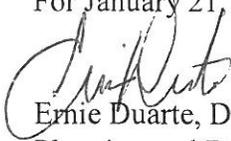




MEMORANDUM

DATE: January 6, 2010
For January 21, 2010 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Ernie Duarte, Director
Planning and Development Services

SUBJECT: REZONING – PLANNING & DEVELOPMENT SERVICES REPORT
C9-09-13 QuikTrip - Golf Links Rd., C-1 to C-2 (Ward 4)

Issue – This is a request by Thomas Sayler-Brown of SBBL Architects, on behalf of the property owner, Mike Wooten, of Golf Links and Associates, LLC to rezone from C-1 to C-2 a 1.56 acre site located within an 18.73-acre parcel that was authorized for C-1 zoning under rezoning case C9-06-03. The rezoning site is located at the southwest corner of Golf Links and Houghton Road (see Case Location Map). The owner/developer proposes to construct a convenience store with gas service consisting of eight pumps with 16 fuel dispensing nozzles.

Planning and Development Services Department Recommendation – The Planning and Development Services Department recommends approval of C-2 zoning, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Vacant

Surrounding Zones and Land Uses:

North: Zoned SR; Vacant
South: Zoned C-1; Commercial
East: Zoned C-1; Commercial
West: Zoned C-1; Commercial

Previous Cases on the Property:

C9-06-03 Larsen Baker – Golf Links Road SR to C-1 (Ward 4) This was a rezoning request to construct nine, one-story structures for a total of 120,600 square feet of office, financial services, restaurant and retail uses on 18.73 acres located at the southwest corner of Golf Links and Houghton Road. On January 27, 2009, Mayor and Council adopted Ordinance No. 10626.

Related Cases:

C9-89-13 Williamson – Houghton Road, SR to C-1 This was a rezoning request to construct 10, one-story structures for 108,240 square feet of general commercial uses on 13.23 acres located at the southeast corner of Golf Links and Houghton Roads. On July 6, 1999, Mayor and Council adopted Ordinance No. 9249 and on August 6, 1999, a building permit (BP# T99CM02589) was issued, effectuating the requested zoning.

C9-08-10 COT Water – Golf Links Road, SR to C-2 This was a rezoning request to rezone approximately 28.10 acres from SR to C-2 zoning to allow the development of a City of Tucson Water construction service facility comprised of offices, warehouses, shop space, and outdoor storage areas at the northwest corner of Golf Links and Houghton Roads. On June 12, 2009, the Zoning Examiner recommended approval to rezone the property from SR to C-2. The case is still pending.

Applicant’s Request – The owner/developer proposes to construct a convenience store with gas service with 16 fuel dispensing nozzles on 1.56 acres.

Planning Considerations

The rezoning site is located at the southwest corner of Houghton Road, a Scenic arterial, and Golf Links Road, a Gateway arterial. Both roadways have future rights-of-way of 200 feet on the *Major Streets and Routes Plan (MS&RP)* map. The QuikTrip convenience store and gas service will be located at the northeast corner of the larger commercial development. Vehicular access to the rezoning site is proposed from both Golf Links Road and from Houghton Road. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 2,604 vehicle trips per day. The property is surrounded by C-1 commercial zoning to the east, west, and south with SR zoning across Golf Links to the north. Field inspection by staff indicates there are currently no billboards on the rezoning site.

The site is located within the *South Pantano Area Plan (SPAP)* boundary, specifically in Subarea 7, which supports commercial node development at major Houghton Road intersections. The *Plan* states that development along the Houghton Road frontage should provide a final design that is sensitive to natural topography. Cut-and-fill and grading for any proposed development should be kept to a minimum. The *Plan* also states vacant land west of Houghton should be developed to be compatible with adjacent suburban densities.

The site is also within the *General Plan*. Element 4, of the *General Plan*, under Community Character and Design seeks to preserve and enhance Tucson’s natural setting, urban form, and community image. This is accomplished by promoting development that is compatible with Tucson’s overall urban form, community character, and environmental setting. Additionally, Element 13 of the *General Plan* recognizes the importance of streets and gateways in creating the initial impression or image of the community.

Design Considerations

Land Use Compatibility – The rezoning site is located within a larger commercial site located at the southwest corner of Houghton Road and Golf Links Road. The approximately 18.5-acre site was rezoned to C-1 zoning in 2006 under case number C9-06-03 allowing for a gas station at the same location as the proposed rezoning site, with up to six pumps and 12 fuel-dispensing nozzels; however, because the applicant is proposing up to eight pumps with 16-fuel dispensing nozzles, C-2 zoning is required.

