



# MEMORANDUM

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DATE: August 20, 2008  
For September 4, 2008 Hearing

TO: Peter M. Gavin  
Zoning Examiner

FROM:   
Albert Elias, AICP  
Urban Planning & Design  
Director

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND DESIGN  
REPORT  
SE-08-17 Gospel Rescue Mission - Miracle Mile, C-2 Zone (Ward 3)

**Issue** – This is a request by Scott Munro, on behalf of the Gospel Rescue Mission, for approval of a shelter and rehabilitation center for women and children as a special exception land use. The site is located at the southwest corner of Miracle Mile and 15<sup>th</sup> Avenue (see Case Location Map). The preliminary development plan proposes to convert an existing motel into a 30-unit rehabilitation and shelter care facility for women and children on a total of 2.36 acres.

The applicant is requesting approval through Section 2.5.4.3.A.1 of the *Land Use Code (LUC)*.

2.5.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within the C-2 zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9. (Ord. No. 8653, §1, 2/26/96)

A. Residential Use Group, Sec. 6.3.8

1. Residential Care Services: Rehabilitation Service or Shelter Care "31", subject to: Sec. 3.5.7.8.A, .C.4, .D, and .H (no minimum lot size) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and Sec. 23A-53. (Ord. No. 9967, §2, 7/1/04)

**Department of Urban Planning and Design Recommendation** – The Department of Urban Planning and Design recommends approval of the special exception request, subject to the attached preliminary conditions.

**Background Information**

Existing Land Use: Motel

Surrounding Zones and Land Uses:

North: Zoned R-2 and C-2; cemetery  
South: Zoned C-2; single-family residential and transitional home  
East: Zoned C-2; motel and mobile home park  
West: Zoned C-2; motel

Previous Cases on the Property: none

Related Cases:

SE-03-08 Esperanza en Escalante – Calle Polar, RX-1 A special exception land use request to expand the existing residential care facility, providing transitional housing for disabled veterans. The site is 19.6 acres located at the southwest corner of Nicaragua Drive and Calle Polar. The applicant proposed to construct 26 new buildings on the site including treatment, intake and training centers, and residential units for a total of 203 residents. The Zoning Examiner approved the request on August 28, 2003.

SE-04-08 Salvation Army – Main Avenue, O-3/C-2/C-3 A special exception land use request to expand the existing shelter care facility. The 2.6-acre site is located on the southeast corner of Speedway Boulevard and Main Avenue. The applicant proposed demolition of the existing shelter care facility and construction of a new 26,415 square foot shelter care facility and 16, one-story transitional family apartments. The Zoning Examiner approved the request on October 7, 2004.

**Applicant's Request** – The applicant proposes to convert an existing motel into a 30-unit rehabilitation and shelter care facility for women and children on a total of 2.36 acres. The facility is expected to accommodate up to sixty (60) residents.

**Planning Considerations**

Land use policy direction for this area is provided by the *General Plan*, while the *Design Guidelines Manual* suggests methods to implement land use objectives. The site is located just within the northern boundary of the currently in-progress Oracle Area Revitalization Plan (OARP). “The primary purpose of the OARP is to establish policies and procedures to encourage the development of employment options, more services to meet surrounding residential needs, social and recreational opportunities, a variety of housing options, sensitivity to the area’s historic character, and overall improvement of the built environment.” *General Plan* policies give priority to commercial development and redevelopment in the Central Core Area of Tucson. *General Plan* policies also support increased pedestrian activities and transit use, to meet an area’s residents’ needs for goods and services in a cost-effective and equitable fashion. Policies also 1) encourage redevelopment when the project stabilizes and enhances the transition edge when adjacent to existing residential uses; 2) emphasize neighborhood identity and character

through design that reflects sensitivity to neighbors, discourages crime, improves streetscapes, and pedestrian safety; 3) encourage redevelopment of areas which are in transition and reflect a need for reinvestment; and 4) encourage “Safe by Design” concepts through redevelopment and use of specific design criteria.

The *General Plan* supports investment and redevelopment in the city core, such as the Miracle Mile corridor. The proposal for a shelter and rehabilitation center for women and children is in general compliance with the *General Plan* policy direction and guidance provided by the *Design Guidelines Manual*. The location is appropriate as this is an area experiencing transition and reinvestment is needed. Preserving the privacy of adjacent residential uses is also enhanced through secured site perimeters.

