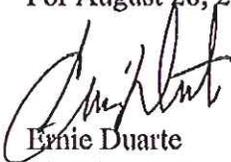




MEMORANDUM

DATE: August 13, 2014
For August 28, 2014 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: 
Ernie Duarte
Planning & Development Services
Director

SUBJECT: REZONING
PLANNING & DEVELOPMENT SERVICES REPORT
C9-14-06 Bolt – Park Avenue
O-3 to C-1 (Ward 5)

Issue – This is a request by Jesus Cedeno of JACA Design LLC, on behalf of the property owners, Robert E. Bolt, Trustee, La Casita Water Company, Inc., to rezone approximately 1.33 acres from O-3 to C-1 zoning. The rezoning site is located on the east side of Park Avenue and the north side of Alvord Road (see Case Location Map). The preliminary development plan proposes a mixed-use development including a 4,000 square foot one-story retail market and seven one-story residential units (three duplexes and one single-family detached unit).

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of C-1 zoning, subject to the attached preliminary conditions.

Background Information

Existing Land Use: vacant

Surrounding Zones and Land Uses:

North: Zoned C-1; restaurant

South: Zoned O-3; single- and multi-family residential, vacant

East: Zoned R-2; religious use

West: Zoned O-3 and R-2; single- and multi-family residential, vacant

Previous Cases on the Property: none

Related Cases:

C9-12-07 Circle K – Valencia Road C-1 to C-2 This was a rezoning request for 2.9 acres located approximately 0.9 miles southwest of the subject rezoning at the southwest corner of Valencia Road and Nogales Highway to allow the development of a new 4,551 square foot, one-story

convenience store with 20 fuel dispensing stations. On November 7, 2012, Mayor and Council adopted Ordinance No. 11031 and on March 28, 2013, building permit T13CM01789 was issued, effectuating the requested zoning.

Applicant's Request – “We are proposing a commercial project (meat market/retail) at Park Avenue and a residential project (duplexes plus single family) at Alvord Road.”

Planning Considerations – Land use policy direction for this area is provided by the *Kino Area Plan* and *Plan Tucson*. The rezoning site is located within an existing neighborhood as identified on the Future Growth Scenario Map of *Plan Tucson*. Existing neighborhoods are characterized in *Plan Tucson* as largely built-out residential neighborhoods and commercial districts in which minimal new development or redevelopment is expected in the next few decades. The goal is to maintain the character of these neighborhoods while accommodating some new development and encouraging reinvestment, services, and amenities that contribute to further neighborhood stability. Environmentally sensitive infill projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines are supported when they enhance the overall function and visual quality of the street, adjacent properties, and the community. Urban heat island effects should be mitigated by expanding and maintaining a healthy drought-tolerant low-water use urban forest. New development should utilize solutions and strategies included in the Design Guidelines Manual to provide an improved level of community design.

The overall goal of the *Kino Area Plan* is to provide a balance of uses and a wide range of activities, including employment, shopping, housing, and recreation. Additional residential units should be encouraged, including duplexes, apartments, and townhouses. Commercial functions should be arranged to best serve the needs of the neighborhood, community and region.

The rezoning site is an up side down “L” shaped 1.33 acre parcel connecting Park Avenue to Alvord Road northeast of the intersection of Park and Alvord. The area surrounding the rezoning site is a mix of vacant land, low intensity commercial development, and residential development. Land immediately adjacent to the southwest, inside of the “L,” is made up of two parcels zoned O-3. One is developed with two one-story single family residences, the other is vacant. Land to the west across Park Avenue is zoned R-2 and developed with one-story single and multi-family residential and vacant land. To the south across Alvord Road is a one story multi-family residential building, and a 25 unit, three-story apartment building, both zoned O-3. To the east is a religious use zoned R-2. To the northeast is a two-story apartment complex zoned O-3. The land to the north of the rezoning site is zoned C-1 and developed with a one-story restaurant with an attached residence. The depth of the proposed C-1 zoning is consistent with the zoning pattern established by the C-1 zoning to the north.

