plan states development in this area should remain of this intensity due to its environmental sensitivity and its proximity to Saguaro National Park.

The special exception site is currently developed with a single-family residence and is zoned SR Suburban Ranch, a rural residential zone. To the north is a single-family residence in the SR zone, to the east and south are single-family residences in the Pima County SR rural residential zone, to the west is a single-family residence and a cemetery use in the SR and SH rural residential zones.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate additional 23 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 special exception proposes to use the existing single-family home at the northwest corner of Old Spanish Trail and Melpomene Way as a bed-and-breakfast with a bicycle fitness and training camp. Following use standards as enumerated in the Unified Development Code, the proposal is for four sleeping rooms with up to eight guests at a time. The UDC requires five (5) motor vehicle parking spaces and two (2) short and long term bicycle parking spaces. The PDP indicates nine (9) motor vehicle parking spaces and at least two (2) spaces for short and long term bicycle parking located on the north side of the house. Additional uses, such as a commercial bicycle repair shop or outdoor camping, are not allowed by this special exception.

Road Improvements/Vehicular Access/Circulation – Motor vehicle access to the site is through the driveways on Old Spanish Trail and Melpomene Way. Old Spanish Trail is designated as a scenic arterial street on the *Major Streets and Routes Plan Map*. The special exception site is adjacent to the Dan Yersavich Memorial Bikeway, which runs along Old Spanish Trail for approximately six miles from Broadway Boulevard to Freeman Road connecting the special exception site to several other facilities including The Loop, a major regional recreation amenity with shared use paths around Tucson, and the Cactus Forest Trailhead at Saguaro National Park.

Use-Specific Standards – The applicant's proposal requires approval as a Zoning Examiner Special Exception Procedure and must meet the Use-Specific Standards of *UDC* Sections 4.9.7.E.10, .11, and .13 and 4.9.7.H.2, and .5-.10. The Zoning Examiner may forward the request to the Design Review Board for design review and recommendation. Use Specific Standards specified in the *Unified Development Code* Section 4.9.7.H.2, and .5-.10 include the following items (in *italics*). A response follows each Use Specific Standard:

1. *Accommodations are permitted for up to eight guests for a maximum of 14 days. No more than four sleeping rooms can be used to accommodate guests.*

   The owners will utilize a maximum of four sleeping rooms to accommodate up to eight guests for a maximum of 14 days.

2. *Meals can be served only to guests staying in the facility. Separate cooking facilities in guest rooms are prohibited.*

   There are no plans to provide separate cooking facilities in the guest rooms.

3. *No more than one full-time equivalent person not residing on the premises may be employed in the home occupation use.*

The permanent residents of the home will be the ones operating the home occupation.

4. *Motor vehicle and bicycle parking shall be provided in accordance with Section 7.4.4 and 7.4.8 for the Travelers' Accommodation, Lodging use and shall be in addition to that required for the residential use.*

   The site will provide nine (9) motor vehicle parking spots and a minimum of two (2) long and short term bicycle parking spots to meet the requirements.

Staff finds the proposal to be in compliance with the *UDC* Use-Specific Standards.

Conclusion – The proposed bicycle bed and breakfast is in compliance with the criteria for a home occupation, travelers lodging as an accessory use. The special exception request is consistent with the policies and intent of *Plan Tucson*, considering the minimal impact on surrounding neighborhoods. Approval of the request is appropriate subject to the attached preliminary conditions.

PROCEDURAL

1. A site plan in substantial compliance with the preliminary development plan dated July 29, 2015, is to be submitted and approved in accordance with *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 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. 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.

6. A copy of the Special Exception decision letter shall be included with the site plan at the time of permit application submittal.

LAND USE COMPATABILITY MEASURES

7. Accommodations are permitted for up to eight guests for a maximum of 14 days. No more than four sleeping rooms can be used to accommodate guests.

