



MEMORANDUM

DATE: September 10, 2008
For September 25, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT
C9-08-12 Romano Real Estate – Broadway Boulevard C-1 to C-2 Zone (Ward 2)-

Issue – This is a request by James Egan, on behalf of the property owners, Garigan Trust, to rezone approximately 1.32 acres from C-1 to C-2 zoning to allow an Automotive Service, Major use. The rezoning site is located on the north side of Broadway Boulevard, between Pantano and Camino Seco roads, at the intersection of Old Spanish Trail and Broadway Boulevard (see Case Location Map). The applicant proposes to use the existing one story building as an auto service repair facility for vehicle transmissions. The proposed facility will include 3,000 square feet for offices, 4,000 square feet for parts storage, and a repair area, 4,234 square feet in size.

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

Background Information

Existing Land Use: Church – Vision Ministries Outreach

Surrounding Zones and Land Uses:

North: Zoned C-2; Self storage facility.

South: Zoned C-2; Checker auto parts, auto repair shop (appears closed).

East: Zoned C-1 & C-2; Glass Works

West: Zoned C-1 (south portion) & C-2 (north portion); A barber shop (south) and self storage facility (north).

Previous Cases on the Property: None.

Related Cases:

C9-02-05 Sarnoff Automotive – Bowline Drive, C-1 to C-2. This was a rezoning request for 0.66 acres, located at the northwest corner of Bowline Road and Sarnoff Drive, to allow the development of an auto repair facility approximately 4,608 square feet in size. The development

plan was approved by CDRC on December 9, 2004. On February 4, 2005, Mayor and Council adopted Ordinance No. 10103, effectuating the requested zoning.

C9-03-20 Brake Max – Swan Road, C-1 to C-2. This was a rezoning request for 0.48 acres located at the northwest corner of Camp Lowell and Swan Road to allow the development of 5000 square feet for an automobile service center. The development plan was approved by CDRC on May 28, 2004. On October 8, 2004, Mayor and Council adopted Ordinance No. 10027, effectuating the requested zoning.

Applicant's Request – The applicant requests C-2 zoning to allow the use of an existing one story building for an automotive service and repair facility for vehicle transmissions on 1.32 acres.

Planning Considerations

Land use policy direction for this area is provided by the *General Plan* and the *Pantano East Area Plan (PEAP)*. These Plans promote development that compliments adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. The *PEAP* recommends that future commercial development, be integrated with adjacent commercial development (i.e. cross access agreements and shared parking), be designed in harmony with adjacent residential uses, be located along an arterial street and restrict the number of access points.

The *General Plan* and the *PEAP* policies encourage and support developments that respond to physical characteristics of the site and adjacent land use patterns; enhance the visual appeal of streets, and incorporate neighborhood recommendations into the site planning and design.

While the *Plan* discourages the extension of strip commercial uses, this area was designed precisely for strip commercial uses. Supporting Policy 5.5 of the *General Plan* encourages the redevelopment and/or expansion of current strip commercial development that will improve traffic flow, pedestrian mobility and safety, and streetscape quality when:

- 1.) The project stabilizes and enhances the transition edge when adjacent to existing and future residential uses;
- 2.) Primary access can be provided from a major street;
- 3.) The required parking, loading, and maneuvering can be accommodated on site;
- 4.) Screening and buffering of adjacent residential properties can be provided on site;
- 5.) Access points, parking, landscaping, and screening can be consolidated with adjacent uses;
- 6.) Current or future cross access between parcels can be feasibly accommodated; and
- 7.) Buildings and associated activities, such as, but not limited to, loading zones and dumpsters, can be oriented away from adjacent residential uses, toward the interior of the site or toward boundaries adjacent to similar uses.

The proposal conforms to the criteria specified in Supporting Policy 5.5 of the General Plan.