The special exception site, which historically has been a motel, is located along what was one of the main gateway corridors into Tucson. The Miracle Mile Corridor suffered a down turn and deterioration after the construction of Interstate 10 through Tucson. In recent years, developers have been considering the potential of rehabilitating or redeveloping the abandoned motels, guest ranch resorts, and gas stations which line the corridor.

Residential uses are located south and east of the site. Vehicular access to the site is proposed from Miracle Mile and Fifteenth Avenue. Miracle Mile (State Route 77), identified as an arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan* map, is north of the site between Oracle Road and Interstate 10. Fifteenth Avenue a residential street. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 160 vehicle trips per day.

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

### **Design Considerations**

Land Use Compatibility – A “shelter care” use permits residential care services to homeless persons, pregnant teenagers, victims of domestic violence, and children who need full-time supervision, including those who are neglected, runaways, or status offenders. The site is located between two existing motels on the Miracle Mile Corridor. The application proposes to renovate the interior of the existing buildings and add a new 5,020 square-foot building where a swimming pool is currently located for a total building square-footage of 25,196 square-feet.

The southeast adjacent parcel, also owned by the Gospel Rescue Mission, currently operates as a transitional home for women and children. A letter dated May 12, 2008, from the Land Use Code Administration Section states that the southeast adjacent parcel is considered a separate use and is not part of the special exception review or use. Staff recommends a permanent barrier shall be established along the southern perimeter of the special exception site unless the adjacent use is included in the development plan and can demonstrate it has been secured to the level needed on

the special exception site. Enclosures such as a razor ribbon wire fence and chain link fence are not supported.

The preliminary development plan proposes a secured perimeter around the site. To help minimize the impact to the adjacent residential properties fronting Laguna Street located southwest of the site, all outdoor uses/activity that may potentially generate either; traffic, noise, glare or odors should be located away from the southern perimeter. Outdoor lighting should be located at heights no greater than existing single-story buildings and shielded/hooded to protect adjacent residential properties from glare spill over. In order to respond to potential neighborhood complaints, staff suggests that the owner establish a process to address any complaints, including designating staff responsible for receiving and addressing them. The owner should also provide notification to surrounding neighbors that such a process is available.

The center will house women and children and therefore the site needs an outdoor activity area for children of different age groups. The applicant proposes a game court in the middle of the site, between buildings 4a and 6a. The location is also ideal because it promotes “eyes on” the play area. A play area, in addition to the game court, should also be provided. It should also include items such as a tot lot, swing set, canopy trees, bench(es), trash container, water fountain, turf area etc. The southwest corner of the site, where the ramada is located, should also include low mounted lighting and a sitting area with benches, to provide a passive outdoor area.

Drainage/Grading/Vegetation – Development of the site has resulted in compacted soils that have poor infiltration characteristics. Drainage is generally northward toward the channel along the north side of Miracle Mile. The site is not located within a mapped 100-year floodplain or erosion hazard area. The site is located within the Flowing Wells Wash watershed, a non-designated basin. Detention/retention is not required for this site.

The privacy of the residential uses to the south will need to be protected. The preliminary development plan proposes to add a total of four new canopy trees between the buildings and parking spaces on the east and west side of the site. A ten-foot wide landscape buffer will be required along the southern perimeter. The landscape buffer shall include an automated drip irrigation system and 15- gallon thornless, native canopy trees placed at a maximum distance of 25 feet on center. Water harvesting techniques shall be applied to the site. Staff will recommend that specifications for water harvesting shall be clearly delineated on site plans to ensure it is correctly implemented at all necessary stages of construction.

Road Improvements/Vehicular Access/Circulation – The preliminary development plan shows the proposed site with primary access from Miracle Mile and secondary access to trash pick-up from 15th Avenue. The location of the existing solid waste enclosure/s must be repositioned to allow for adequate maneuvering for performing collection onsite without backing onto Fifteenth Avenue.

If a secondary access is required due to site constraints, then 15th Avenue may be considered pending the restriction of commercial traffic generated by this business to be directed toward Miracle Mile and away from the adjacent residential neighborhood.

Interior parking spaces along the western and eastern perimeters should be for non-commercial vehicles only. Access to these two interior parking areas are from Miracle Mile. Each parking area access lane appears to be too narrow to allow two-way travel. The applicant will need to demonstrate at the time of development plan review that the site can meet standards for vehicle circulation.