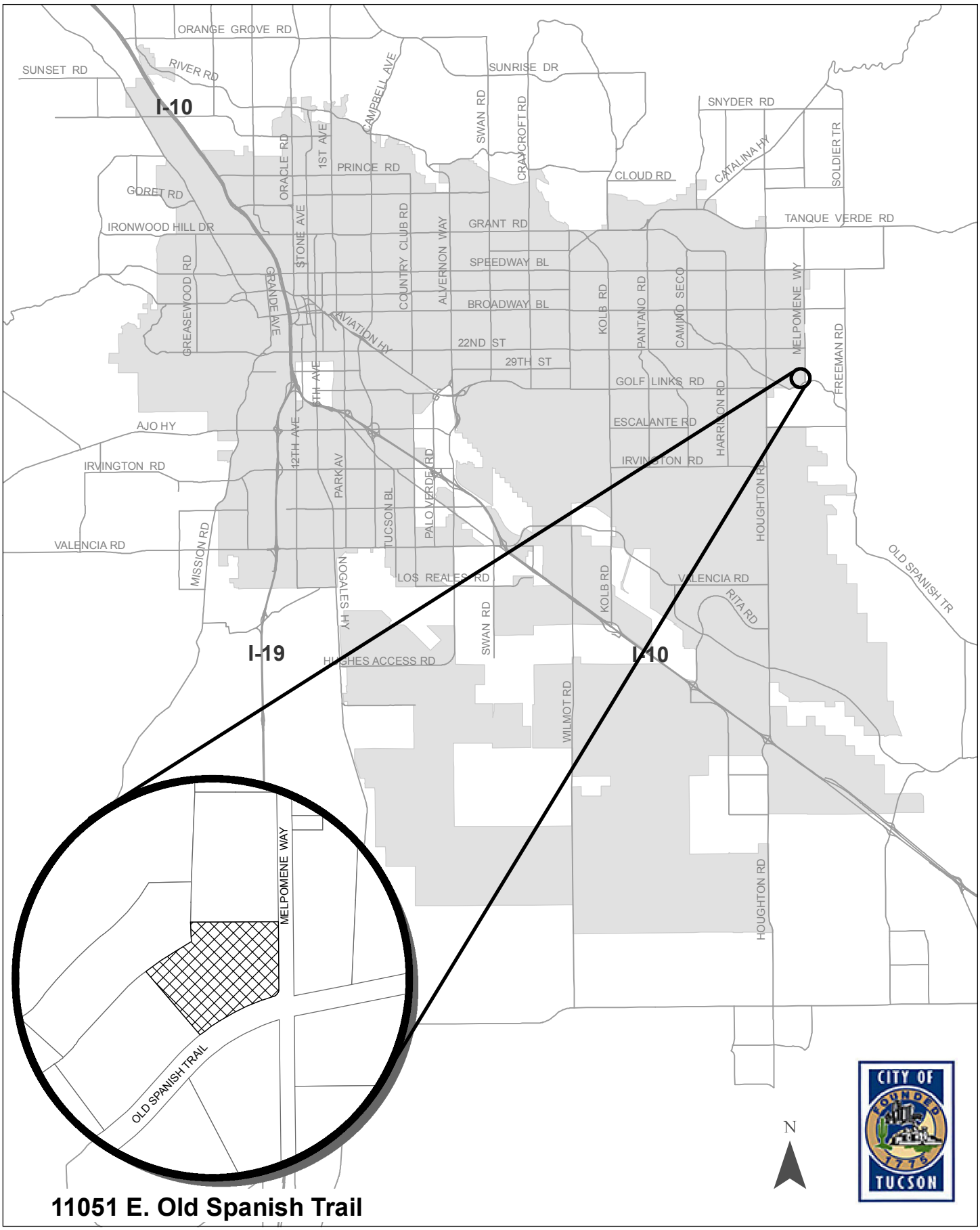
8. Meals can be served only to guests staying in the facility. Separate cooking facilities in guest rooms are prohibited.