The *MS&R* map designates Houghton Road as a Scenic Corridor Zone (SCZ); therefore, all structures shall comply with the aesthetic standards and requirements of the SCZ. Special attention should be paid to the design of side and rear building façades including architectural character and detail comparable to front façades. Where buildings exceed 20 feet in height, a variety of rooflines should be used to enhance the architectural and visual character of the development. All rooftop equipment should be screened from surrounding development through the use of parapets or the incorporation of such equipment into building design features on the roof or on the ground. The site is currently undeveloped-natural desert and, as indicated by *SPAP* policy, final design shall be sensitive to the natural topography and cut and fill and grading for any development shall be kept to a minimum.

Scenic Corridor Zone (SCZ) Overlay Zone Requirements – On January 27, 2009, Mayor and Council adopted Ordinance No. 10626 changing the entire 18.73-acre parcel from SR to C-1 zoning under rezoning case C9-06-03. Under the provision of LUC Section 2.8.2.3.B, when a SCZ (Houghton Road) and a Gateway Route (Golf Links Road) intersect, the Gateway Route prevails along the SCZ for the first 700 feet. Beyond 700 feet the SCZ prevails. Under this provision, the rezoning site would be regulated as Gateway Route frontage. However, Mayor and Council designated Houghton Road as a scenic corridor, and developments along Houghton Road have met SCZ requirements. In Rezoning Case C9-06-03, Mayor and Council authorized and ordinated the rezoning with the condition that the SCZ applies to the Houghton Road frontage. Staff recommends that said Mayor and Council policy be applied to this rezoning also. The proposed site for QuikTrip is highly visible, being located at the immediate corner of Houghton and Golf Links Roads; therefore, landscaping along the perimeters shall be per the required Scenic Corridor requirements along Houghton Road. At the time development plans are submitted, the applicant will be required to demonstrate compliance with SCZ overlay requirements. Also, any proposed signage must also comply with Scenic provisions of the Tucson Sign Code.

Drainage/Grading/Vegetation – The City of Tucson has been moving toward achieving sustainable development and green building principles with Urban Heat Island reduction as a goal. The three mitigation strategies to reduce urban heat are to address roofs, paving and vegetation. Roofs and paving are generally related to their solar reflectance properties and vegetation is related to the shade and cooling effects of trees provided by evapotranspiration. Based on policy direction, staff recommends, as a condition, that water harvesting and irrigation be provided by complying with the Commercial Water Harvesting ordinance (Municipal Code Article III, Section 6, Oct. 14, 2008) and Development Standards No. 10-03.0, as adopted by Mayor and Council. Additionally, canopy trees shall be placed one for every four parking

spaces. Species shall be selected for height and canopy span at maturity, and placed to not block view corridors and business sign(s) view sheds. All landscaped areas are to remain weed free, including eradication of buffelgrass and retention basins shall be sprayed for insect and larva growth during the appropriate seasons, as part of the routine landscape maintenance.

If masonry screen walls are used instead of a vegetative screen, as indicted in the PDP, then all screen walls shall have a decorative design; the surface texture and colors shall complement the buildings; walls shall be constructed of or painted with graffiti-resistant materials and walls shall be of no less than six (6) inch wide masonry material.

Road Improvements, Vehicular Access and Circulation – To minimize conflicts with the RTA – Houghton Road widening improvement project, the proposed off-site improvements along Houghton Road should be coordinated with the Tucson Department of Transportation. Pedestrian connectivity is proposed from the rezoning site to the parent site resulting in crossing over vehicular PAAL's; therefore, staff is recommending these pedestrian crossings be highly visible through a change to the surface which may include a change in color, texture and/or a raised surface.

Conclusion – The proposed development is in compliance with the intent of the *South Pantano Area Plan* and the *General Plan*. Approval of the requested C-2 zoning is appropriate subject to compliance with the attached preliminary conditions.

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated November 18, 2009 amended to show compliance with the SCZ, Design Compatibility Report and landscape plan are to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
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”.
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. The owner / developer shall obtain written documentation from the 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 Pima County Wastewater Management Department.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATABILITY

8. Buildings shall not exceed thirty (30) feet in height.
9. All buildings shall be designed to have “five-sided” architecture. Building facades at the rear and sides shall have architectural character and detail comparable to the front façade, including but not limited to color palette, non-glare roof material/lines, and exterior materials. A color palette with manufacture names, paint codes and include a dimensioned

Preliminary Conditions

elevation colored drawing of each façade, as part of the development plan submittal to demonstrate compliance with this condition.