Park Avenue is identified as an arterial street on the *Major Streets and Routes Plan* map. Alvord is a local street. The Pima Association of Governments - Transportation Planning Division

(PAG-TPD) estimates that the proposed development will generate 476 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The development, as proposed, including a 4,000 square foot retail market and seven residential units (three duplexes and one single-family detached unit) will all be single-story. The retail market will sell groceries, baked goods, and meats, and will not sell alcohol or tobacco. To limit the impact of the retail market, hours of operation for outdoor activities, including but not limited to deliveries/pick-ups, trash pick-up, and amplified music/loudspeakers should be limited to 7:00 AM to 9:00 PM, seven days a week. The retail market will face Park Avenue and will be relatively small scaled. For comparison a typical drug store such as a Walgreens is more than three times the floor area and close to twice the height. The result will be a less imposing structure than typical for current commercial development.

As a mixed use retail/residential development, in an area that is generally residential in nature, architectural design of the buildings can play a significant role in enhancing the visual quality of the project for residents and the community. Rooftop and ground-mounted mechanical equipment, outdoor storage areas, loading zones, and dumpsters should be screen from view from within and outside the project. Dumpsters should be centrally located within the development. Buildings should be designed with “four sided” architecture with the same level of architectural detailing on all four sides for each building. Perimeter walls and screen walls should also be complementary to the architectural design and color theme of the proposed buildings.

Drainage/Vegetation/Urban Heat Island – The development process will bring the parcel into compliance with current City of Tucson engineering codes, guidelines and manuals for stormwater detention/retention and grading. For the residential portion an ADA accessible, 12 foot by 12 foot shaded ramada, with a picnic table, turf area/tot lot with play equipment, and a minimum of six drought-tolerant native thorn-less low-water use canopy trees should be incorporated into the design of the detention basin/open space area. The development plan should also address the landscape buffer yards and planting materials to enhance the overall visual impact of the redevelopment.

Road Improvements/Vehicular Access/Circulation – The rezoning site has frontage on both Park Avenue and Alvord Road. Primarily access for the retail market is from Park Avenue. Secondary access is from Alvord Road. An internal driveway will connect Park Avenue to Alvord Road through the development. To reduce cut-through traffic, speed tables and/or speed humps should be included in the driveway design. This development is within an area identified by the Arizona Health Services as a High Heat Vulnerability Index Area. Increasing the reflectivity of paved surfaces and/or, providing shade reduces heat absorption and the heat island effect.

Rezoning – Planning & Development Services Report
C9-14-06 Bolt – Park Avenue
O-3 to C-1 (Ward 5)

4 of 4

Conclusion – The proposed rezoning is consistent with, and supported by the *Kino Area Plan* and *Plan Tucson*. Subject to compliance with the attached preliminary conditions, approval of the requested C-1 zoning is appropriate.

s:/rezoning/2014/c9-14-06 sr.doc

PROCEDURAL

1. A development package in general compliance with the preliminary development package and required reports dated, June 12, 2014, covering the rezoning site together with parcel number 140-25-061A is 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. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

LAND USE COMPATIBILITY

7. All non-residential land uses conducted on-site shall be a minimum of one-hundred (100') feet from east property line.
8. Site improvements to include on-site freestanding signs to read "Private Drive," to be installed at the following locations; 1), At the Alvord Road entrance and 2), Park Avenue access, at the point where the on-site PAAL enters the residential land uses.

