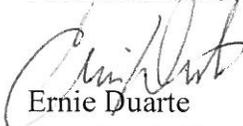




MEMORANDUM

DATE: November 18, 2009
For December 3, 2009 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Ernie Duarte
Planning & Development
Services Director

SUBJECT: REZONING –PLANNING & DEVELOPMENT SERVICES REPORT
C9-09-09 Brown Family Partnership – Speedway Blvd, O-3 to C-2 (Ward 2)

Issue – This is a request by Jim Portner of Projects International, Inc. on behalf of the property owners, Garold C. Brown Family Limited Partnership, to rezone approximately 7.47 acres from O-3 to C-2 zoning. The rezoning site is located on the south side of Speedway Boulevard and the east side of Bedford Drive (see Case Location Map). The preliminary development plan proposes a single-story, self-storage facility, hobby and craftwork spaces for private rental, and a main office.

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: Undeveloped

Surrounding Zones and Land Uses:

North: Zoned O-3; offices and townhomes

South: Zoned R-1; single-family residential

East: Zoned O-3; apartments

West: Zoned O-3 and C-1; residential condominiums and offices

Previous Cases on the Property: None.

Related Cases: None

Applicant's Request – The applicant is proposing to rezone 7.47 acres to C-2 to allow for the development of single-story, self-storage facility, hobby and craftwork spaces for private rental, and a main office.

Planning Considerations

Policy direction is provided by the *Pantano East Area Plan* (1982) and the City of Tucson *General Plan* (2001). *Pantano East Area Plan* policies support rezoning to commercial uses if there is a demonstrated need for commercially-zoned land in the area; the site has primary access to an arterial street; the number of access points is limited; and adjacent uses, including residential uses, are adequately buffered. New commercial development must be designed to be compatible with adjacent residential uses.

General Plan policies support development, including nonresidential uses, where the scale and intensity of use of use will be compatible with adjacent uses. Development is appropriate in the existing urbanized area, to make more complete use of existing infrastructure and to meet residents' needs for goods and services in a cost-effective and equitable manner. Neighborhood identity, visual character, and quality in design are emphasized, for all new development. Water conservation, and the provision and management of healthy, attractive urban vegetation are also policy objectives.

The rezoning site is located on the south side of Speedway Boulevard and on the east side of Bedford Drive, approximately ¼ mile east of Camino Seco. Speedway Boulevard is identified on the *Major Streets and Routes Plan* map as having a future right-of-way of 200 feet. An RTA project (Project #28, Speedway - Camino Seco to Houghton Road) is currently in the design stage and construction is anticipated to begin in late 2010 and continue for 2 years. A single vehicular access to the rezoning site is proposed from Speedway Boulevard.

Bedford Drive, a local street with a 60 feet right-of-way abuts the western side of the proposed project. There is no existing curbing or sidewalk on the side of Bedford Drive adjacent to this project. No access is shown onto Bedford Drive. There is a public alley running north and south through the property. The Preliminary Development Plan (PDP) acknowledges that the proposed layout of the site is dependent upon the abandonment of this alley.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 250 vehicle trips per day.

Field inspection by staff indicates there are no billboards on the rezoning site.

Surrounding uses include an apartment complex to the east, zoned O-3. Ricardo Small Wash, a and a 20-foot public alley border the south perimeter of the site. South of the wash and the alley is a single-family residential subdivision, zoned R-1. Bedford Drive is to the west of the site and across Bedford Drive to the west are residential condominiums, zoned O-3 and a small office building, zoned C-1. Immediately to the northwest of the site, at the southwest corner of Speedway Boulevard and Bedford Drive are offices, zoned O-3. Speedway Boulevard is north of the site and across Speedway to the north are single-family patio homes and a small office building, zoned O-3.