The *PEAP* calls for a limited number of access points, and integration with adjacent commercial development. Two vehicular access points to the rezoning site are proposed from Broadway Boulevard. One new access point is proposed at the southwest corner of the site. The existing access point at the southeast corner, will be shared with the business to the east. Broadway Boulevard is identified as a gateway arterial roadway on the *Major Streets and Routes Plan* map. The Pima Association of Governments - Transportation Planning Division (PAG-TPD), estimates that the proposed development will generate 165 vehicle trips per day.

Design Considerations

Land Use Compatibility – The property consists of a parking lot and a one story building, currently used as a church. Properties surrounding the rezoning site include parcels zoned C-1 and C-2 to the east and to the west. The north portion of the parcel to the west is zoned C-2 and developed with a self-storage facility. The remaining C-1 portion consists of a barber shop fronting on Broadway. Glass Works is located on the property to the east. The property located to the north is zoned C-2 and is developed with a single-story self-storage facility. A Checker Auto Parts store and an auto repair shop that appears to be closed, are located to the south, across Broadway Boulevard, on parcels zoned C-1.

Improvements are proposed to enhance the appearance of the site and increase the compatibility of the new use with adjacent businesses. The existing building will remain single story with a maximum height of 40 feet. The applicant proposes upgrading the exterior finish in colors that will blend with the neighboring structures, including stucco application and new awnings. Staff recommends that all building walls visible from public rights-of-way and the east and west sides of the office, storage and repair area, be provided with a similar level of façade details.

A landscape border, ten feet in width and planted with canopy trees, barrel and saguaro cacti, shrubs and a variety of groundcovers, is proposed along Broadway Boulevard. The applicant proposes re-grading and resurfacing the parking areas to direct rain runoff into the landscape planting areas. This will enhance the streetscape appearance and screen the parking area along Broadway. Staff also recommends screening dumpsters visible from the right-of-way with walls and/or vegetation.

The urban heat island effect (UHI) is created by heat absorbent surfaces in urban areas. To mitigate for the heat island effects, staff recommends that the landscape plan include one tree for every four parking spaces within vehicle parking area. Alternatively, the applicant may demonstrate with a shade pattern analysis, that shade coverage will be provided for at least 50% of the vehicle use area, from 9:20 a.m. to 3:20 p.m. PST on June 21st, by mature canopy trees, buildings and/or other structures.

Reflective and pervious paving materials can also help to limit the impact of the heat island by reducing heat absorption, retention and radiation. While helping to mitigate the heat island effect, porous paving materials also allow storm water to pass through and permeate into the sub-base and ground. Staff recommends incorporating reflective, pervious paving materials in pedestrian areas and adjacent to plantings within the parking area.

Environmental Services staff is in the process of amending Development Standard 6-01.0 to require two single, or one double, enclosure for both refuse and recycle waste containers. Staff recommends that the size of the relocated trash enclosure(s) should be sized to accommodate the two types of containers.

Drainage/Grading/Vegetation – The site is not located within a mapped floodplain. Drainage is generally northward. The site lies within the Robb Wash watershed. Since this watershed is not classified as balanced or critical, detention is not required. No increase in imperviousness is proposed; threshold retention is not required.

Road Improvements/Vehicular Access/Circulation – Broadway Boulevard is located along the south side of the property. The existing Broadway Boulevard right-of-way width is 160' (100' north of centerline). No Regional Transportation Authority projects are proposed for this segment of Broadway. The applicant proposes eliminating the existing curb cut located at the center of the property line along the Broadway frontage. A new curb cut is proposed along Broadway, on the west side of the property.

The applicant proposes the installation of a sidewalk along Broadway, a pedestrian access along the eastern edge of the site and additional pedestrian circulation within interior of the site. Staff recommends that a sidewalk be installed along the west side of the access easement driveway. The sidewalk must be paved with a textured paving material such as stamped concrete or brick, to clearly delineate the walkway from the access easement driveway.

