



MEMORANDUM

DATE: May 10, 2017
For May 25, 2017 Hearing

TO: Jim Mazzocco
Zoning Examiner

FROM: Lynne Birkinbine *Lynne Birkinbine*
Planning & Development Services
Deputy Director

SUBJECT: REZONING
PLANNING & DEVELOPMENT SERVICES REPORT
C9-16-11 Brake Masters – Speedway Boulevard
C-1 to C-2 (Ward 1)

Issue – This is a request by Jim Egan, on behalf of the property owners, LDR – Silverbell, LLC, to rezone approximately 0.37 acres from C-1 to C-2 zoning. The rezoning site is a vacant lot within a regional shopping center located at the northeast corner of Silverbell Road and Speedway Boulevard (see Case Location Map). The preliminary development plan proposes an automotive minor service and repair land use within a 3,820 square foot single-story building with a height of thirty (30) feet, and to provide six tandem automotive service bays.

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

Background Information

Existing Land Use: vacant

Zoning Descriptions:

C-1: This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and other related uses shall be permitted.

C-2: This zone provides for general commercial uses that serve the community and region. Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned C-1; Regional shopping center

South: Zoned C-1 & R-1; commercial and single family residential development

East: Zoned C-1; vacant lot & Silvercroft Wash

West: Zoned C-1; Regional shopping center

Previous Cases on the Property:

C9-68-18 Darn – Silverbell Road, R-1 to B-1 (C-1), Albertson’s at El Rio Plaza, C-1. This was rezoning request C9-68-18, to allow a regional commercial center under subdivision block plat, S98-066, recorded in Book 53 Page 41. Rezoning case C9-68-18, was approved by Mayor and Council on September 9, 1968, and amended on May 17, 1982. All conditions have been met by recordation of a replat under Albertson’s at El Rio Plaza final plat, Book. 65 Page 23 M&P.

Related Cases:

C9-94-03 Grant/Silverbell Partners – Silverbell Road C-1 to C-2

East side of Silverbell Road, approximately 500 south of Grant Road, to allow an eight bay 4,813 square-foot building for a minor automotive service center on 0.54 acre site. On December 7, 2000, a building permit was issued, effectuating the rezoning

C9-15-05 Brake Masters – Houghton Town Center, C-1 to I-2

The rezoning site is located in the interior of Houghton Town Center, a developing regional shopping center at the southwest corner of Houghton Road and Old Vail Road. The preliminary development plan proposes a 5,000 square foot eight bay automotive service center on a 0.4 acre site. On November 17, 2015, Mayor and Council adopted Ordinance 11321

Applicant’s Request – Brake Masters retail service center, an Automotive - Major Service and Repair land use, permitted in the C-2 commercial zone.

Planning Considerations – Land use policy direction for this area is provided by the *Santa Cruz Area Plan* and *Plan Tucson*.

Plan Tucson identifies the rezoning site as part of an existing neighborhood as shown on the Future Growth Scenario Map. A goal of *Plan Tucson* applicable to the existing neighborhood category is to maintain the character of the neighborhoods, while accommodating new development to encourage reinvestment and amenities that contribute to the community and further stabilize the neighborhood. *Plan Tucson* policy calls to preserve the distinct physical character and identity of individual neighborhoods and commercial districts in the community and supports community commercial uses located at the intersections of arterial streets, taking into consideration traffic safety and congestion issues.

The *Santa Cruz Area Plan* Policy direction calls for new and existing neighborhoods to include related commercial services with specific locations decided on a case-by-case basis according to overall plan policies and depending on specific market conditions. Specific policy direction is provide by Key Parcel 10 which states that locally oriented commercial uses should be provided and focused at the arterial intersection of Speedway Boulevard and Silverbell Road.

The abutting streets are Speedway Boulevard and Silverbell Road, both identified as arterial streets on the *Major Streets and Routes Plan* map. Speedway Boulevard is identified with a 120

foot cross section on the *Major Streets and Routes Plan* standards. Field inspection by staff indicates there are currently no billboards on the rezoning site.