9. Perimeter landscape borders adjacent to residentially zoned or use properties shall have native thornless drought tolerant tree for every twenty linear feet.
10. A perimeter masonry wall shall be required adjacent to residentially zoned or use properties. Perimeter walls shall be constructed at a minimum height of six feet, except the western 55 feet of the north property line shall be no less than 2'-8" (32") feet in height.
11. An integrated outdoor lighting plan, in compliance with the Outdoor Lighting Code (OLC), shall be included in the development plan package. The plan shall show even lighting distribution over the entire proposed site, and shall minimize spill-over light.
12. Non-residential land uses shall have hours of operation, including deliveries/pick-ups, and trash pick-up, and outdoor activities limited 7:00 AM to 9:00 PM.
13. Building height is limited to 18 feet.
14. The final development package submittal shall include building elevations submitted to PDSD Community Planning for review. The elevations shall display consistent use of varying materials on all four sides of the proposed building.
15. The dumpster enclosures shall be screened with a masonry wall a minimum of six (6) feet in height. Colors and materials shall be complimentary to the buildings and/or perimeter walls.
16. All perimeter masonry walls and dumpster enclosures visible from a public right-of-way and/or adjacent to existing residential development, shall be graffiti-resistant material that incorporates two (2) or more of the following visually appealing design treatments, such as the use of decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; and/or varied wall alignments, (jog, curve, notch, setback, etc.). Graffiti to be removed within five working days of discovery.
17. Roof mounted mechanical equipment on the commercial building shall be screened from view.
18. Mature trees, trunk diameter greater than 8" and in fair to good health, located along the northern and eastern landscape perimeter will be preserved in place and incorporated into the landscape plan.
19. Development of the entire site shall be subject to commercial rainwater harvest requirements.