Conclusion – The proposed rezoning is generally consistent with and supported by the *Pantano East Area Plan* and the *General Plan*. Site improvements, proposed as part of the project, will result in a development that will compliment adjacent land uses and enhance the overall function and visual quality of the street. Subject to compliance with the attached preliminary conditions, approval of the requested C-2 zoning is appropriate.

Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated July 14, 2008, 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. 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. 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.
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. Rear and side building facades are to be designed with attention to the architectural character and detail comparable to the front façade, including but not limited to, comparable color palette and similar materials. Elevation and color drawings shall be submitted as part of the development plan submittal.
9. 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 such as 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.
10. Six (6) inch wide fence block or greater shall be used for perimeter walls.

Preliminary Conditions

DRAINAGE/GRADING/VEGETATION

11. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
12. 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 shade pattern created by mature canopy trees, buildings, and other structures on the vehicular use area from 9:20 to 3:20 p.m. MST on June 21, shall cover fifty percent of the paved area.
13. Rain water harvesting must be conducted at this site per the requirements in Land Use Code (LUC) section 3.7.1.1.A, requiring that landscaping should accomplish natural resources conservation; *LUC* Section 3.7.4.3.B requiring integration of grading, hydrology and landscaping to make the maximum use of stormwater for on-site irrigation; and LUC Section 3.7.4.5.B requiring that stormwater and runoff harvesting be used to supplement drip irrigation for both new and preserved vegetation. Techniques to design and implement water harvesting are described in the City of Tucson's Water Harvesting Guidance Manual. This document can be downloaded as a pdf file from the following website: <http://dot.ci.tucson.az.us/stormwater/>.

To comply with the above-referenced LUC sections, rainwater harvested from building roofs, sidewalks, and parking lots shall be employed to assist in supporting landscaped areas including parking lot tree wells, landscape buffers, sidewalk plantings, and other vegetation locations at the site. Site plans shall include Water Harvesting Plan & Detail sheet(s) showing all water harvesting locations at the site including common areas, perimeter buffer areas and any retention/detention basins and should include the length, width and finished depth of the water harvesting areas, curb openings, raised walkways, use of mulch, and drainage arrows showing runoff routing to each water harvesting area and information on where overflow will be routed.