The rezoning site is a 0.37 acre site recorded in the Albertson's at El Rio Plaza as lot 4, a regional shopping center located at the northeast corner of Speedway Boulevard and Silverbell Road. The rezoning lot fronts Speedway Boulevard zoned C-1 commercial. The proposal includes a 3,820 square foot six bay automotive service building at a maximum height of thirty (30) feet. The rezoning site is triangular in shape due to the natural course of the Silvercroft Wash which abuts the rezoning lot along the east perimeter. The shape of the lot limits site design options and the applicant has revised the building and parking orientation in an effort to improve the site design layout.

Design Considerations: - The applicant held the required neighborhood meeting on August 29, 2016. The Barrio Hollywood Neighborhood Association provided staff with a letter of opposition dated October 7, 2016. In response, the applicant provided staff with a letter dated November 28, 2016 requesting staff to pause the rezoning process to allow additional time to meet with neighborhood groups to better understand neighborhood concerns. The applicant held a second follow-up neighborhood meeting with Barrio Hollywood Neighborhood Association on February 7, 2017, issues focused on storage and removal of hazardous waste generated by Brake Masters and what impact will the traffic generated by the rezoning site have on the level of service (traffic volume) on the adjacent arterial intersection, Speedway and Silverbell. Minutes indicate the applicant addressed issues related to the hazardous waste removal and stated a contract provider will be on call, on regular bases as needed to remove the waste. Applicant also provided information showing they are in contract with a traffic consultant and the scope of service to be completed.

Land Use Compatibility – The rezoning site is within a regional shopping center anchored by the Albertson's Store, a general merchandise sale land use with approximately 60,000 square foot of building area. The rezoning site is the only undeveloped lot within the regional shopping center. The rezoning site has 16,095 square feet (0.37-acres) of land area and is triangular in shape as it abuts Silvercroft Wash. Site configuration limits potential site design. The revised Preliminary Development Plan, (PDP), dated November 1, 2016, provides a building with 3,820 square feet, a height of twenty-two (22) feet for the auto service area and a height of thirty (30) feet for the customer/office area. There will be eleven (11) on-site parking spaces and six automotive service bays in tandem design. The applicant stated the tandem design allows bay doors to be open on both ends and help reduce noise from automotive impact tools and equipment, since there is no back wall that can bounce noise around. To improve on-site vehicle circulation and traffic safety three service bays are oriented with bay doors on the south façade of the building (Speedway Boulevard frontage), and three service bays are oriented with bay doors on the north façade of the building, in tandem design. Proposed future service bay doors will not front the existing Parking Area Access Lane (PAAL) located along the west property line and will allow vehicles to exit the site without backing out into on-site traffic of other businesses within the shopping center. The site was previously mass-graded, more likely during the installation of the infrastructure for the

overall shopping center improvements. Since then vegetation including some trees have matured on-site. The applicant has provided an inventory of trees, specifically the mature trees along the northeast and south perimeters of the rezoning site. The PDP dated November 1, 2016, shows eight (8) on-site trees will be preserved in place and incorporated into the landscape plan. Six (6) on-site trees will be relocated due to conflict with proposed building footprint, parking spaces and dumpster location. Trees to remain in place will greatly enhance screening along the northeast property line and the southeast corner of the rezoning site from the El Rio Golf Course to the east and the residential neighborhood located southeast across Speedway Boulevard. The PDP indicates required landscape along the south perimeter abutting Speedway Boulevard right-of-way will encroach five (5) feet into the right-of-way. The Department of Transportation Real Estate Division is requesting the applicant/owner be responsible for the maintenance of such landscaped areas in the right-of-way.

Community Commercial – *Plan Tucson* and the *Santa Cruz Area Plan* both support commercial land uses at arterial intersections, subject to compatibility. All proposed land uses are considered on a case by case study to determine compatibility and scale of land use with surrounding zones and land uses. The proposed rezoning site is within an established shopping center recorded as Albertson's at El Rio Plaza, built-out with the exception of two buildable pads, one being the rezoning site, (lot 4) which fronts Speedway Boulevard.