10. All exterior mechanical equipment shall be screened from view from the surrounding properties and public roadways.
11. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
12. Six (6) inch wide masonry block or greater shall be used for perimeter walls.
13. The Houghton Road frontage (full length of the over-all commercial development site) shall be designed to comply with Scenic Corridor Zone (SCZ).

DRAINAGE/GRADING/VEGETATION

14. One canopy tree shall be provided within the vehicular use area for each four motor vehicle parking spaces. Alternatively, the applicant may demonstrate, through a shade pattern analysis, that the shade pattern created by mature canopy trees, buildings and other structures on the vehicular use area (summer months, June or July) during the hours from 9:30 a.m. to 3:30 p.m., shall cover fifty percent of the paved area
15. Preparation of a complete Drainage Report, including details of detention/retention, is required. Should detention/retention be required, the following will apply:
 - a. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
 - 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 in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes 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.

Preliminary Conditions

- e. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
 - f. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.
16. A mitigation management plan shall be created for the site as a component of the Landscape Plan to operate a monthly service to remove/spray for insects/larva (water harvesting basin), and buffelgrass and any other invasive or nuisance landscape element to the site
17. Water harvesting and irrigation shall be provided by complying with the Commercial Water Harvesting ordinance (Municipal Code Article III. Section 6, Oct. 14, 2008) and Development Standards No. 10-03.0, as adopted by Mayor and Council.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

18. All pedestrian paths required to cross or occur within PAALS (includes PAALS adjacent to the site on the south and west boundaries) shall be identified clearly and distinguished from vehicular areas by materials such as but not limited to; brick, concrete pavers, scored or patterned concrete colored surface, textured and/or raised surfaces, or other materials as may be approved by the Department of Planning and Development Services staff

CITY OF TUCSON PUBLIC HEARING NOTICE

County Assessor records indicate that you are an owner of property located within 300 feet of a parcel(s) that is being considered for a rezoning.

The Zoning Examiner, on behalf of the Mayor and Council, conducts a public hearing and considers testimony for each rezoning in the City of Tucson. Persons attending the hearing are to observe rules of propriety, decorum, and good conduct and are to refrain from rude or slanderous remarks. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

After the Public Hearing, the Zoning Examiner issues written reports with findings of fact and a recommendation. A preliminary report is issued five working days after the close of the public hearing. A final report is issued 14 days after the close of the public hearing and transmitted to the Mayor and Council. Any person may request a public hearing before Mayor and Council provided the written appeal is filed with the City Clerk within 14 days after the close of the Zoning Examiner's public hearing. The Mayor and Council make the final decision on all rezoning requests.

You may speak in favor or in opposition to the rezoning during the public hearing. You may also submit a written approval or protest. A form is attached for your convenience.

PUBLIC HEARING INFORMATION

Date: Thursday, January 21, 2010

Time: 7:30 p.m.

Location: Mayor and Council Chambers* First Floor, City Hall, 255 West Alameda, Tucson, Arizona

APPLICANT

Thomas Saylor-Brown
SBBL Architecture & Planning
1001 N. Alvernon Way
Tucson, AZ 85711

PROPOSED REZONING

Case: C9-09-13 QuikTrip - Golf Links Rd.

Requested Zoning Change: C-1 to C-2

Location: Southwest corner of Golf Links and Houghton Road

Proposed Development: A convenience store with gas service consisting of eight pumps with 16 fuel dispensing nozzles on 1.56 acres.

Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: C9-09-13 QuikTrip - Golf Links Rd

Cambio de Zonificación Solicitada: C-1 a C-2

Ubicación: Esquina suroeste de la Calle Golf Links y la Calle Houghton

Desarrollo Propuesto: Una tienda de conveniencia con servicio de gasolina que consiste de ocho bombas con 16 inyectores para dispensar gasolina sobre 1.56 acres

Si usted desea este documento escrito en Español, por favor llame al número de teléfono: 791-5550

For further information, please call Michael Wyneken, Deborah Corral or Peter McLaughlin at 791-5550 or write to Planning & Development Services Department – Rezoning Section, P.O. Box 27210, Tucson, AZ 85726

*To better serve everyone in the community, the Mayor and Council Chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD). If you require accommodation or materials in accessible format, or require a foreign language interpreter, or materials in a language other than English for this event, call 791-4213 at least five (5) business days in advance.

ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Land Use Code, Chapter 23, Tucson Code, which can be found at <http://www.ci.tucson.az.us>)

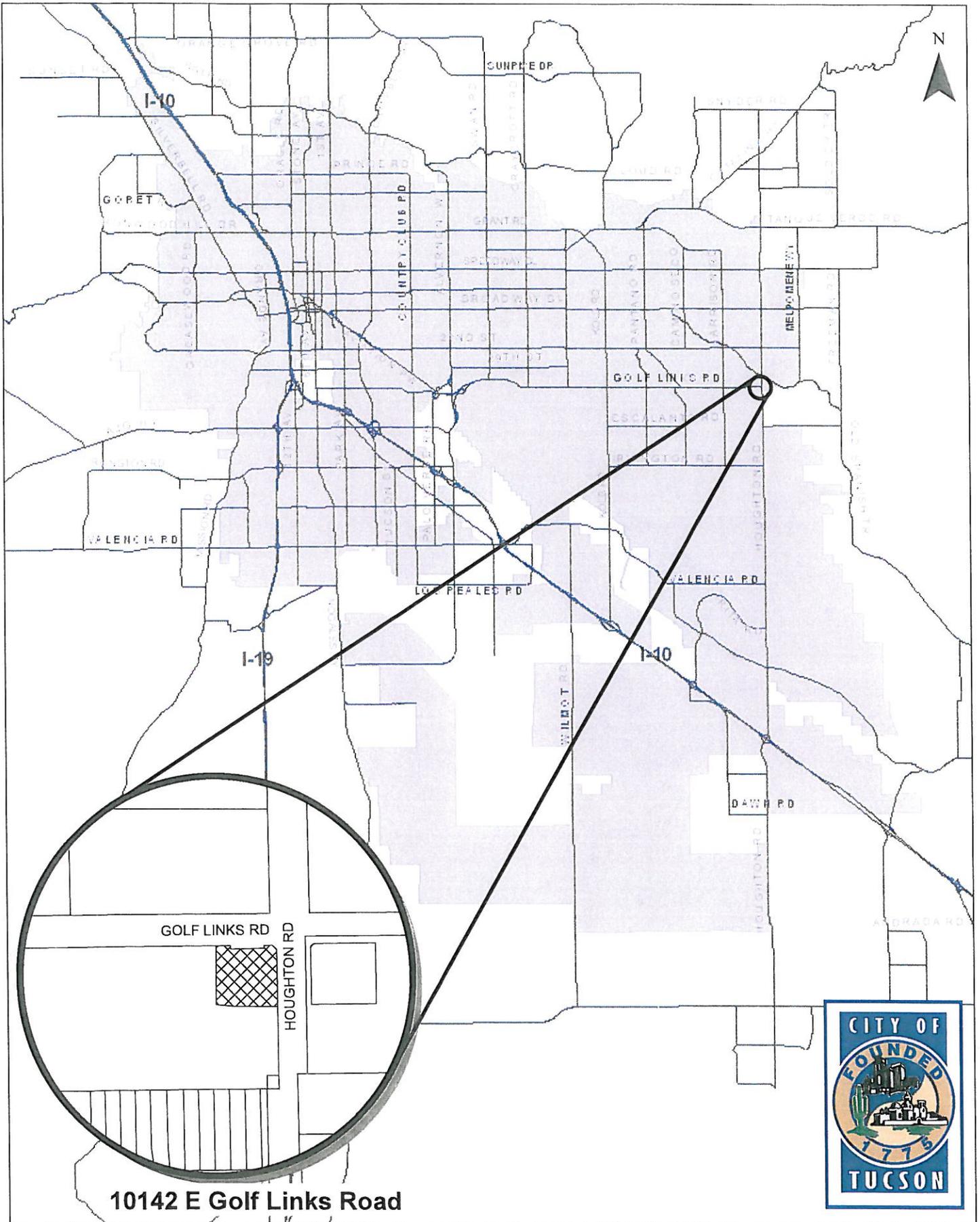
Current Zoning:

C-1 *LOCAL COMMERCIAL* – A restrictive commercial zone, limited to retail sales with no outside display/storage. Office and residential development permitted. Restaurants permitted.

Proposed Rezoning:

C-2, C-3 *GENERAL AND INTENSIVE COMMERCIAL* – Retail commercial with wholesale; nightclubs, bars, amusement enterprises permitted. Full range of automotive activities; sales, repair, leasing, etc. Limited manufacturing permitted. Residential uses permitted.