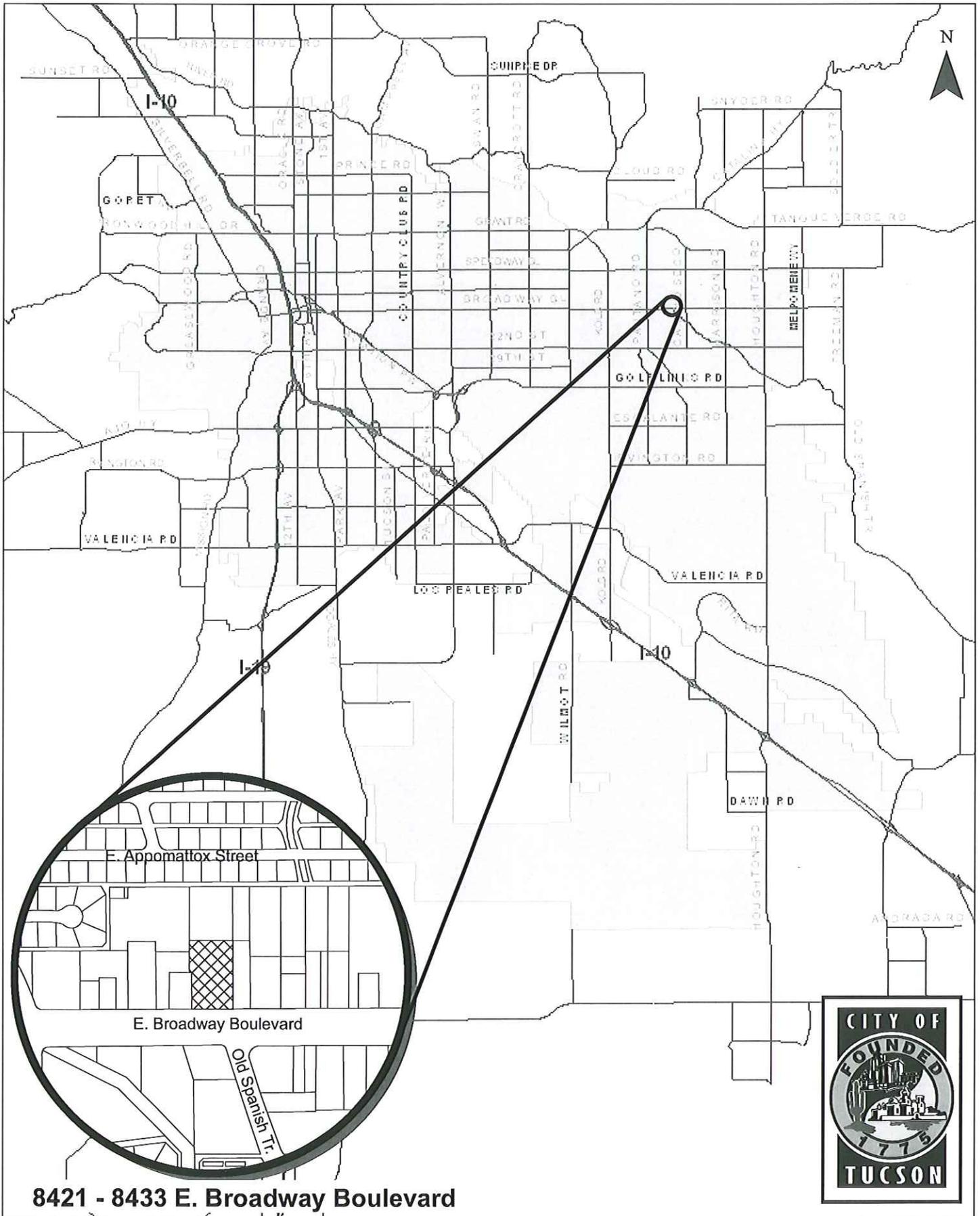
ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

14. Applicant to maintain cross-access to commercial development to the east.
15. Sidewalks will be installed along Broadway, and along the eastern edge of the site with additional pedestrian circulation in the interior of the site. The sidewalk along the access easement driveway must be paved in a textured paving material, such as stamped concrete or brick, to clearly delineate the walkway from the driveway.
16. Reflective and pervious alternative paving materials shall be incorporated in pedestrian areas and adjacent to planting areas. These paving materials shall be shown on the landscaping plans at the time of development plan submittal.

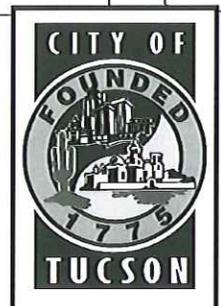
Preliminary Conditions

17. The owner/developer shall meet all parking, loading, and vehicle maneuvering requirements onsite.
18. The owner/developer shall include provisions for two single or one double wide solid waste storage/enclosed areas for the purpose of storing one refuse and one recycle container in each. Each enclosure should be designed per DS 6-01.3.0 & 6-01.4.0.

