



# MEMORANDUM

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DATE: November 5, 2008  
For November 20, 2008 Hearing

*Albert Elias*

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-08-37 Triple Crown Villas – Sarnoff Drive, C-1 Zone (Ward 2)

**Issue** – This is a request by the property owners, David Lothar and Lance Parsons of Triple Crown Villas, LLC, to allow for a Residential Cluster Project (RCP-9) as a special exception land use in the C-1 zone. The special exception site is located at the northeast corner of Sarnoff Drive and 22<sup>nd</sup> Street (see Case Location Map). The preliminary development plan (PDP) proposes thirty, two-story single-family units on 2.61 acres of land.

On October 24, 2006, the Mayor and Council adopted Ordinance No. 10334 amending the *LUC* Section 3.6.1 Residential Cluster Project (RCP). The amendment added a new section 3.6.1.2 C, requiring RCPs five acres or less in size to be reviewed and approved as a special exception through the Zoning Examiner Full Notice Procedure, Development Compliance Code, Sec. 23A-50 and 23A-53. This is an administrative procedure requiring a public hearing and approval by the Zoning Examiner.

**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** - This special exception request represents the sixth RCP, five acres or less in size, submitted since the Mayor and Council adopted Ordinance No. 10334 in October 2006.

Existing Land Use: undeveloped

Surrounding Zones and Land Uses:

North: Zoned R-1; single-family residential  
South: Zoned C-1 and C-2; commercial  
East: Zoned C-1; apartments  
West: Zoned C-1; restaurant and service station

Previous Cases on the Property:

C9-79-22 Nichols – Sarnoff Drive B-1 (C-1) to R-3 This was a rezoning request on 2.62 acres of property for 80 apartments in two-story buildings. The Mayor and Council approved the rezoning request on September 10, 1979. The conditions of rezoning were not met and the case was closed on November 5, 1989.

Related Cases:

SE-07-26 Kippes - Uhl Street, RX-2 Zone. This was a request for approval of an RCP with density increase as a special exception land use in the RX-2 zone. The project consisted of eight, two-story single-family units on 0.83 acres located approximately 1,625 feet south of Broadway Boulevard and 400 feet west of Pantano Road. On April 17, 2008, the Zoning Examiner approved the special exception request, subject to conditions.

SE-08-07 Clarum Yavapai, LLC – Yavapai Road, R-3 Zone. This was a request for approval of a single-family RCP as a special exception land use in the R-3 zone. The project consisted of 34, one and two story, single-family units on four acres located on the south side of Yavapai Road, between Stone and Fontana avenues. On July 3, 2008, the Zoning Examiner approved the special exception request, subject to conditions.

**Applicant's Request** – The applicant requests approval of a RCP comprised of thirty, two-story single-family units on 2.61 acres as a special exception land use in the C-1 zone.

**Planning Considerations**

Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)* and the *General Plan*. The *PEAP* supports infill development projects and a variety of housing types, including townhouses that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines. Medium-density residential (up to 15 units per acre) is allowed where access is provided from a collector street.

*General Plan* policies encourage new residential development that contributes to the visual character of the neighborhood and promotes neighborhood identity. Policies support quality and safety in design, and compatibility with, and adequate buffering of, surrounding development. The *Plans* also recommend innovative site design that includes child-friendly design elements, such as high visibility play areas and safe, well-marked pedestrian crossings.

The special exception site consists of two parcels surrounded by residential uses to the north and east and a mix of commercial uses to the south and west. The adjacent apartment complex to the east is three-stories in height, while the remaining surrounding structures are single-story. Vehicular access to the site is proposed from Sarnoff Drive. Sarnoff Drive, identified as a collector roadway with a future right-of-way of 90 feet on the *Major Streets and Routes Plan*

map, is west of the special exception site. Twenty-second Street, an arterial roadway with a future right-of-way width of 150 feet, is located 75 feet south of the site.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 176 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