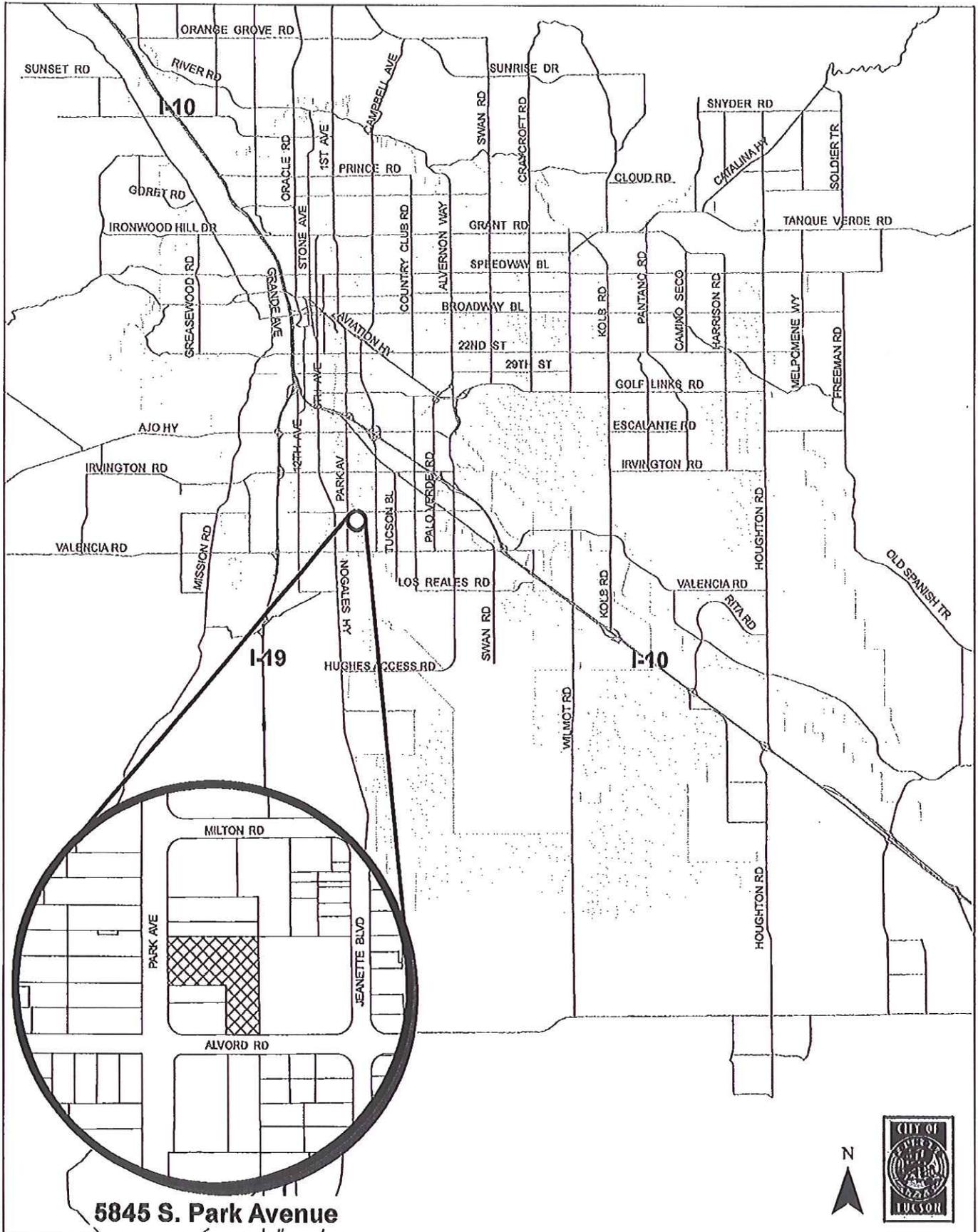
DRAINAGE/GRADING/VEGETATION/HEAT ISLAND MITIGATION

20. The submittal of a drainage report that addresses onsite and offsite drainage and its impact on the proposed improvements. The drainage report shall also address the provisions of runoff detention/retention and basins in accordance with the requirements and recommendations of the Stormwater Detention/Retention Manual and the geotechnical report.
21. If bleed pipes are used to drain the retention basin(s), the basin(s) floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
22. Detention/Retention basins shall be located adjacent to a street or accessible common area. Basin side slope in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
23. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.