### **Performance Criteria**

Below are the criteria for “Rehabilitation Service or Shelter Care” in Section 3.5.7.8.A.C4.D and H of the *LUC*. Following each criterion, in italics, are the applicant’s response.

#### 3.5.7.8 Residential Care Services.

- A. A Rehabilitation Service or Shelter Care use shall not be located within twelve hundred (1,200) feet, in any direction, from another Rehabilitation Service or Shelter Care use. The applicant for such use must provide an inventory of such uses within twelve hundred (1,200) feet of the site prior to the establishment of the use. (Ord. No. 9392, §1, 5/22/00)

*Comment: The nearest rehabilitation service or shelter care facility is approximately 1,776 feet to the west. The facility is located at 1130 W. Miracle Mile.*

- C. Maximum Number of Residents.

4. Care is permitted for an unlimited number of residents.

*Comment: The facility will accommodate sixty residents.*

- D. If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided. (Ord. No. 9392, §1, 5/22/00)

*Comment: Licensing does not apply to this facility. The Gospel Rescue Mission is a privately funded community supported organization.*

- H. Minimum lot size is one and one-half (1.5) acres. Lot coverage is limited to sixty (60) percent. Minimum setback from all interior lot lines adjoining residential zoning is twenty (20) feet.

*Comment: The total lot size is 2.36 acres. The proposed lot coverage for the facility is proposed to be 52.6%. The interior lot lines do not abut any residential zoning.*

Staff comment: *The proposal is in compliance with the LUC Performance Criteria for the special exception land use.*

**Conclusion** – The request for a rehabilitation or shelter care facility is in general compliance with *General Plan* policies and the applicable performance criteria. The *General Plan* supports investment and redevelopment to the city core, such as the Miracle Mile Corridor. Subject to compliance with the attached preliminary conditions, approval of the special exception land use is appropriate.

## Preliminary Conditions

PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated June 24, 2008, and supporting materials, 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 the special exception.

LAND USE COMPATABILITY

8. The proposed perimeter barrier along 15<sup>th</sup> Avenue shall enclose the existing parking spaces along the eastern edge, if access to these spaces remain onto Miracle Mile. If access is changed to 15<sup>th</sup> Avenue for these spaces then the perimeter barrier shall be west of these spaces and parking signs shall be posted on-site to direct traffic from these spaces onto Miracle Mile and away from the residential neighborhood.
9. Patient/client drop-off/pick-up services (ambulances, police, etc.) shall be conducted at the front of the facility from Miracle Mile only or as determined by emergency service personal during emergencies.
10. Loading zones, dumpster location, and outdoor children’s recreational area shall be located a minimum of 50 feet from the south property line.
11. Outdoor speakers/public announcement system shall be prohibited.

### Preliminary Conditions

12. Loading and trash pick-up shall occur between the hours of 6 a.m. and 8 p.m.
13. A 10-foot wide landscape buffer shall be located along the southern perimeter, adjacent to residential uses. The landscape buffer shall include an automated drip irrigation system and 15-gallon thornless, native canopy trees placed at a maximum distance of 25 feet on center.
14. A minimum six-foot tall masonry wall shall be provided along the full length of the southern and western perimeter of the site.
15. A locked gate shall be provided at the southern portion of the site to serve as a pedestrian access point between the special exception site and the transitional residence to the south.
16. A perimeter enclosure is required along Fifteenth Avenue, using a combination of a masonry wall and wrought iron-type material (chainlink material/razor ribbon excluded) that allows visibility yet secures the eastern edge. Include a cross-section of this perimeter barrier at the time of development plan review.
17. A centralized recreational area shall be provided for children of different age groups. Limited space may require compact design of items such as but not limited to; a tot lot, swing set, half-basket ball court, bench(es), native thornless canopy trees, trash container, water fountain, turf space etc.
18. Structures shall not exceed two stories with a maximum height of 35 feet.
19. Outdoor Light poles/fixtures shall be no greater than 10 feet in height, and lights shall be hooded/shielded to protect adjacent residential properties from glare spill-over.
20. The motel building façades and entry way (including canopy) area fronting Miracle Mile shall remain unaltered in design or structure unless the design is approved by the Department of Urban Planning and Design.
21. All screen or perimeter walls, visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as the use of two 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.
22. Six (6) inch wide fence block or greater shall be used for perimeter walls.