The eastern perimeter and more than half of the southern perimeter of the site is bounded by the Ricardo Small Wash. The 100-year flow is 1142 cubic feet/second (cfs) (as measured at the existing box culvert beneath Speedway Boulevard) and is contained in a concrete-lined public drainageway. Drainage in the concrete-lined wash flows swiftly and small disturbances or sediment in the channel may cause large changes in water surface elevation. Additionally, this part of the wash is in an area where the flow transitions from north-south, to west-east and back to north-south. This type of flow may be unstable and must be addressed in the drainage report prepared for the development plan. Although the channel is lined, placing buildings within 10 feet of the wash is not supported by staff. The PDP does not indicate any structures along the north side of the channel that may be within 10 feet of the wash. The recorded plat for the Rincalina II Re-subdivision (Book 42, Page 26 M&P) indicates a "20' Drainage Channel Setback". This plat also states that a barrier, acceptable to the City Engineer, must be placed along the drainageway.

The site lies within the Hidden Hills watershed. This is not a designated basin, and detention is not required. Threshold retention is required on commercial sites greater than one acre in size and water harvesting is required. A landscaped retention/detention area is indicated on the PDP in the northeast corner of the site near the Speedway Boulevard frontage. Soils are Hydrologic Types C & D with moderate-to-slow infiltration rate.

Design Considerations

Land Use Compatibility – The rezoning site is located along an arterial street developed with a mix of uses, although it is surrounded almost entirely by residential uses. The site is buffered from the surrounding residential uses, including the single-family homes to the south, by public drainageways, alleys, and roads, which border the site to the south, east and west.

The applicant is proposing two principal uses for the site: personal storage and craftwork. Self-storage facilities tend to be fairly innocuous in that they generate little traffic, are typically not noisy, and the perimeter buildings screen the surroundings from interior activity. Sole access to the site will be from Speedway, so there will be minimal traffic impacts on the neighborhood interior. As self-storage facilities tend to be busiest on weekends, the site should not contribute to weekday peak-hour traffic. To reduce nighttime noise impacts on adjacent neighbors, it is recommended that business hours be limited to between 6:00 a.m. and 10:00 p.m.

Craftwork as a principal use requires a minimum of C-2 zoning. Personal storage uses in the C-2 zone must comply with certain *LUC* performance criteria. Section 3.5.10.3.C. requires all walls or doors visible from adjacent streets and residential properties to be surfaced with a non-reflective material. Section 3.5.10.3.F. requires the facility's exterior façade, visible from adjoining residential properties or street frontage, to be earth tone in color, and of masonry, stucco, or similar materials.

To improve the visual quality of the proposed facility, staff recommends that building surfaces and fencing visible along the boundaries of the site incorporate a decorative design treatment.

The intent is to eliminate long expanses of monotonous block walls. Exterior mechanical equipment should be ground mounted, and screened from view from the surrounding properties and streets. Should any graffiti occur, it should be removed within five working days of discovery. Enhanced perimeter landscaping is one of the easiest ways to improve the visual quality of a self-storage facility, and the applicant has proposed this.

The PDP proposes construction of 22 buildings, including 16 storage buildings, five hobby/craftwork buildings, and one main office building, with living space for a resident attendant. The gross floor area of the proposed buildings is approximately 100,000 square feet. Except for the main office building, a portion of which will be up to 26 feet in height, all buildings will be one-story with pitched roofs. Building heights will range from 9-12 feet for the storage buildings, 16-19 feet for the hobby and workshop buildings, and 12-26 feet for the office building. While the proposed C-2 zoning allows buildings up to 40 feet in height, to preserve views of the Catalina Mountains to the north, and in response to neighbors' concerns, the applicant has proposed that all buildings be limited to single-story. Staff recommends that all self-storage buildings be limited to 12 feet in height; hobby/craftwork buildings be limited to 19 feet in height; and the office/resident attendant building be limited to 12 feet in height, except for a non-occupied portion that will be used for signage purposes, which may be up to 26 feet in height.

The office/resident attendant building will be located near Speedway, and will be the most visible building from that street frontage. It should be designed with architectural features similar to or that complement residential development in the area.

Screening will be accomplished on the south and west sides and on a portion of the north side, by the backs of the proposed storage buildings. A 30-inch high screen wall is proposed at the back of the landscape border along Speedway Boulevard. A five-foot high screen wall will be required along the east edge of the site where parking for the craftwork rental units is proposed. No screening is indicated on the preliminary development plan in this area.