### **Design Considerations**

Land Use Compatibility – The proposed two-story RCP is designed at a density of 11.5 units per acre. This provides some transition from high-density residential uses to the east and the low-density residential to the north. A twenty-foot wide alley and six-foot high wall provide buffering from the north adjacent residences. The units at the north end of the development are setback approximately thirteen feet from the proposed six-foot high wall. The units at the east portion of the development are buffered from the apartment complex by a 24-foot wide private road and an existing wall. The applicant proposes to protect the privacy of residentially zoned properties to the north by limiting the roofline height to 17 feet on the sides of the end units. The rooflines will transition from 17 feet in height for the end units to 23 feet in height for the interior units.

The PDP shows a landscaped recreational area (Common Area D) that will include a large artificial turf putting green, picnic tables, benches and a children's play area. Staff recommends that a variety of thornless shade trees selected from the Low Water Use Tolerant List be planted and depicted on the landscape plan to increase the usability of the recreation area. In addition, screen walls that are more than three feet in height adjacent to recreational areas shall be designed as view walls. The lower thirty inches of the wall above the ground surface may be constructed of solid masonry with at least 80 percent of the upper portion of the wall to be of wrought iron construction. Wall details are to be submitted with the tentative plat to demonstrate compliance with this condition.

The applicant proposes Spanish influenced architecture with a modern style to complement the surrounding development. The project provides varied rooflines. The building elevations submitted with the application also illustrate that four-sided architecture is being applied to the project. The units vary in color and design, which complies with the aesthetic standards and requirements of RCPs. The units are oriented in a manner such that only the sides of the end units face north and south. Each unit has a private patio with a low privacy wall that faces onto the common areas, which encourages neighbor interaction and provides defensible space. A screen wall is proposed around the north, east and south perimeters.

Staff recommends that all proposed perimeter screen walls adjacent to the right-of-way or residentially zoned property shall be painted or constructed of graffiti-resistant material. Walls that are 75 feet or greater in length shall vary and include landscaping to break wall expanses. Trees that are planted to break wall expanses are to be placed no more than 25 feet apart.

Staff recommends that dimensioned, color elevation drawings be submitted with the tentative plat to demonstrate that buildings will be visually interesting and compatible with the surrounding neighborhood. In addition, all exterior mechanical equipment shall be screened from view from adjacent development and street frontages, and architecturally integrated into the overall design of the development.

Drainage/Grading/Vegetation – The Design Compatibility Report (DCR) indicates that a Drainage Report and Addendum was approved on July 18, 2007. The drainage solution will utilize a combination of street flow and underground pipe. Runoff flows are captured in a detention basin at the western side of the development then exit the basin at the northwestern corner of the site, passing through a pair of existing storm drain pipes that cross under South Sarnoff Drive, and feed into a drainage swale, west of Sarnoff.

The applicant proposes a significant amount of landscaping along Sarnoff Drive and in front of the units. This includes the planting of 15-gallon and 24-inch box trees in addition to shrubs and ground coverings. The PDP also shows trees planted at the guest parking areas in order to provide adequate shade and reduce the urban heat island effect. Water harvesting is also proposed with the project, which includes depressing landscaped areas and utilizing grey water from washing machines to irrigate the private patio areas.

Road Improvements/Vehicular Access/Circulation – Access to the RCP is provided from Sarnoff Drive. If necessary, a Traffic Impact Analysis may be required during review of the tentative plat to address proposed impacts from the development and potential public improvements along Sarnoff Drive. Pedestrian access and circulation within the development appear to be adequate.

The PDP shows that 90-gallon automated plastic containers (APC) will be wheeled out to Whirlaway Lane for collection service. The distance for rolling out these containers for some units will be over 125 feet. On collection day there will be as many as 60 (2 per lot) APC's placed out along the sidewalk. Each container will require an area of 5.5 feet by 3 feet of curbside/sidewalk space. This requirement will need to be demonstrated on the tentative plat. As an option, the Department of Environmental Services suggest that in lieu of bringing all the containers to their designated areas, the development could provide two areas for on site dumpster collections, one for recycle and one for refuse.