The proposed automotive land use would be one of two parcels located along the Silverbell Road commercial corridor to offer a C-2 commercial zone, a community commercial level type of service to area residents. Land use in the area include low to medium density residential neighborhoods along the Santa Cruz basin and suburban low-density neighborhoods to the west in the Tucson Mountain region, which extends from downtown Tucson north five (5) miles to the Town of Marana. At the present time, from downtown Tucson to Marana town limits, there is one parcel within this five (5) mile stretch of the Silverbell Road corridor with C-2 community commercial zone to provide community commercial land use services. The typical street (grid) pattern found in other parts of the City is a challenge for this area because of the Tucson Mountain Foothills on the west and the Santa Cruz River floodplain basin on the east. Being the only north south oriented arterial street west of Interstate-10, Silverbell Road follows the edge of the foothills and runs parallel with the Santa Cruz River and other than Interstate-10 traffic, handles all south and north bound arterial traffic west of the Santa Cruz River. North of Speedway Boulevard along Silverbell Road there are only two arterial intersections, Grant Road and El Camino Del Cerro with slight opportunities at these intersections where business can be established to offer community or regional commercial land uses. To date, only one property along this stretch of the Silverbell Road, which is located at 2240 N. Silverbell Road has C-2 commercial zone and is developed with a Brake Max, an allowed Commercial Land Use Group, under the Automotive -Major Service and Repair land use (a comparable land use to the applicant's request at the proposed rezoning site).

Pedestrian Access/Circulation – A pedestrian trail along the Silvercroft Wash is in place. As part of the Silvercroft Wash trail, the regional shopping center has a pedestrian path that partially

follows the west bank of Silvercroft Wash and at a location approximately three hundred (300) feet north of the rezoning site the path is routed west toward the interior of the shopping center and extends south within the shopping center and connects to the Speedway Boulevard public sidewalk. The rezoning site will provide a pedestrian path from the auto service building to the Speedway Boulevard public sidewalk. If the rezoning is successful, the site will be required to be in compliance with *Unified Development Code* requirements and Mayor and Council approved conditions of the rezoning at the time of a development package review.

Vehicular Access/Circulation – Access to the rezoning site is from Speedway Boulevard provided by a PAAL, which abuts and is partially located within the whole length of the west property line of the rezoning site. This PAAL is part of the shopping center on-site traffic circulation system and has thirty one (31) feet in width for two-way traffic, as shown on the revise PDP dated November 1, 2017. Since the rezoning site is triangular in shape making it more difficult to fit on-site improvements, staff recommends the applicant provide within the rezoning site vehicular maneuverability and/or turn-around areas which do not require vehicles backing out onto the adjacent PAAL. The adjacent PAAL has a bend just north of the rezoning site and sight visibility of oncoming traffic is low. The rezoning site design should take into account how to protect and provide safe access to and from the rezoning site within the shopping center complex.

Zoning – The PDP shows a lot with 16,078 square feet of land area and a building with a height of twenty two (22) feet in the auto service bay area and thirty (30) in the office/customer area, eleven (11) on-site parking spaces, perimeter landscape borders on the south and east edges, and dumpster at the northwest corner of the rezoning site. The layout of the floor plan shows six back to back, auto service bays with three service bay doors facing south and three service bay doors facing north. Access will be provided from the adjacent PAAL located in the west perimeter of the rezoning site. The mass and scale of the proposed building is shown with a maximum height of thirty (30) feet, which is compatible with existing standalone buildings fronting Speedway Boulevard and within the shopping center. A Traffic Impact Analysis (TIA) has been completed and the conclusion of the TIA is that based on the analysis conducted the proposed automobile care center development is not expected to have an adverse impact on the signalized intersection's Level of Service. The intersection at Speedway Boulevard and Silver bell Road has sufficient capacity to accommodate the expected number of trips, (9 in the AM and 12 in the PM peak hours) that are expected to be generated by the proposed rezoning site development.