Drainage/Grading/Vegetation – To serve as screening and for security purposes, vegetation is to be planted around the basin perimeter. The applicant has agreed that water harvesting shall comply 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. In addition, a complete drainage report, including details of detention/retention will be required.

Landscaping – Along the southern edge of the site, near the single-family homes, it is recommended that a minimum 20-foot wide landscape border be provided as shown, which may include low trees. Along the east, west and northwest boundaries, staff recommends that minimum 10-foot wide landscape borders also be provided as indicated on the conceptual landscape plan dated 10/1/09. Along the northern and northwestern site boundaries, and in the eastern interior of the site, enhanced landscaping should be provided as shown on the conceptual landscape plan.

Heat Island Mitigation – Nearly the entire 7.5 acres of the rezoning site are proposed for pavement or structures, thus creating a measurable source of solar gain (heat island effect). Storage facilities such as this, rarely contain any internal landscaping to break up the pavement. Here, the applicant has proposed interior landscaping in the craftwork portion of the site. The landscape areas will improve opportunities for storm water harvesting, and will help mitigate the heat island effect by supplanting hardscape with landscape.

Commendably, the applicant has agreed to install energy-star roofing systems on the craftwork and storage structures. A roof manufacturer, specializing in Energy-Star certified products, has a roof-coating product that is applied at the factory under controlled conditions (rather than "painted on" at the construction site) that is Energy-Star certified, when also constructed at a roof-pitch of greater than 2:12. This pitch is steeper than the developer's other storage buildings constructed to date (they use a flatter 1:12 pitch), however, the developer has agreed to redesign the buildings, structural calculations, truss drawings, etc. to effectuate the required steeper pitch. The roof coating color will be "buckskin". This color is in the "desert tan" family of roof coating colors available.

Road Improvements/Vehicular Access/Circulation – Access to the self-storage facility is proposed from Speedway Boulevard. Due to the pending Speedway improvement project, the developer will have coordinate with the Regional Transportation Authority (RTA) and the Tucson Department of Transportation (TDOT) regarding improvements to be made.

Internally, the PDP shows only one loading zone, which is located adjacent to one of the craftwork rental units. The applicant states loading zones are to be provided within the PAAL, allowing customers to load and unload individual storage units. There are no loading zones required for the individual storage units. However, one loading zone measuring 10 feet by 18 feet in size must be provided for the office and one full-sized loading zone must be provided for each craftwork rental unit. Modification of the site may be necessary to accommodate loading zone requirements of the *Land Use Code (LUC)*, or the applicant may seek a variance from the Board of Adjustment.

Cultural/Archaeological Resources – According to the 2007 archaeological testing report, included with the submittal, the parcel may retain significant, and intact, cultural deposits, buried below the ground surface. For that reason, and because the last archaeological investigation occurred in 1993, a cultural resources survey of the parcel is recommended.

Direct Ordinance Request – The applicant is requesting direct ordinance adoption per LUC Section 5.4.3.4. A direct ordinance is appropriate when sufficient specific detail has been provided in the preliminary development plan and supporting materials to demonstrate compliance with all conditions that may be required by the Mayor and Council. As noted above, there are LUC compliance/design questions to be resolved. However, these relate to the layout of the interior of the site and do not impact the material issues of this rezoning. If the proposed rezoning is approved by Mayor and Council without significant changes to the recommended rezoning conditions, use of the direct ordinance procedure is appropriate.

Conclusion

The rezoning proposal is consistent with the policy direction in the *Pantano East Area Plan*, and the City's *General Plan*, which support office and commercial uses on the rezoning site. The proposed use will offer a needed service for local area residents, and the community and provide an improved streetscape environment. Subject to compliance with the attached preliminary conditions, approval of the requested C-2 zoning is appropriate.

s:/rezoning/2009/c9-09-09 sr.doc

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan and conceptual landscape plan dated October 1, 2009, and the Design Compatibility Report, is 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. 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. Owner/developer shall enter into a Sewer Service Agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system, and the timing of said improvements.