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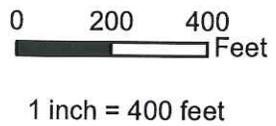
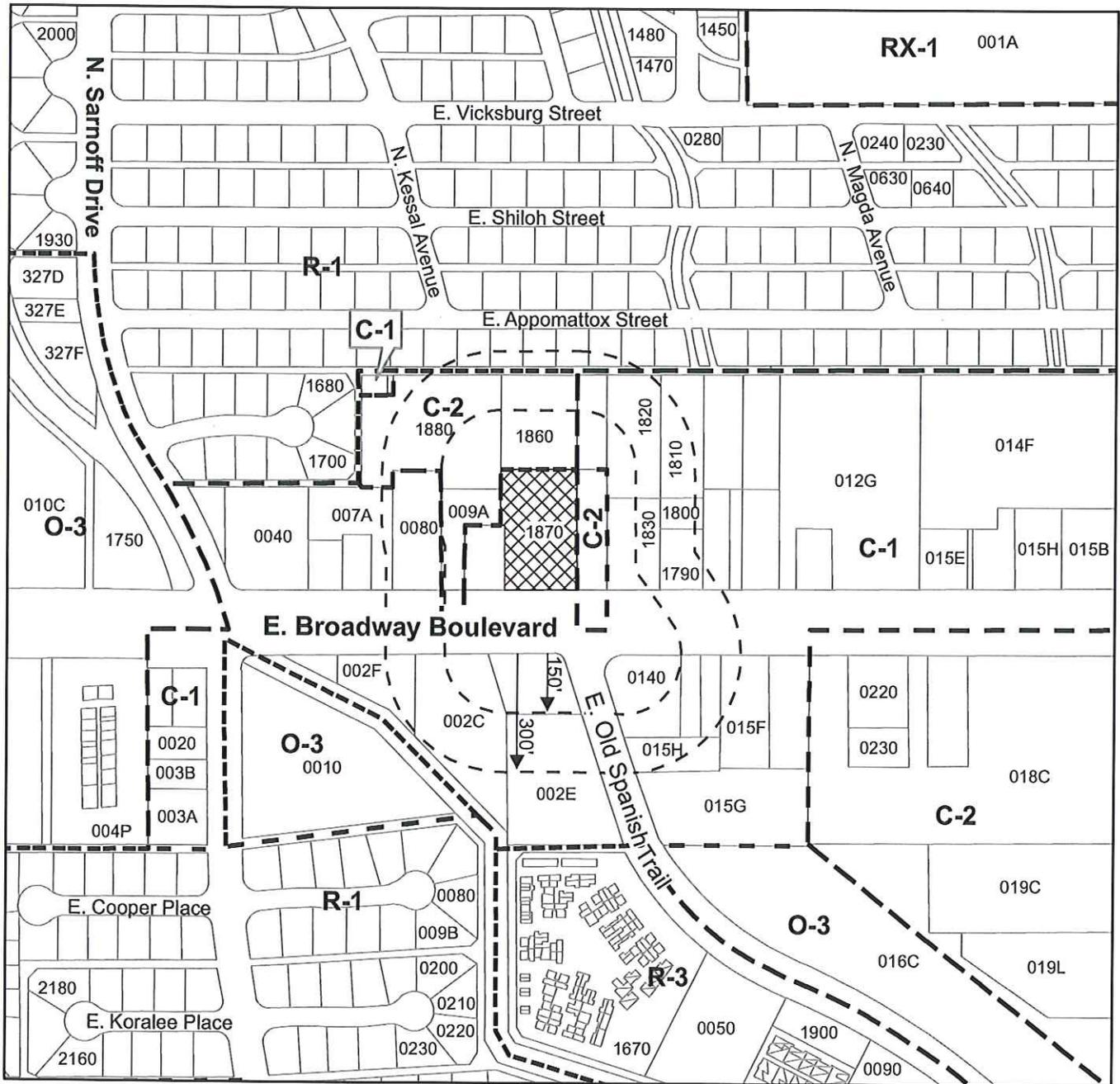


8421 - 8433 E. Broadway Boulevard



C9-08-12 Ramano Real Estate - Broadway Boulevard

Rezoning Request: from C-1 to C-2



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

Neighborhood, Area Plan(s): Pantano East Area Plan
 Address: 8421 - 8433 E. Broadway Boulevard
 Base Maps: Sec.09 T.14 R.15
 Ward: 2





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August 2008 Aerial