The minimum zoning required for an automotive service center is C-2. Rezoning the C-1 portion of the development site to C-2 would allow the area to include some community level commercial services for residential neighborhoods located along and west of the Silver bell Road commercial corridor. Community commercial land uses are more intense and need to be mitigated when adjacent to less intense land uses. Mitigation may include hours of operations, buffering and screening, and noise impacts minimized through site design. Staff supports C-2 zoning for the rezoning site, subject to site design and compatibility with adjacent land uses and area residential

development. The nearest residential neighborhood is located south across Speedway Boulevard at a distance of approximately two hundred and twenty (220) feet.

Conclusion – The proposed development is in compliance with the *Santa Cruz Area Plan* and *Plan Tucson* and is consistent with development support at the northeast corner of Speedway Boulevard and Silverbell Road, an arterial intersection and within an existing regional functioning commercial center. Subject to compliance with the attached preliminary conditions, approval of the requested C-2 zoning is appropriate.

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated November 1, 2016, and the design compatibility report dated September 14, 2016, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
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". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. 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. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

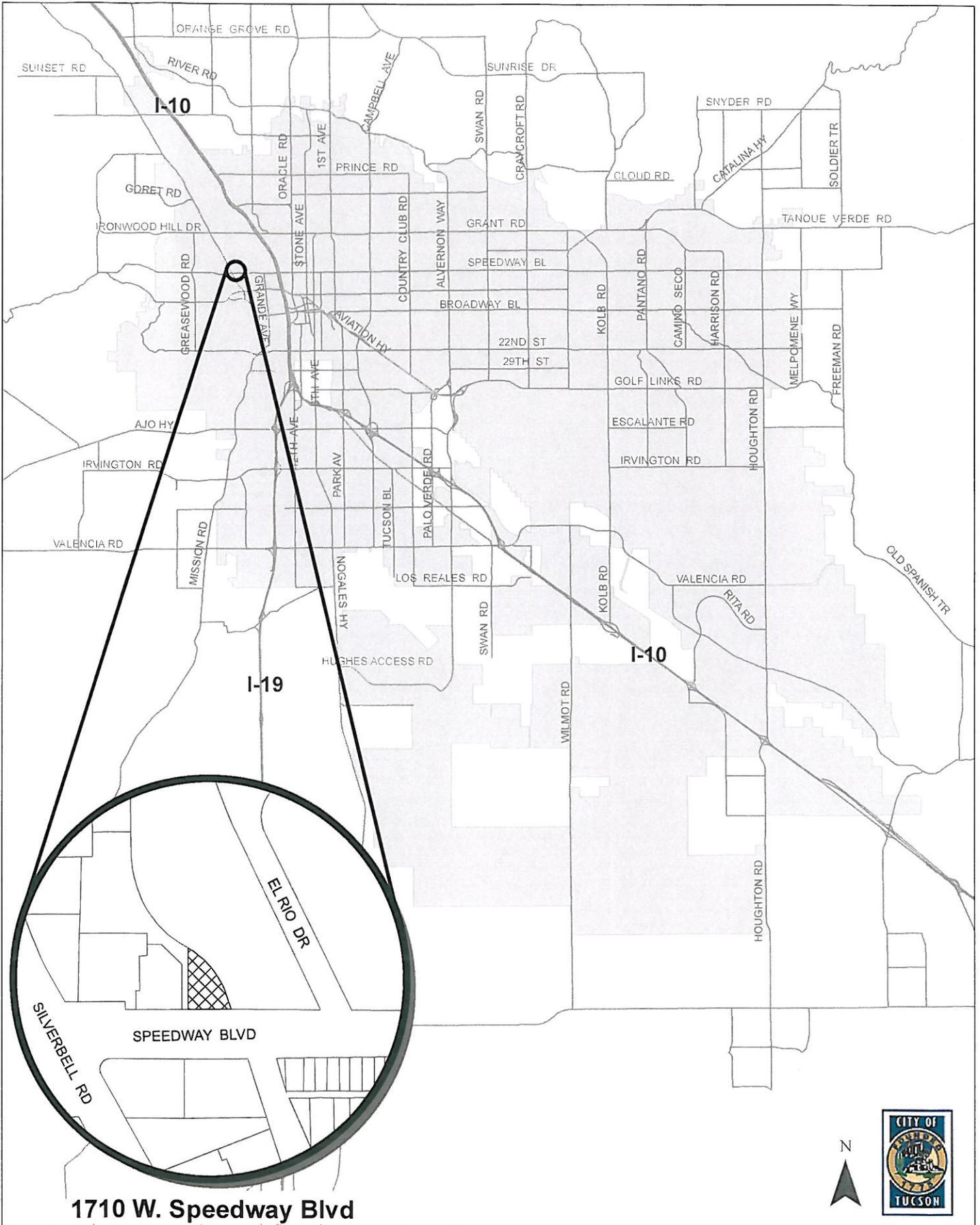
LAND USE COMPATIBILITY

6. Limited to six (6) north-south oriented service bays. On-site vehicles shall not back-out onto the PAAL located on the west property line.
7. All walls visible from a public right-of-way and/or adjacent to residentially zoned property, 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.
8. Building shall not exceed thirty (30) feet height, including architectural features.
9. Graffiti shall be removed within seventy-two (72) hours of discovery.

DRAINAGE/VEGETATION/BUFFERS

10. Per preliminary development plan, dated November 1, 2016, the eight identified trees shall be preserved in place and protected during the construction phase of development.
11. Development package to include; depress all landscape areas twelve (12") inches and route all hard scape surfaces to these areas.