LAND USE COMPATABILITY

7. All dumpsters and loading zones shall be located at least fifty feet from any residential property line.
8. Business operating hours shall be limited to between the hours of 6:00 a.m. and 10:00 p.m.
9. An attendant shall be onsite during business operating hours.
10. Building height shall be limited to 12 feet for self-storage buildings; 19 feet for hobby/workspace buildings; and 12 feet for the office building, except for a non-occupied portion that will be used for signage purposes, which may be up to 26 feet in height.
11. A minimum 20-foot wide landscape border, which may include low trees, shall be provided along the southern edge of the site.

12. A minimum 10-foot wide landscape border shall be provided along the eastern, western and a portion of the northwestern boundaries, as indicated on the conceptual landscape plan dated 10/1/09.
13. The office building shall be designed to have architectural features similar to or that complement residential development in the area. Documentation demonstrating this shall be submitted with the development plan.
14. Building surfaces and fencing visible from the surrounding properties and streets shall be graffiti-resistant, and shall incorporate a decorative design treatment, which shall include decorative or textured block, and/or a combination of two or more materials, and/or a varied wall alignment. Colored elevations shall be submitted with the development plan to demonstrate compliance with this condition.
15. The owners/developers shall ensure that graffiti is removed within five working days of discovery.
16. Enhanced landscaping shall be provided along the northern and a portion of the northwestern site boundaries, and in the eastern interior of the site, as shown on the conceptual landscape plan dated 10/1/09.
17. Exterior mechanical equipment shall be screened from the view from the surrounding properties and streets.
18. Include provisions for two single, or one double-wide solid waste enclosure(s) in order to accommodate for both refuse and recycle dumpsters.
19. All screen 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.
20. Six (6) inch wide fence block or greater shall be used for perimeter screen walls.

DRAINAGE/GRADING/VEGETATION

21. Preparation of a complete Drainage Report, including details of detention/retention and flow stability in Ricardo Small Wash, is required:
 - 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. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
 - d. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
 - e. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.
22. No buildings or structures shall be constructed within ten feet (10') of the top of bank of Ricardo Small Wash.
23. The Development Plan shall comply 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.

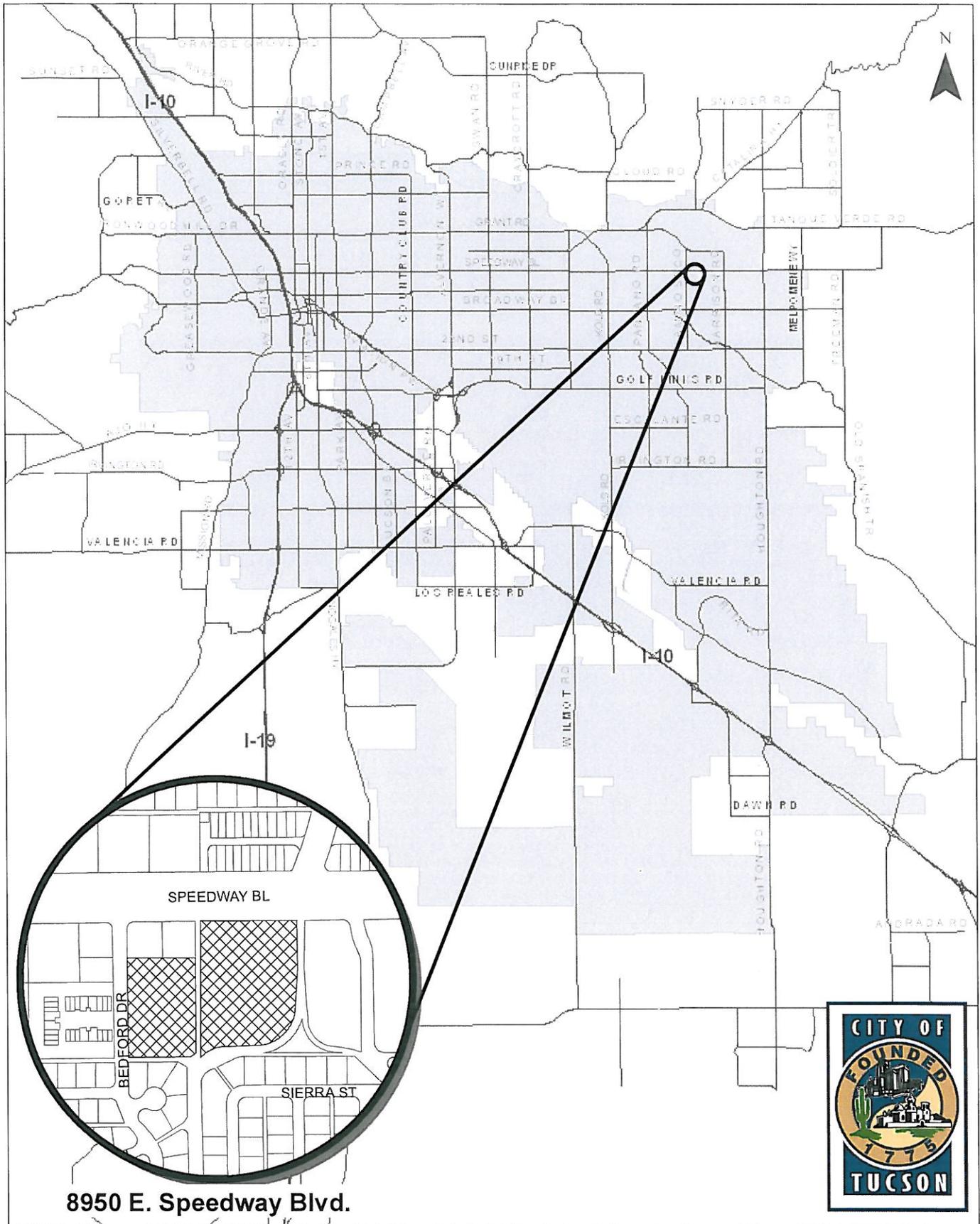
ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