24. Owner/applicant is responsible for providing a special inspection and delivering results to PDSD building codes for the following condition. Provide materials with building permit application and reference rezoning case number C9-14-06. New and replacement roofing material shall be Energy Star rated, or cool roof rated with Solar Reflectance greater than or equal to 0.65, and minimum infrared emittance to be 85% or more. Placement of and utilization of energy from solar panels on roofs is an acceptable alternative.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

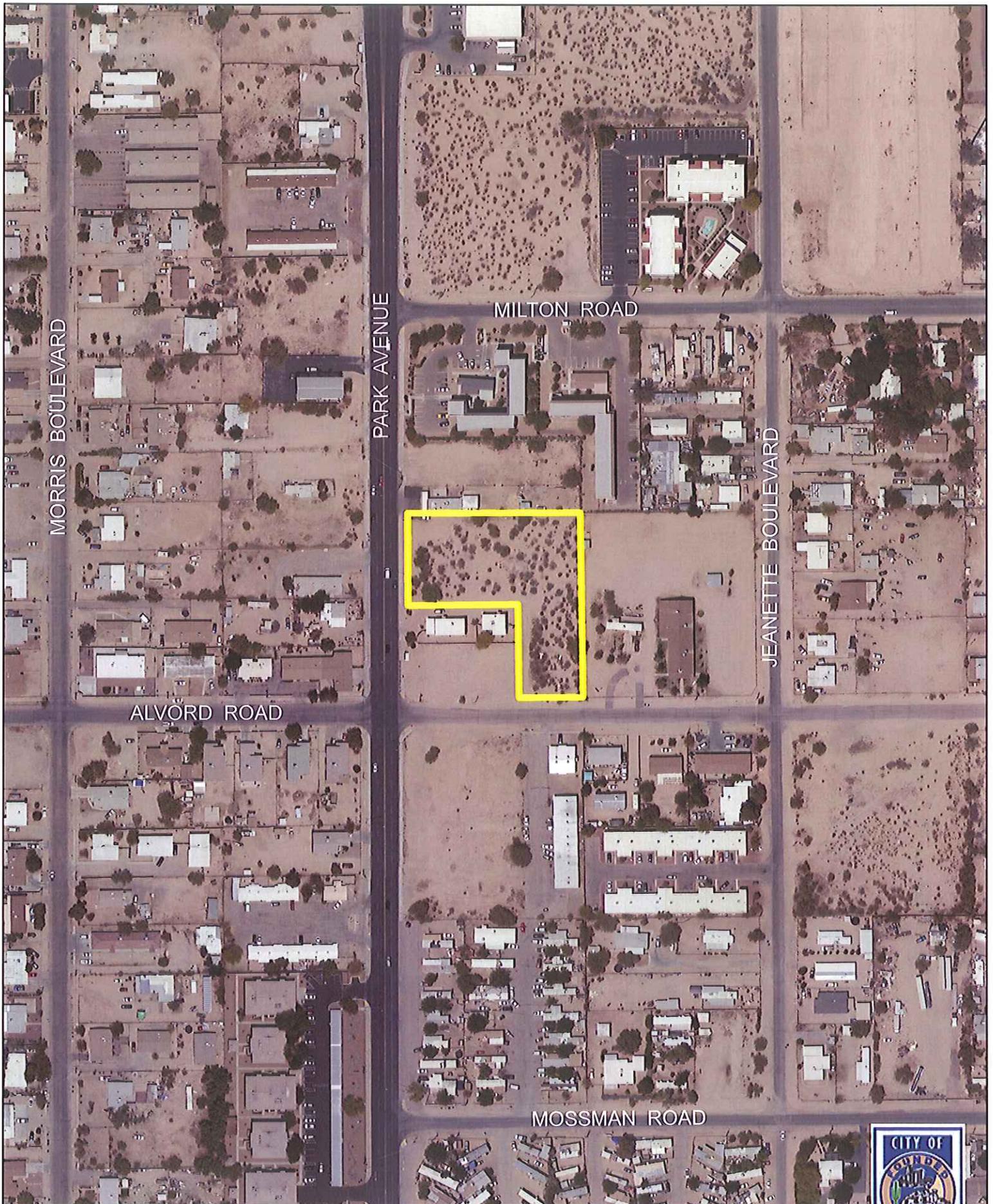
25. Dedication of additional right of way, along Park Avenue, in accordance with the MS&R Plan requirements.
26. The installation of standard width sidewalks along Park Avenue and Alvord Road frontages, including ADA requirements.