### DRAINAGE/GRADING/VEGETATION

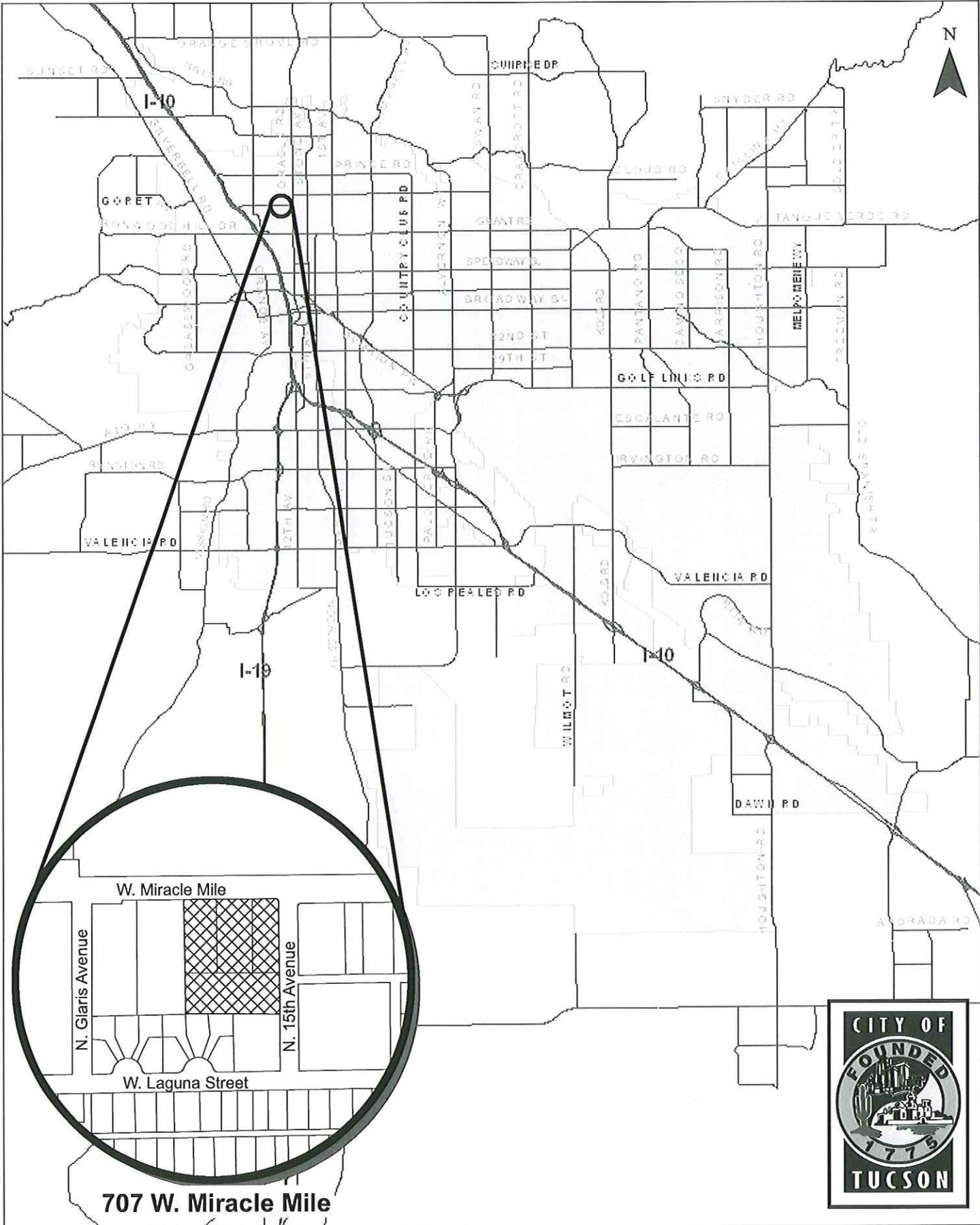
23. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.

## Preliminary Conditions

24. 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.

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## Special Exception - Full Notice Procedure



0 150 300  
 Feet  
 1 inch equals 300 feet

- Area of Special Exception Request
- C-2** Zoning of Requested Area
- Notification Area (300 foot radius)
- Zone Boundaries

Neighborhood, Area Plan(s): Miracle Manor Neighborhood Plan  
 Address: 707 W. Miracle Mile  
 Base Maps: Sec.35 T.13 R.13  
 Ward: 3





**SE-08-17 Gospel Rescue Mission - Miracle Mile**  
July 2008 Aerial