Development Criteria - LUC Section 3.6.1.4.3. When the RCP site area is five (5) acres or less, architectural design of the proposed RCP shall conform to at least six (6) of the purpose and intent statements as stated in Sec. 3.6.1.1, conform with Development Standard 2-10.3.2.C and must be compatible with, or complementary to, the design characteristics of those existing single-family detached or attached structures along the same block frontage and the block frontage across the street. If the RCP is proposed on a corner lot, then its design will also be compatible with, or complementary to, the design characteristics of existing residential development on the opposite lot corners. Architectural compatibility will be in compliance with design criteria in applicable adopted neighborhood or area plans. (Ord. No. 10334, §1, 10/24/06)

Following each criterion, in italics, are the applicant's response regarding compliance.

3.6.1.1 Purpose. The purpose of the Residential Cluster Project (RCP) is to provide greater flexibility and creativity in the design of clustered residential development by:

- A. Providing incentives to achieve community goals, such as historic and archaeological preservation, preservation of natural vegetation, barrier-free housing, development within low-income areas, and in-fill housing projects;

*Comment: Triple Crown Villas is intended to be a high quality in-fill development project. The proposed landscaping, indicative of the Tucson desert climate, will incorporate water harvesting through the use of grey water and planting of low-water use plants and trees. The development is also designed with accessibility to the front and rear of the units via walkway or private street.*

- B. Maintaining consistency with the goals and objectives of the *General Plan*;

*Comment: General Plan policies encourage new residential development that contribute to the visual character of the neighborhood and promote neighborhood identity. This development is surrounded by ranch-style homes to the north, Spanish style apartments to the east and a variation of commercial buildings to the south. The proposed Spanish architectural style, with varied rooflines and its transition in height, appears to also incorporate some of the design elements from the adjacent structures. Utilizing similar elements and providing some transition complements the existing neighborhood.*

- C. Providing incentives for design and development of low- and moderately-priced housing;

*Comment: The proposed cost of the town homes is not clearly stated in the DCR, however, the applicant indicates that Triple Crown Villas will provide a moderately priced alternative as compared to other higher end new single-family housing projects.*

- D. Consolidating open space;

*Comment: The open space is consolidated into three primary areas. Common Area B contains the drainage basin, a meandering walkway and the entry access areas of units 1-6. Common Area C contains a meandering walkway and entry access for units 7-18. Common Area D contains the recreation area, the meandering walkway, and entry access areas for units 19-28.*

- E. Efficiently using land and public facilities by means of a more economical arrangement of buildings, circulation systems, land uses, and utilities;

Comment: *The circulation system is oriented to encourage pedestrian use and neighbor interaction by placing the entrances to each unit on the side of the building which is opposite from the garages. Access to each entrance is provided by a common walkway for multiple units. Also, each unit has a patio area near the entrance which is separated from the common area by a low wall. This will also encourage neighbor interaction while at the same time providing privacy.*

- F. Preserving to the greatest extent possible existing landscape features and amenities, such as significant topography, protected peaks and ridges, natural vegetation, and floodplains, and integrating such features with structures and other improvements;

Comment: *The site is flat and generally slopes from east to west. The landscape plan was reviewed by staff during the previous submittal process and was approved on November 11, 2006. The Viable Plant Quantity for the site is only 8 plants and 4 of those will be transplanted onsite and the other 4 will be mitigated by planting new plants.*

- G. Providing usable and suitably located recreation facilities and other public and common facilities;

Comment: *Pedestrian access to each unit is through a meandering common walkway. There is a recreation area centrally located that will have a large artificial turf putting green, picnic tables, benches and a children's play area. A recreation area is also provided along Sarnoff Drive within the proposed basin.*

- H. Coordinating architectural styles, building forms, and building relationships within the development and with surrounding land development; and

Comment: *This development incorporates some of the design elements from the adjacent structures. The varied rooflines, materials and style used in this project are elements that exist around the development. The proposed Spanish architectural style will complement the surrounding buildings.*

- I. Encouraging high-quality development within the city.