24. Dedication, or verification of existence, of right-of-way, per the *Major Streets and Routes Plan*, along Speedway Boulevard site frontage is required.
25. A Traffic Impact Analysis shall be submitted during the review process providing an analysis for potential off-site improvements.
26. All offsite improvements required with this development such as curb, sidewalk, and others shall be coordinated with the City of Tucson's Department of Transportation to establish proper location(s) of the offsite improvements with respect to the future RTA improvement project (Speedway Blvd, Camino Seco - Houghton Rd).
27. Completion of pavement, curb, and sidewalks for Bedford Drive along the Bedford Drive frontage of the rezoning site. Total pavement width shall be twenty-four feet (24'), the east-side curbing shall be two-foot (2') wedge curb to match the existing west-side curb, and concrete sidewalks shall be provided per City standards. The street improvement will terminate at the existing public alley south of the rezoning site, and an appropriate tie-in and curb return to this public alley shall be provided.

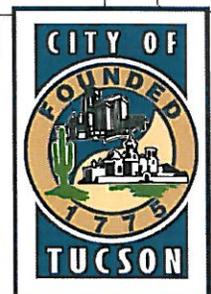
OTHER

28. Certified "Energy-Star" cool roofs shall be used on all storage and craftwork buildings.

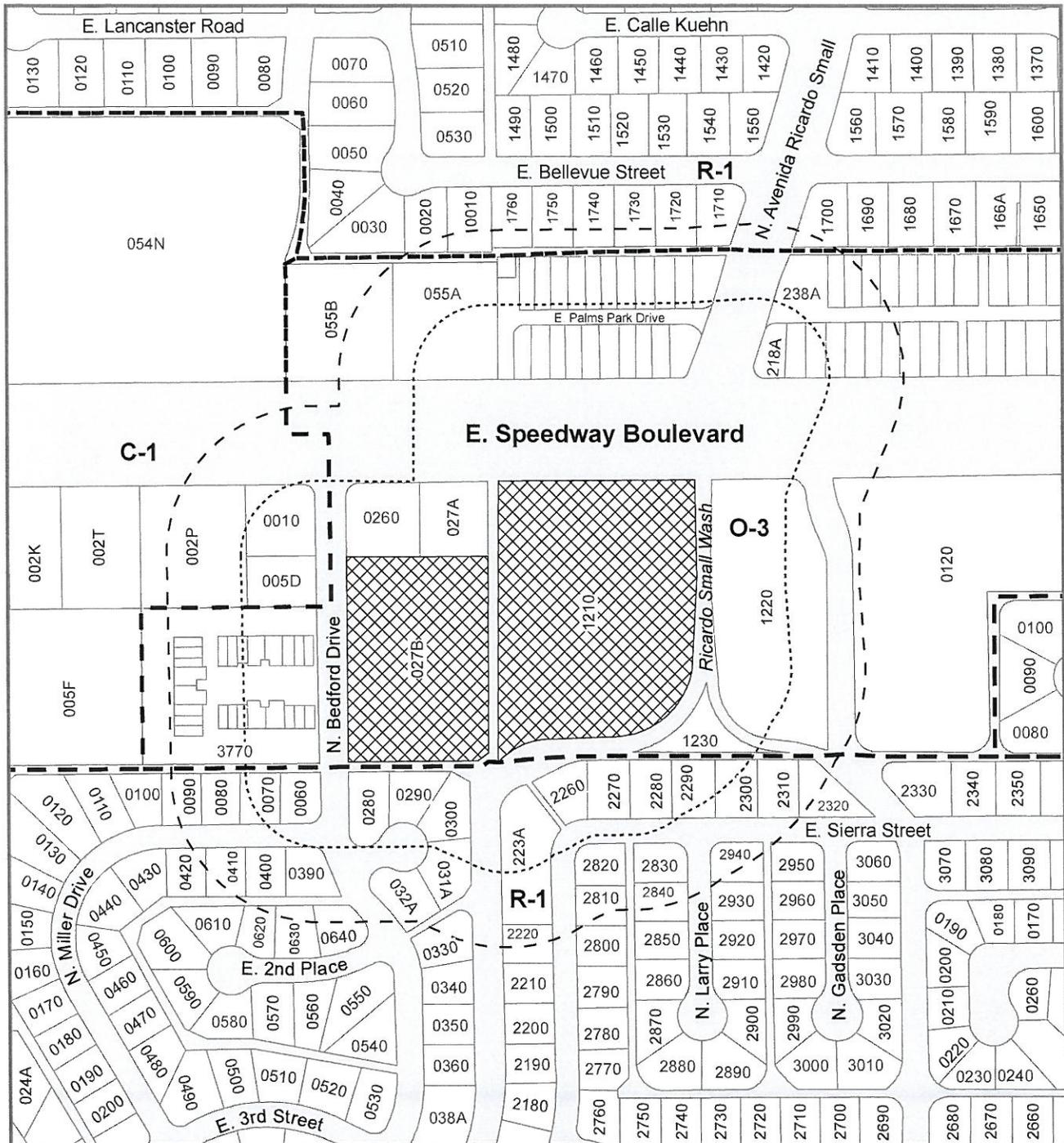
C9-09-09 Garold C. Brown Family Ltd. Partnership - Speedway Blvd.



8950 E. Speedway Blvd.



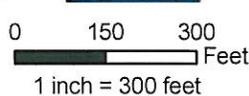
C9-09-09 Garold C. Brown Family Ltd. Partnership - Speedway Blvd. Rezoning Request: from O-3 to C-2



-  Area of Rezoning Request
-  Zone Boundaries
-  Protest Area (150 foot radius)
-  Notification Area (300 foot radius)



Plan(s): Pantano East Area Plan
 Address: 8950 E. Speedway Blvd.
 Base Maps: Sec.10 T.14 R.15
 Ward: 2





C9-09-09 Garold C. Brown Family Ltd. Partnership - Speedway Blvd.
September 2009 Aerial



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 must 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: C9-09-09 Brown Family Partnership – Speedway Blvd, O-3 to C-2 (Ward 2)

_____ APPROVE the proposed rezoning.
 I/We the undersigned property owners, wish to 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 _____

Place
Stamp
Here

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

C9-09-09

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

C9-09-09

IMPORTANT REZONING NOTICE ENCLOSED

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