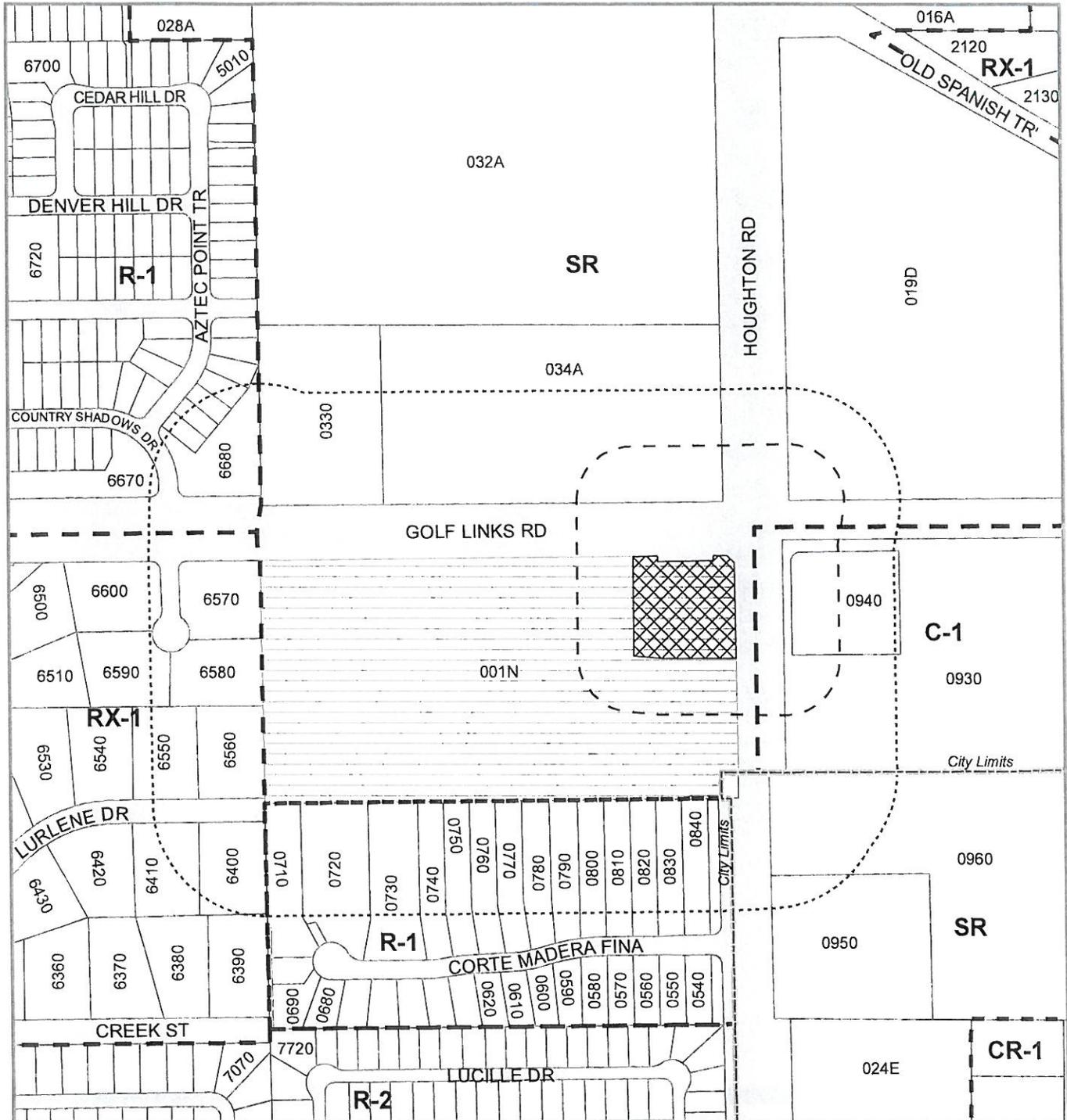
C9-09-13 Golf Links Association LLC - Golf Links Road



10142 E Golf Links Road

C9-09-13 Golf Links Association LLC - Golf Links Road

Rezoning Request: from SR, Ordinance C-1 to C-2

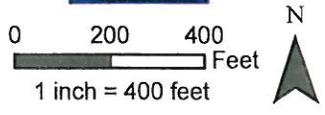


-  Area of Rezoning Request
-  C9-06-03, Ordinance C-1
-  Protest Area (150 foot radius)
-  Notification Area (300 foot radius)
-  City Limits
-  Zone Boundaries

created by: JJK, 11/9/2009



Plan(s): Old Spanish Trail
 Address: 10142 E Golf Links Road
 Base Maps: Sec.26 T.14 R.15
 Ward: 4





C9-09-13 Golf Links Association LLC - Golf Links Road
December 2009 Aerial

Place
Stamp
Here

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

C9-09-13

Expose this flap - Affix stamp and return



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

C9-09-13
IMPORTANT REZONING NOTICE ENCLOSED