Comment: *The site has remained vacant for many years in a location compacted between existing single-family and multi-family residential, and commercial. Triple Crown Villas will be a high quality development that will be compatible with the variety of existing uses and structures that are adjacent to it.*

Staff comment: *The special exception request conforms to the "purpose and intent statements".*

**Conclusion** – The special exception request for an RCP comprised of 30 single-family units can be supported and is in general compliance with applicable policy and the intent of the *General Plan*, the *Pantano East Area Plan*, and the purpose and intent statements for RCPs. The overall design is compatible with the surrounding neighborhood and provides adequate buffering from adjacent uses. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

s:/special exception/2008/se-08-37 sr.doc

## Preliminary Conditions

PROCEDURAL

1. A subdivision plat in substantial compliance with the preliminary development plan dated September 4, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1 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 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. “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.

LAND USE COMPATABILITY

8. All exterior mechanical equipment shall be screened from view from adjacent development and street frontages, and architecturally integrated into the overall design of the development.
9. Side and rear building facades adjacent to public right-of-way and residentially zoned property shall be built with attention to architectural character and detail comparable to the front façade. Consistent design treatment, including but not limited to color palette, rooflines, signs, and trim materials shall be provided with the tentative plat submittal.
10. No two units of the same kind or color shall be placed next to one another.
11. Structure wall heights shall be no greater than 17 feet along the northern and southern edges of the site, and no structures will exceed 24 feet in height.
12. Six-foot-high masonry walls will be placed along the northern and southern edges of the site.

### Preliminary Conditions

13. Recreation areas and retention basins shall incorporate elements of usable open space and active/passive recreational space and those pedestrian facilities will be accessible to the handicapped. These areas will be made ADA accessible with a minimum five- (5)-foot-wide path constructed of either stabilized DG, asphalt, or textured concrete.
14. Patio walls abutting recreation areas will incorporate safe-by-design concepts by placing the “eyes on the community.” Patio wall for units abutting recreation areas will meet the following criteria: the masonry portion of the wall will not exceed four (4) feet, eight (8) inches in height, except for pillars, with one (1) foot, six (6) inch wrought iron or other similar open fencing materials on top.
15. 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.
16. Any continuous screen wall greater than 75 feet in length and 3 feet in height and visible from a public right-of-way or existing residential development shall have a varied wall alignment (jog, curve, notch, setback, etc.).
17. Six (6) inch wide fence block or greater shall be used for perimeter walls.

### DRAINAGE/GRADING/VEGETATION

18. Any proposed retaining walls that face the right-of-way or can be viewed from other properties shall be constructed of, or painted with, graffiti-resistant materials. These retaining walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials.
19. 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.
20. To increase the usability of the recreation areas, provide a wide range of shade trees from the Low Water Use Drought Tolerant List. To increase appearance, shade, and longevity diversity, provide an appropriate amount of longer living and diverse shade producing trees, including evergreens that are in the Low Water use Drought Tolerant List. Do not locate any vegetation that has thorns at maturation in the recreation area.
21. 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

## Preliminary Conditions

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:

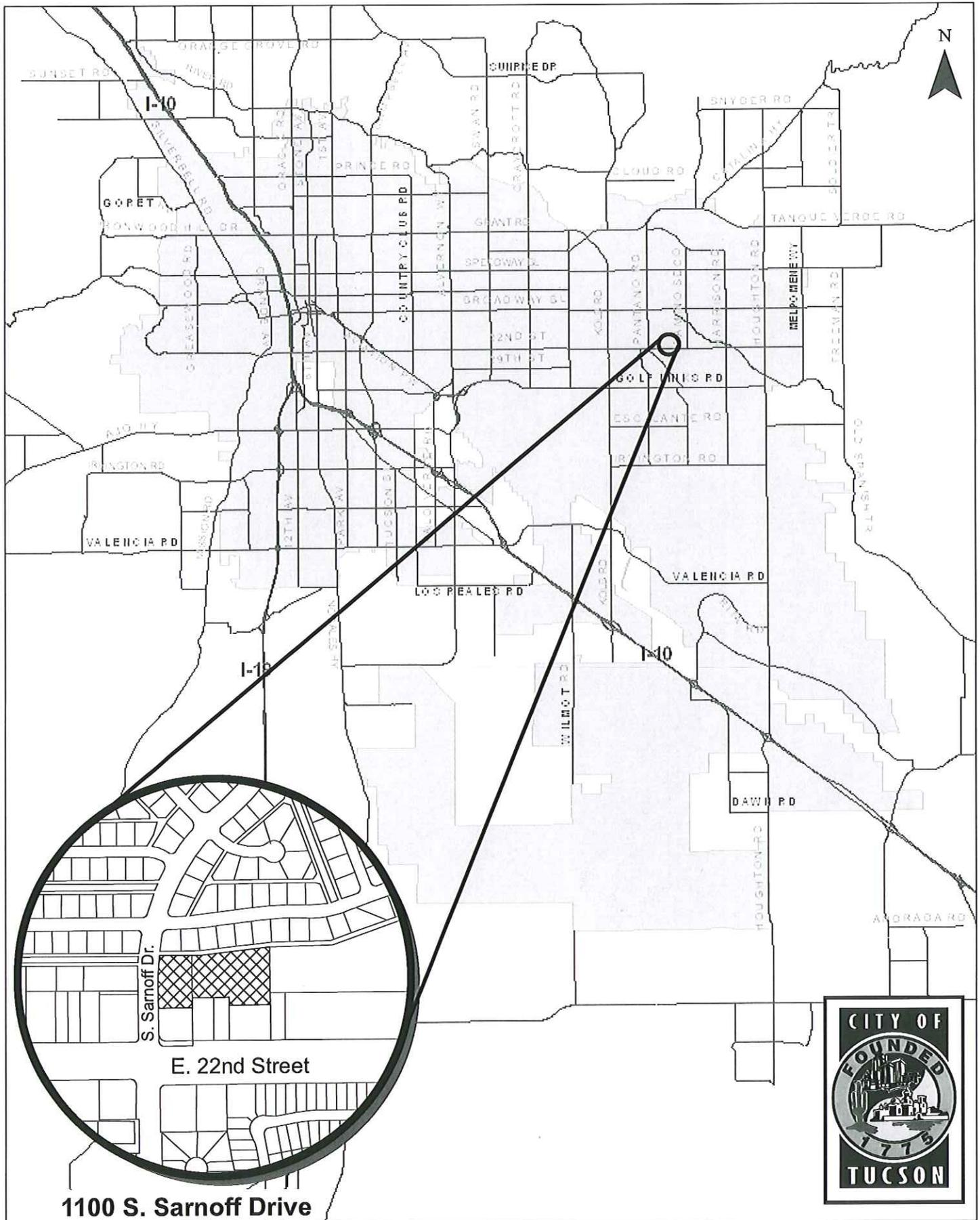
<<http://dot.ci.tucson.az.us/stormwater/>>.

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

22. Access onto the north adjacent alleyway at the northeast corner of the development shall be an emergency exit only with a security gate.

