



MEMORANDUM

DATE: March 14, 2014

A handwritten signature in blue ink, appearing to be "CL", located to the right of the date.

TO: Linus Kafka
Zoning Examiner

FROM: Carolyn Laurie
Lead Planner

SUBJECT: C9-13-14 InSite – Grant Road, RX-2 to C-1 (Ward 2)

Please find attached the following items:

1. Email request from Frank Bangs, requesting possible time compression.
2. Additional emails and documentation associated with the request to strike Condition No. 22.
3. Posting information submitted on March 12, 2014.

Glenn:

My client appreciates that the Zoning Examiner, with the concurrence of you and Carolyn, has set a "special" date of March 27 for a rehearing in this case to remove any possibility of a challenge to the posted notice.

I've looked at the time periods set out in the UDC for the Examiner's actions prior to consideration by Mayor and Council, and I believe the UDC permits some compression of that time, assuming the Examiner, staff and Mayor and Council were willing to take advantage of that ability.

Specifically, under the UDC provisions governing the time periods for the Examiner's preliminary and recommendations, the Examiner's preliminary findings and recommendation are to be issued "within five days after the close of the hearing," UDC Sec. 3.5.3.I.b. He could theoretically do that on Friday, March 28. There follows a five-day period to allow for a request for reconsideration, UDC Sec. 3.5.3.I.c. The Examiner's final recommendation is issued " . . . within 14 days following the close of the public hearing or the re-opened public hearing," UDC Sec. 3.5.3.I.d. Allowing five days for a request for reconsideration (and not counting the intervening Saturday and Sunday, UDC Sec. 11.4.5), the Examiner could issue his final report on Monday, April 7 as long as there was no request for reconsideration.

According to the schedule posted by the City Clerk, there are two scheduled Mayor and Council meetings in April: Tuesday, April 8, and Wednesday, April 23. With staff and Ward 2 support, it's possible that we could get on the April 23 agenda, 12 business days after the Examiner issues his final recommendation.

If, as I believe it's reasonable to assume, there is no new testimony presented at the March 27 rehearing as the result of the additional posted notice, then the Examiner's findings and recommendations based on the March 6 hearing, and any revisions to the staff report and conditions for purpose of the Manager's communication could be prepared over the next 10 business days.

If PDSO and the Examiner support this approach, we will immediately contact Ward 2. Councilmember Cunningham has expressed his support for this redevelopment/infill project, and we have every reason to believe that he will be pleased to learn how the McCaleb and memorial issues have been resolved. Let me know what you think.

Frank

Frank S. Bangs, Jr.
Lazarus, Silvyn & Bangs, P.C.
4733 E Camp Lowell Drive
Tucson, AZ 85712
520-207-4464 (p)
520-300-9662 (f)
fbangs@lsblandlaw.com<<mailto:fbangs@lsblandlaw.com>>

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From: Carolyn Laurie
To: Eric Uebelhor; Frank Bangs
CC: Glenn Moyer; jphunt@cypresscivil.com; Piroshka Glinsky
Date: 3/12/2014 5:21 PM
Subject: Re: C9-13-14, InSite -- Grant Road; 4/23 Mayor and Council Consideration

Eric,

Staff believes the April 23rd Council request is doable. However, all parties would also need to be in agreement and the required 207 Waiver would need to be submitted by the fee title property owner prior to Mayor and Council meeting.

The Zoning Examiner would also need to be amenable to the request. A request along these lines has not been made during my time with the City. This email chain will be sent to the Zoning Examiner for his review and consideration, and, added to the case record.

Concerning the 207 Waiver, staff will require proper documentation on 4/16/2014 (the day after the closing date referenced in the 3rd amendment to the purchase contract) for the Prop 207 waiver in order for the case to proceed on to the April 23rd agenda. InSite shall provide proof that the closing has occurred and the deed recorded on or near that date is to reflect ownership documentation. Should InSite not be able to produce these documents the rezoning case will not move forward as scheduled, and be agendized for the next Mayor and Council date.