9. No more than one full-time equivalent person not residing on the premises may be employed in the home occupation use.

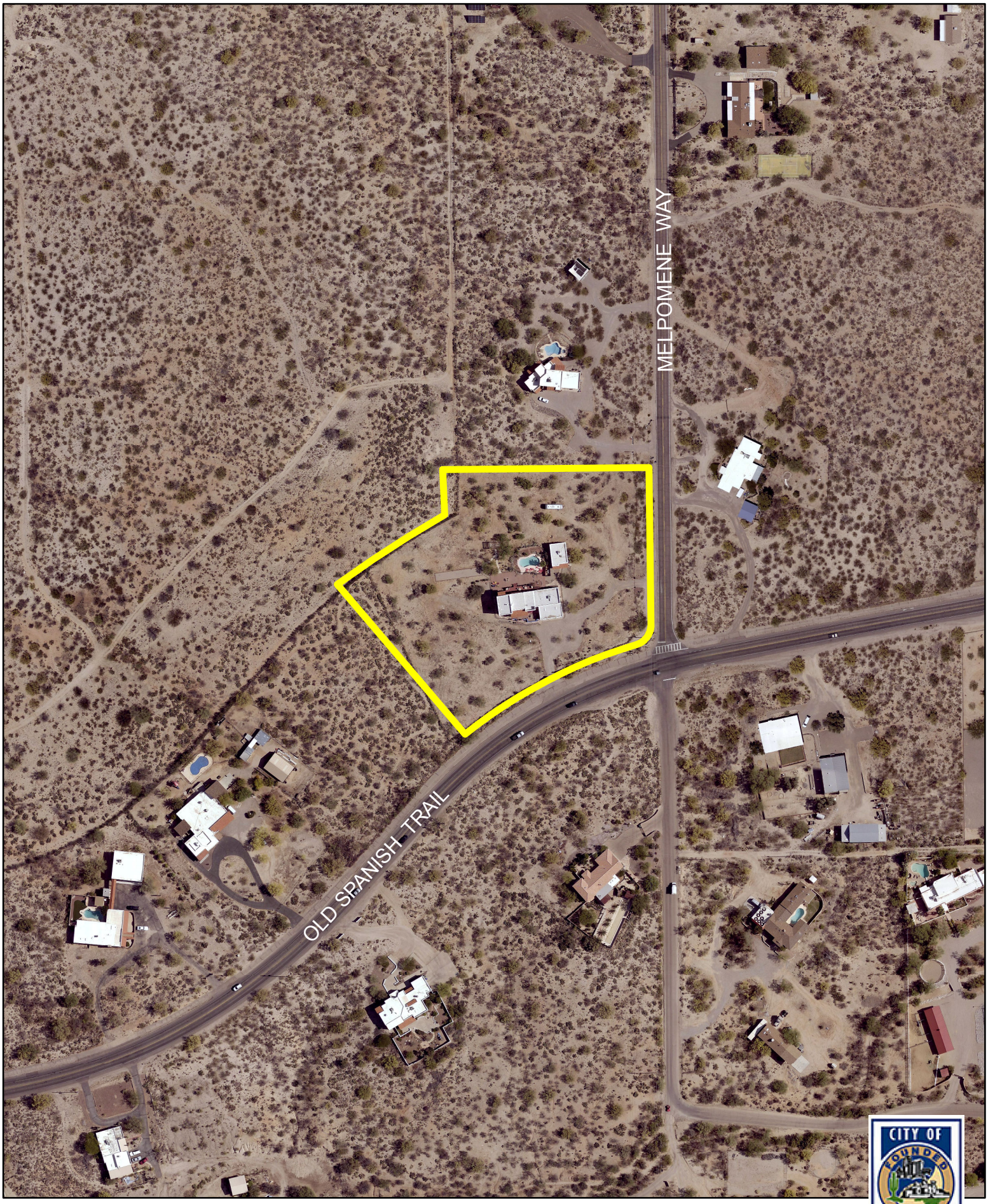
10. Bicycle parking spaces shall be located at least 100 feet from Old Spanish Trail and Melpomene Way.