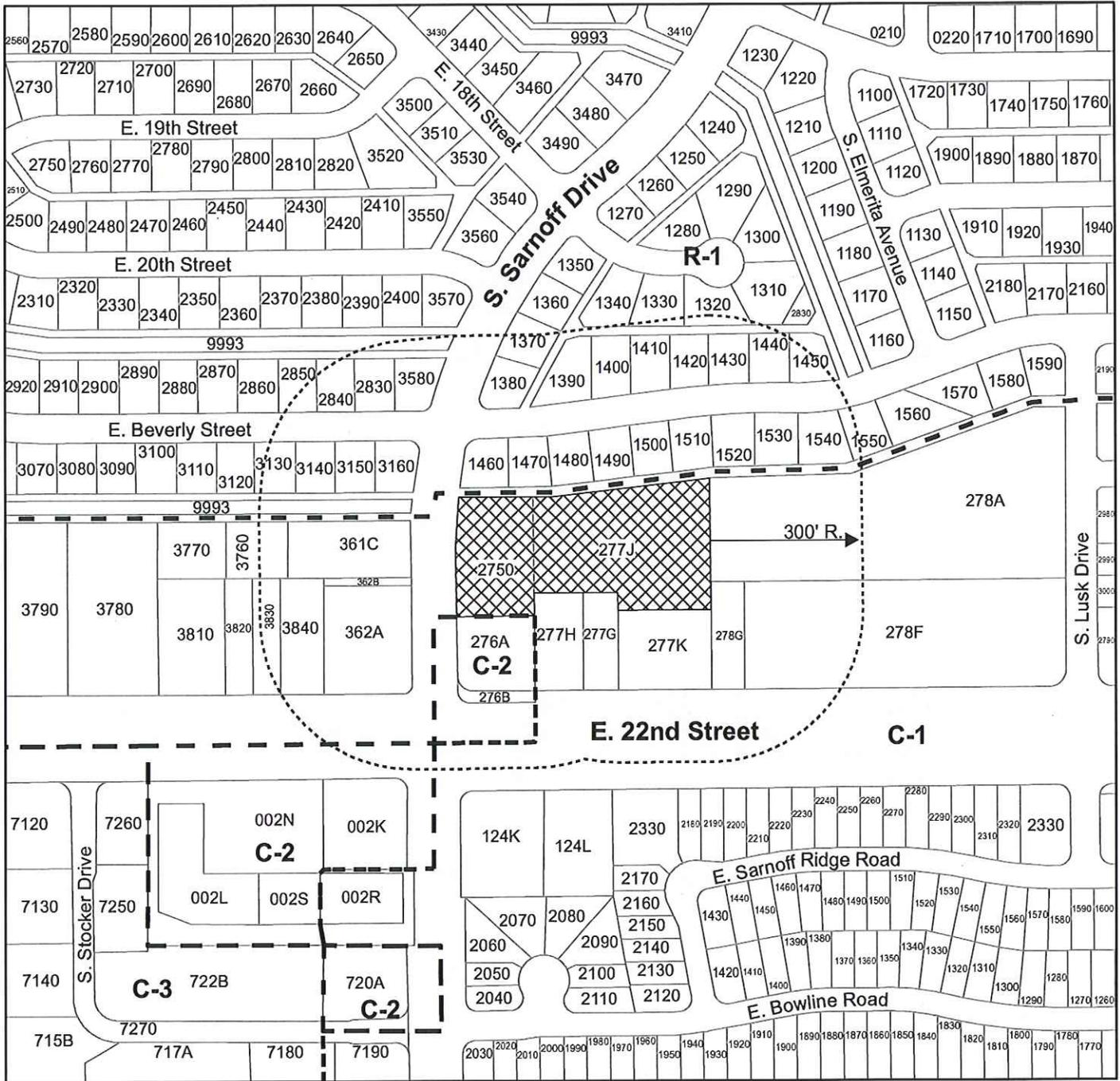
# SE-08-37 Triple Crown Villas – Sarnoff Drive



**1100 S. Sarnoff Drive**

# SE-08-37 Triple Crown Villas - Sarnoff Drive

## Special Exception - Full Notice Procedure



0 150 300  
Feet  
1 inch = 300 feet

- Area of Special Exception Request
- C-1** Zoning of Requested Area
- Notification Area (300 foot radius)
- Zone Boundaries

Neighborhood, Area Plan(s): Pantano East Area Plan  
 Address: 1100 S. Sarnoff Drive  
 Base Maps: Sec.16 T.14 R.15  
 Ward: 2





**SE-08-37 Triple Crown Villas - Sarnoff Drive**  
October 2008 Aerial