C9-14-06 Bolt - Park Avenue



5845 S. Park Avenue





MORRIS BOULEVARD

PARK AVENUE

MILTON ROAD

JEANETTE BOULEVARD

ALVORD ROAD

MOSSMAN ROAD

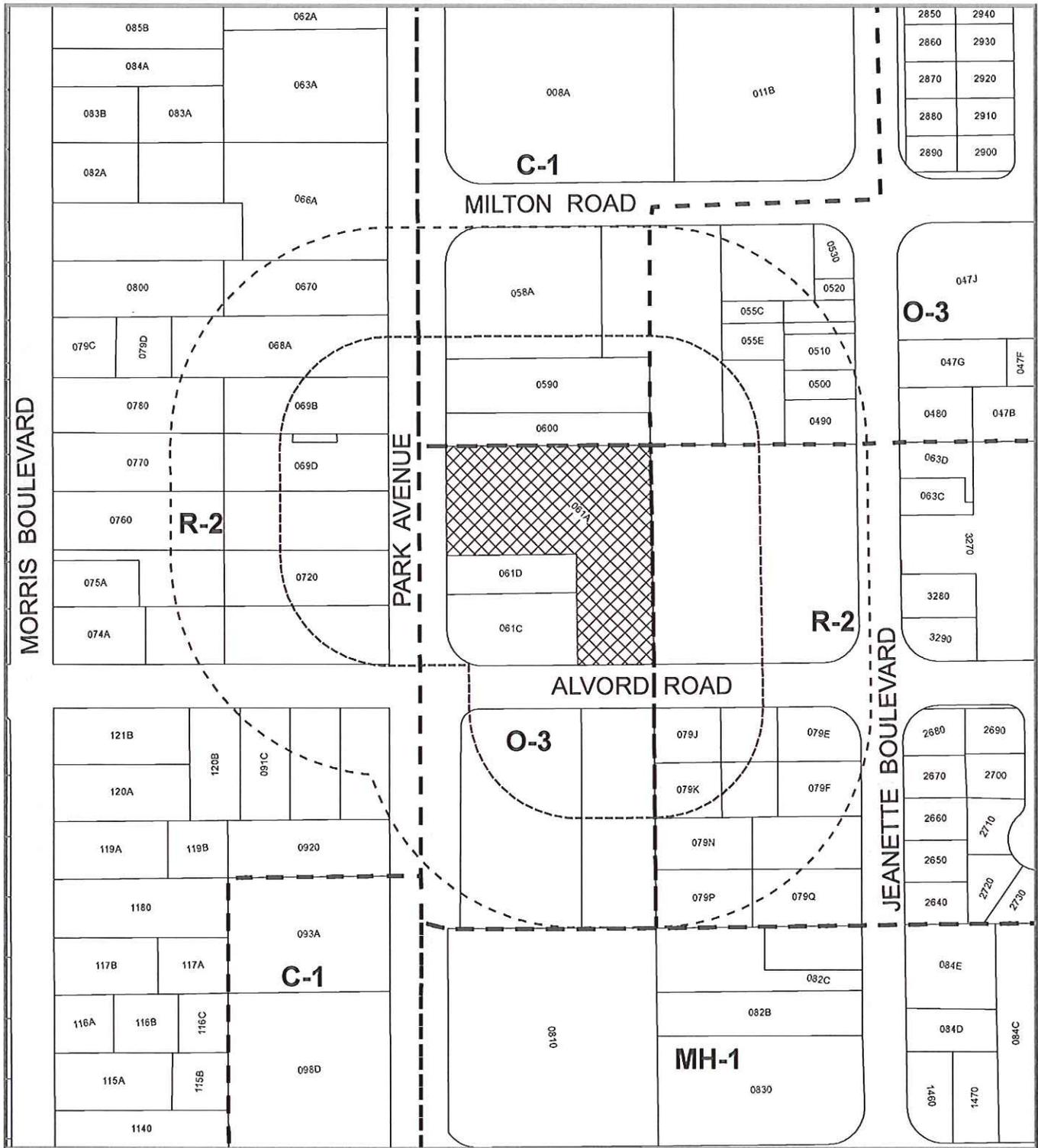
C9-14-06 Bolt - Park Avenue
2012 Aerial

0 50 100 200
Feet
1 inch = 200 feet



C9-14-06 Bolt - Park Avenue

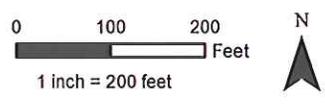
Rezoning Request: from O-3 to C-2



- Area of Rezoning Request
- 150' Protest Area
- 300' Notification Area
- Zone Boundaries



Address: 5845 S. Park Avenue
 Base Maps: Sec.07 T.15 R.14
 Ward: 5



PUBLIC FACILITIES AND SERVICES REPORT FOR AUGUST 28, 2014
(as of July 23, 2014)

C9-14 06 Bolt – Park Avenue, O-3 to C-1

CITY AGENCIES

Planning & Development Services – Community Planning: See attached comments dated July 17, 2014.
Planning & Development Services – Engineering: See attached comments dated July 10, 2014 .
Planning & Development Services – Zoning Review: See attached comments dated July 10, 2014.
Planning & Development Services – Sign Code: See attached comments dated July 18, 2014.
Office of Conservation & Sustainable Development: See attached comments dated July 16, 2014.
Parks and Recreation: See attached comments dated July 17, 2014.
Transportation – Traffic Engineering: See attached comments dated July 14, 2014.
Transportation – Real Estate Division: See attached comments dated July 3, 2014.
Office of Conservation & Sustainable Development: See attached comments dated July 16, 2014.

No Objections Noted

Planning & Development Services – Landscape
Planning & Development Services – Zoning Enforcement
Department of Transportation, Engineering
Department of Transportation, RTA
Department of Transportation, Streets
Tucson Fire Department
Office of Integrated Planning
Environmental Services
Tucson Police Department
Tucson Water Department

NON-CITY AGENCIES

Pima County DOT: See attached comments dated July 10, 2014.
Pima County Wastewater: See attached comments dated July 14, 2014.
Arizona Department of Transportation – See comments dated July 10, 2014.
Pima County Wastewater Department – See comments dated July 14, 2014.

No Objections Noted

Pima Association of Governments – TPD
Davis-Monthan Air Force Base
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Tucson Electric Power
Tucson Unified School District

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, *August 13, 2014* 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: C9-14-06 Bolt – Park Avenue, O-3 to C-1
Ward 5**

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

C9-14-06

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

C9-14-06

IMPORTANT REZONING NOTICE ENCLOSED

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