Should PDSD receive 207 waivers from both partes, the current owner and InSite, we can proceed without any of the abovementioned concerns. IF the ZE agrees with his report turn around. Again, PDSD can not speak for him.

Sincerely,

Carolyn Laurie
Lead Planner
Planning & Development Services
City of Tucson
Carolyn.Laurie@tucsonaz.gov
520.837.4953

>>> Eric Uebelhor <EUebelhor@INSITEREALESTATE.com> 03/11/2014 6:47 PM >>>

To echo Frank, we are hopeful that the above outlined schedule can be accommodated. Please let us know how we can help to get ensure we can appear before the Mayor and Council on April 23rd. I've processed our 207 waiver and am working with Carolyn to verify that it's necessary to have a second copy from the current owner which won't be applicable once we close on April 15.

Thank you,

Eric Uebelhor, P.E., LEED AP
Cell: (630) 699-0659
euebelhor@insiterealestate.com<<mailto:euebelhor@insiterealestate.com>>

On Mar 11, 2014, at 6:22 PM, "Frank Bangs"
<fbangs@lsblandlaw.com<<mailto:fbangs@lsblandlaw.com>>> wrote:

From: Zelin Canchola
To: Jeff Hunt
CC: Carolyn Laurie; Chris Leighton; Estevan Tineo; Richard Leigh
Date: 3/11/2014 3:13 PM
Subject: Re: Traffic Statement 6501 E Grant

Jeff, as discussed, TDOT finds the Traffic Statement acceptable. A deceleration lane will not be required.

Zelin
TEAM TDOT

>>> Jeff Hunt <jphunt@cypresscivil.com> 03/11/2014 1:10 PM >>>
Zelin,

Thank you for taking the time to discuss the traffic at 6501 E Grant, Rezoning case C9-13-14. I am resubmitting the Traffic Statement previously provided for your re-review. As I understand, now that you have had the opportunity to discuss the project further internally, our original Statement may now be valid. Please let me know if you Traffic finds our current letter satisfactory and whether or not a right-turn bay will be required. I have copied Carolyn to keep her in the loop, if you could reply to both of us that would be helpful to me.

Regards,

Jeff Hunt, P.E.

[image: logo 01]

2102 N. Country Club Road #9

Tucson, Arizona 85716

520.261.7440 phone

520.798.3341 fax

25 February 2014

City of Tucson Development Services
201 N Stone Avenue
Tucson, Arizona 85701
Attn: Carolyn Laurie

RE: Traffic at 6501 E Grant Road and Access to Project Site

Dear Carolyn,

The project located at 6501 E Grant Road, DP13-0236, has three (3) existing access points from Grant Road. All existing access points from Grant Road are to be maintained in the developed condition. The speed limit in Grant Road is 45 mph and is a 6-lane arterial roadway.

Per Pima Association of Governments Traffic Volume Database, traffic volume in Grant Road, as measured in 2011, was an average of 53,211 daily vehicle trips (*see page 2*). 27,675 of those trips were in the east direction while 25,536 trips were in the west direction. The 6501 E Grant Road project will be concerned with peak trips in the west direction. AM Peak vehicle trips in the west direction is equal to 1,685. PM Peak vehicle trips in the west direction is equal to 1,805. These values are in line with trending statistics showing stabilization in trip values after a maximum in 2004 (*see page 3*).

In the developed condition, the 6501 E Grant Road project will generate 108 peak vehicle trips in the AM and 132 peak vehicle trips in the PM (*see page 4*). These trips would be distributed evenly coming from the east and west, therefore the peak right-turn trips in the AM is equal to 54 and the peak right-turn trips in the PM is equal to 66. These right-turn vehicle trips will be distributed to the three (3) existing entrances resulting in a peak right-turn trip load of 18 in the AM peak and 22 in the PM peak.