11. Outdoor camping shall not be allowed on the premises.

SE-15-33 Bicycle B&B - Old Spanish Trail



11051 E. Old Spanish Trail

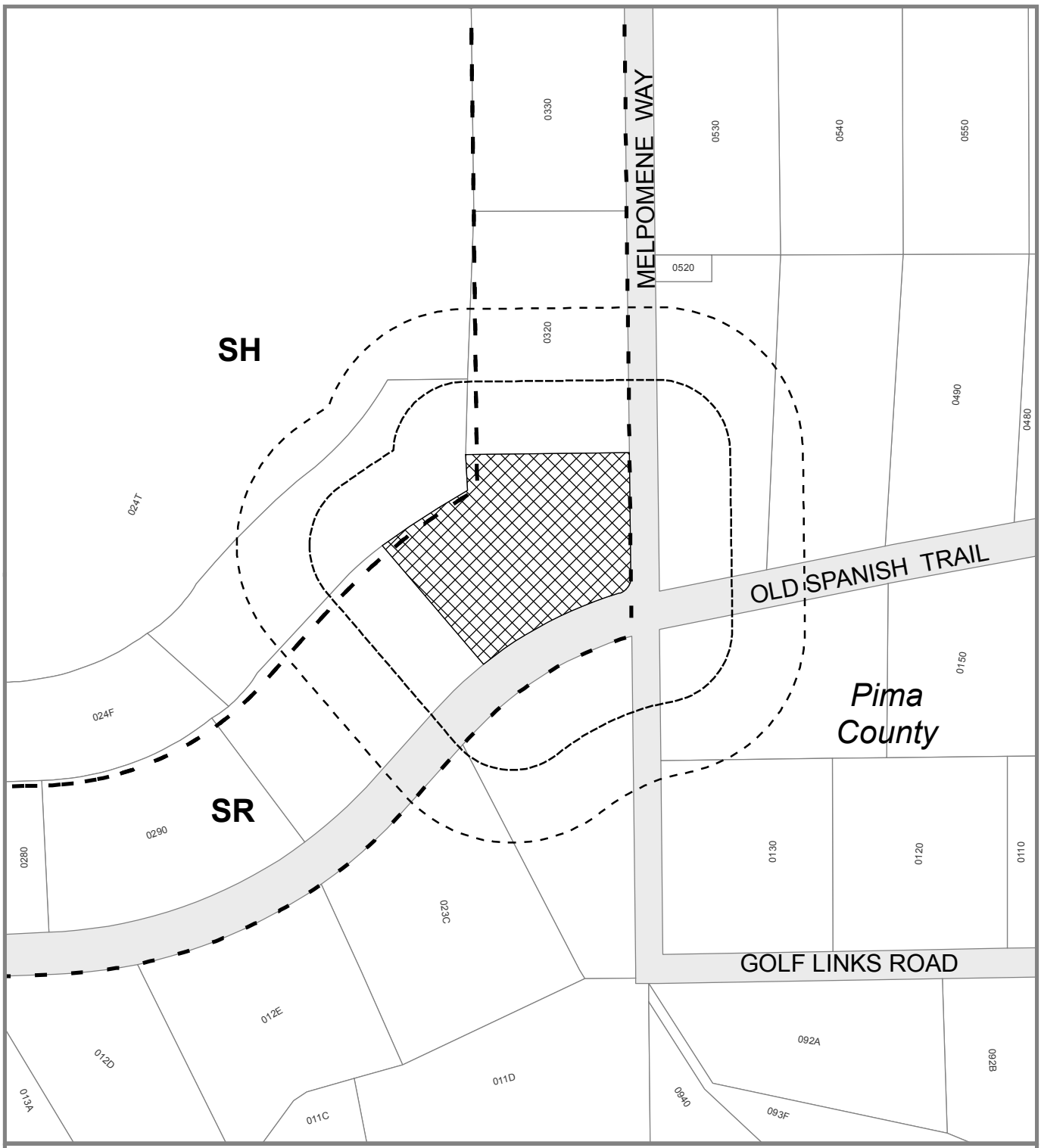


SE-15-33 Bicycle B&B - Old Spanish Trail
2014 Aerial

0 50 100 200
Feet
1 inch = 200 feet

N

SE-15-33 Bicycle B&B - Old Spanish Trail
Z.E. Special Exception



Area of Special Exception Request

150' Protest Area

300' Notification Area

Zone Boundaries

SR Zoning of Requested Area

created by: JR, 6/29/2015

Address: 11051 E. Old Spanish Trail
Base Maps: Sec.24 T.14 R.15
Ward: 4

0 150 300 Feet

1 inch = 300 feet

N

PUBLIC FACILITIES AND SERVICES REPORT FOR September 10, 2015
(as of August 17, 2015)

SE-15-33 Bicycle B&B – Old Spanish Trail, SR Zone

CITY AGENCIES

Office of Integrated Planning – Landscape: See attached comments dated 7/15/15.
Planning & Development Services – Community Planning: See attached comments dated 7/27/15.
Planning & Development Services – Engineering: See attached comments dated 7/27/15.

No Objections Noted

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

NON-CITY AGENCIES

PAG-TPD: See attached comments dated 7/9/2015

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, August 26, 2015 at **http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html**

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 and 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 <u>must</u> have an owner's signature to be recorded.

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of ¾ of the Mayor and Council will be required to approve the rezoning ordinance.

Case: SE-15-33 Bicycle B&B – Old Spanish Trail, Zone SR
Ward 2

_____
I/We the undersigned property owners, wish to

☐ APPROVE the proposed rezoning.
☐ PROTEST the proposed rezoning.