C9-16-11 Brake Masters - Speedway Boulevard

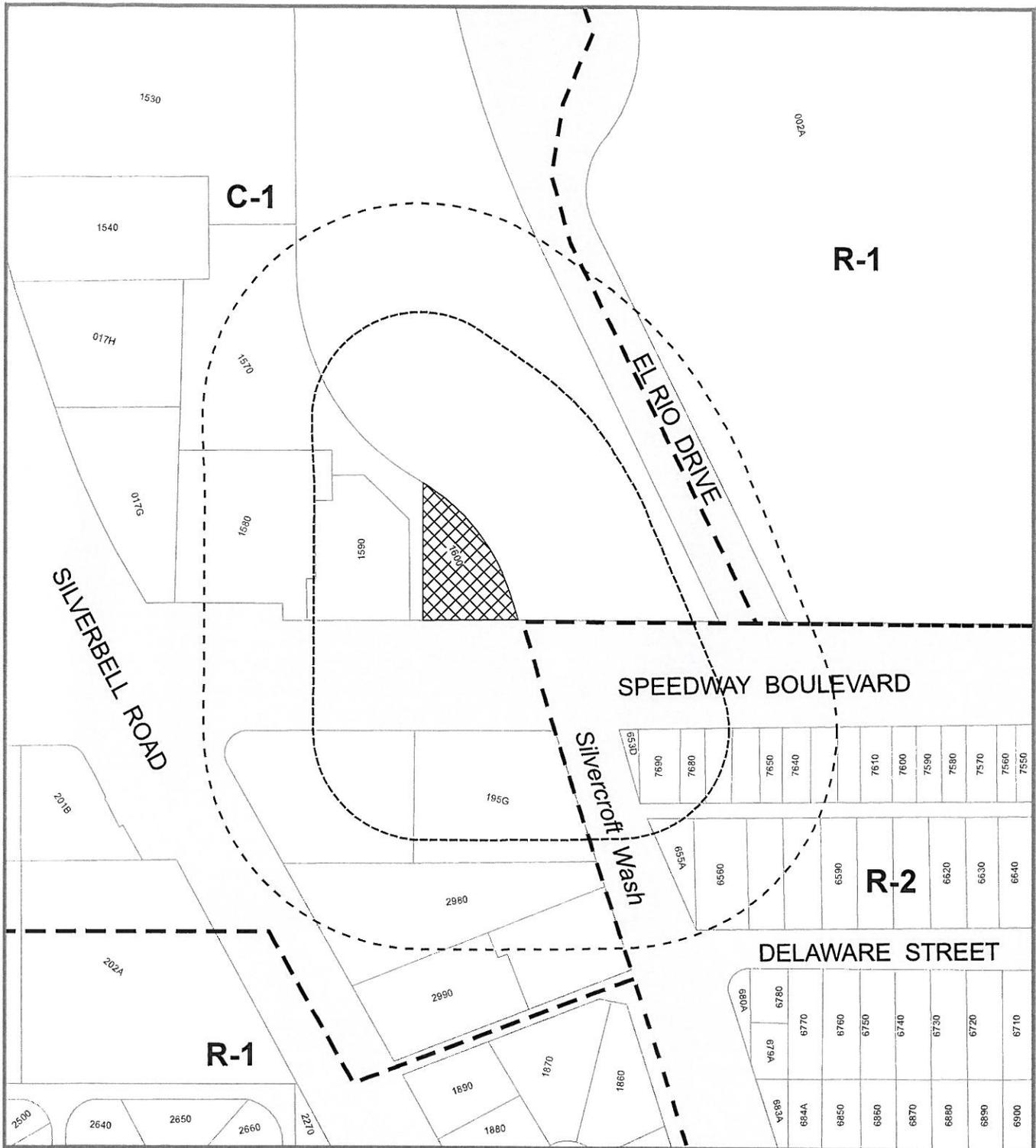


1710 W. Speedway Blvd



C9-16-11 Brake Masters - Speedway Boulevard

Rezoning Request: from C-1 to C-2



Area of Rezoning Request



150' Protest Area



300' Notification Area



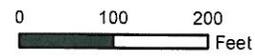
Zone Boundaries



Address: 1710 W. Speedway Boulevard

Base Maps: Sec.03 T.14 R.13

Ward: 1



1 inch = 200 feet





C9-16-11 Brake Masters - Speedway Boulevard
2016 Aerial

0 100 200
Feet
1 inch = 200 feet



PUBLIC FACILITIES AND SERVICES REPORT FOR May 25, 2017
(as of May 1, 2017)

C9-16-11 Brake Masters – Speedway Boulevard, C-1 to C-2 Zone

CITY AGENCIES

Planning & Development Services – Community Planning: See attached comments dated 11/15/16
Planning & Development Services – Engineering: See attached comments dated 11/18/16
Tucson Water New Development Section: See attached comments dated 10/20/16.
Transportation – Engineering Review: See attached comments dated 10/19/16
Transportation – Landscape Section: See attached comments dated 11/09/16
City of Tucson, Real Estate Program: See attached comments dated 11/15/16
Environmental Services: See attached comments dated 10/07/16

No Objections Noted

Office of Conservation & Sustainable Development
Planning & Development Services – Landscape Section
Tucson Fire Department
Community Services – Historic Preservation Officer
Tucson Police Department
City of Tucson, Parks and Recreation
Transportation – Regional Traffic Engineering:
Planning and Development Services – Signs Section

NON-CITY AGENCIES

Tucson Electric Power Company: See attached comments dated 10/10/16
PAG-TPD: See attached comments dated 11/10/16
Arizona Department of Transportation: See attached comments dated 10/21/16
Pima County Development Services, Planning Division: See attached comments dated 10/07/16
Pima County Development Services, Addressing Section: See attached comments dated 11/09/16
Pima County Wastewater: See attached comments dated 10/20/16

No Objections Noted

Tucson Unified School District
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, May 10, 2017 at
<http://www.tucsonaz.gov/PRO/pro/devactionsrch.jsp>



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: C9-16-11 Brake Masters – Speedway Boulevard, C-1 to C-2
Ward 1**

I/We the undersigned property owners, wish to

- APPROVE the proposed rezoning.
 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 ^{mp}
Planning and Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

msp
C9-16-11

Expose this flap - Affix stamp and return



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

msp
C9-16-11
IMPORTANT REZONING NOTICE ENCLOSED