Considering relatively low peak right-turn trip load and the 6-lane nature of the arterial, the 3rd outermost lane is adequate to operate as an acceleration/deceleration lane for the developed project. This is the case for all existing project along the north side of Grant Road in proximity of this project.

Sincerely,
Cypress Civil Development



Jeff Hunt, PE
Principal



PAG TRAFFIC COUNTS

[Map](#)

WELCOME TO PAG TRAFFIC COUNT RECORDS

Street	GRANT RD
Location	WILMOT RD to TANQUE VERDE RD
Year	2011

- | | | | | | |
|-----------------------|-----------------------|-------------------------------|------------------------|-----------------------|-----------------------|
| Day 1 | Day 2 | 2 Day Average | Totals | Graph | Trend |
|-----------------------|-----------------------|-------------------------------|------------------------|-----------------------|-----------------------|

This count was taken on: 10/26/2011 12:00:00 AM

Time	East	West	Time	East	West	Time	East	West	Time	East	West	
00:00	51	39	05:00	30	90	10:00	361	385	15:00	541	451	
00:15	37	48	05:15	40	100	10:15	370	364	15:15	544	454	
00:30	32	48	05:30	52	126	10:30	397	424	15:30	549	466	
00:45	40	34	05:45	82	162	10:45	425	406	15:45	591	448	
01:00	38	48	06:00	122	215	11:00	434	382	16:00	602	437	
01:15	47	37	06:15	144	284	11:15	432	414	16:15	548	431	
01:30	34	30	06:30	174	285	11:30	434	416	16:30	584	421	
01:45	28	16	06:45	191	346	11:45	435	401	16:45	626	394	
02:00	26	12	07:00	252	412	12:00	492	454	17:00	598	416	
02:15	30	20	07:15	283	455	12:15	470	474	17:15	588	380	
02:30	19	24	07:30	330	498	12:30	481	466	17:30	550	388	
02:45	24	16	07:45	340	558	12:45	460	440	17:45	492	342	
03:00	20	18	08:00	344	564	13:00	498	466	18:00	478	346	
03:15	17	16	08:15	320	522	13:15	513	437	18:15	482	314	
03:30	12	14	08:30	322	498	13:30	466	440	18:30	453	290	
03:45	13	25	08:45	313	441	13:45	489	424	18:45	430	295	
04:00	20	40	09:00	312	372	14:00	504	429	19:00	402	263	
04:15	20	60	09:15	326	380	14:15	504	474	19:15	390	242	
04:30	26	62	09:30	342	365	14:30	557	508	19:30	378	223	
04:45	34	80	09:45	359	396	14:45	542	481	19:45	373	240	
										Directional Totals	27675	25536
										Total	53211	
										AM Peak	3478	
										PM Peak	4091	

[Contact Us](#)