Reason:

_____
_____
_____
_____
_____
_____
_____
_____
_____

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

Owner's Signature: _____ Date _____

F:\Sharedir\REZONING\Rezoning TEMPLATES\ZE mailout

Place
Stamp
Here

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

SE-15-33

Expose this flap - Affix stamp and return

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

SE-15-33
IMPORTANT REZONING NOTICE ENCLOSED

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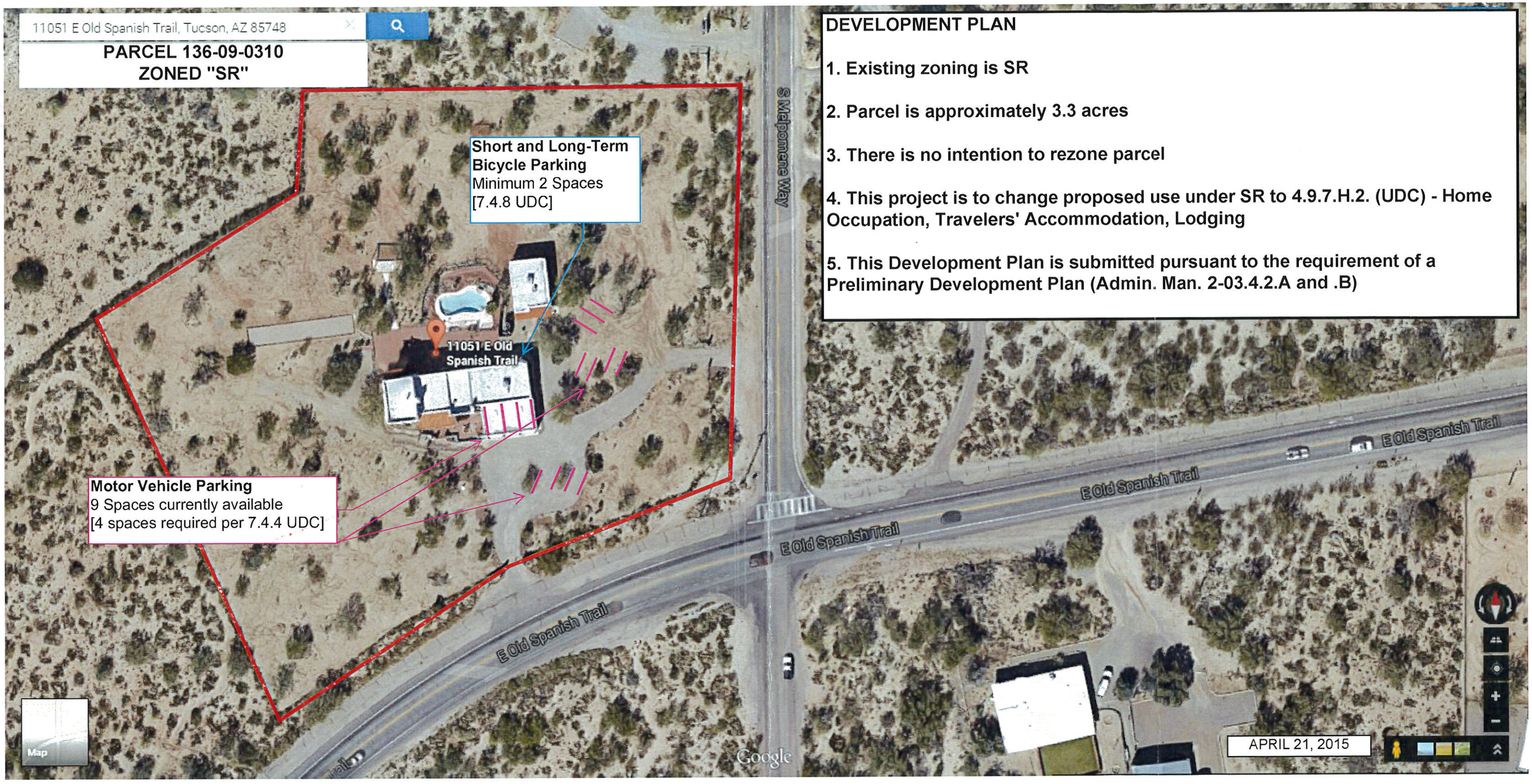

DEVELOPMENT PLAN

1. Existing zoning is SR

2. Parcel is approximately 3.3 acres

3. There is no intention to rezone parcel

4. This project is to change proposed use under SR to 4.9.7.H.2. (UDC) - Home Occupation, Travelers' Accommodation, Lodging

5. This Development Plan is submitted pursuant to the requirement of a Preliminary Development Plan (Admin. Man. 2-03.4.2.A and .B)