PAG TRAFFIC COUNTS

Map

Street GRANT RD

Location WILMOT RD to TANQUE VERDE RD

Year 2011

Day 1

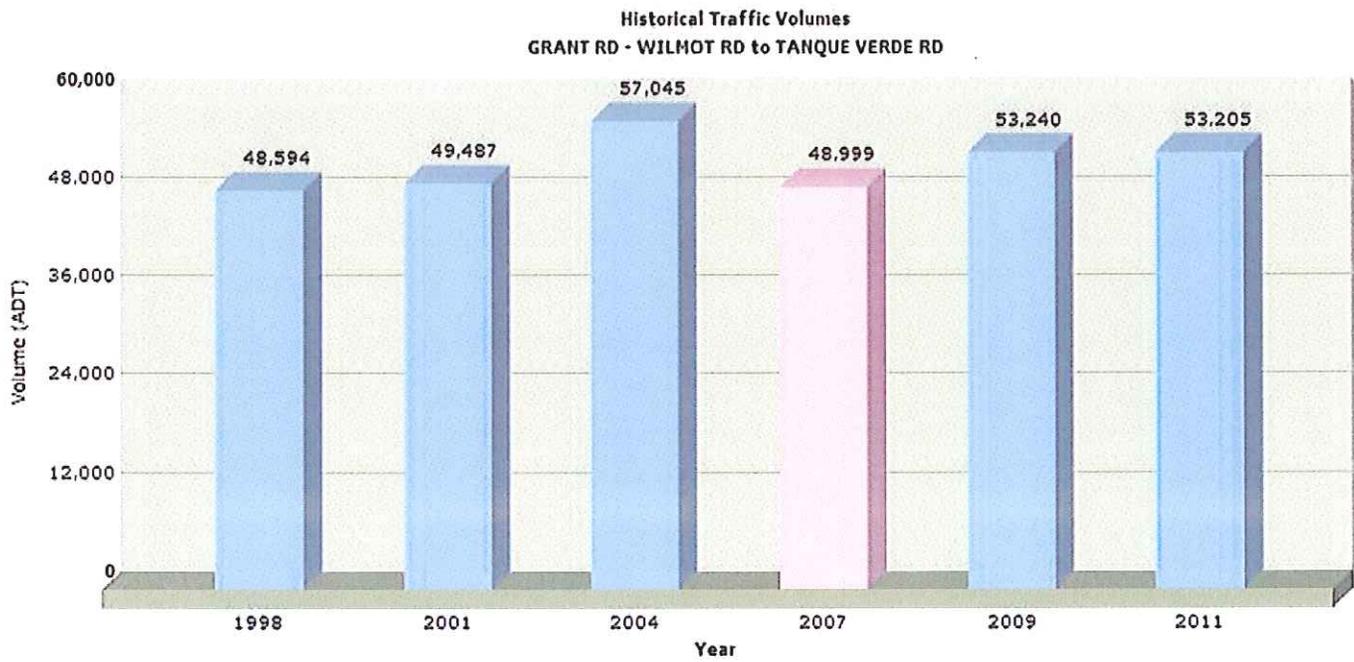
Day 2

2 Day Average

Totals

Graph

Trend



TRAFFIC COUNTS – 6501 E GRANT ROAD

4,000 SF RETAIL

SPECIALTY RETAIL – ITE 814

			ENTER	EXIT
AM PEAK	6.84 TRIPS PER 1,000 SF	= 27.36 TRIPS	48%	52%
PM PEAK	5.02 TRIPS PER 1,000 SF	= 20.08 TRIPS	56%	44%

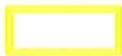
5,950 SF RETAIL

HIGH TURNOVER RESTAURANT – ITE 932

			ENTER	EXIT
AM PEAK	13.53 TRIPS PER 1,000 SF	= 80.05 TRIPS	52%	48%
PM PEAK	18.80 TRIPS PER 1,000 SF	= 111.86 TRIPS	55%	45%

TOTAL	AM PEAK	108 TRIPS
	PM PEAK	132 TRIPS

C9-13-14 InSite - Grant Road
Rezoning Request: from RX-2 to C-1



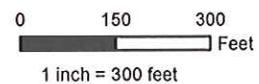
Area of Rezoning Request



Recommended Posting of Public Hearing Notice Sign



Address: 6501 E. Grant Road
Base Maps: Sec.06 T.14 R.15
Ward: 2





**NOTICE
ZONING EXAMINER
PUBLIC HEARING**

TO CONSIDER A

REZONING

C9-13-14

InSite – Grant Road

EXISTING ZONING: RX-2
PROPOSED ZONING: C-1

----- DATE OF HEARING -----
March 27, 2014

----- TIME OF HEARING -----
at or after 6:30 PM

----- LOCATION -----
Mayor and Council Chambers
First Floor, City Hall
255 West Alameda Street, Tucson, Arizona

----- PUBLIC COMMENT PERIOD -----
March 12, 2014 to March 27, 2014

----- FOR INFORMATION CONTACT -----
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 27211, TUCSON, AZ 85726-7211
520.837.4963, CityPlanning@cityoftucson.gov
<http://www.cityoftucson.gov>



