



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

PUBLIC HEARING – February 10, 2016

DATE: February 9, 2016

TO: Jim Portner, AICP, Hearing Administrator

FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector

SUBJECT: **P16CU00002 – FIGUEROA – W. ARIVACA RD.**
(Kirke Rice – Applicant)
Type II Conditional Use – Restaurant

LOCATION:

The subject property is located on the south side of Arivaca Rd. The site is on the northeast corner of Arivaca Rd. and Mc Cloud Dr. The property is zoned RH (Rural Homestead).

SURROUNDING LAND USE OR CONTEXT:

All of the surrounding properties are also zoned RH.

PUBLIC COMMENT:

Staff received one call on this case. The caller owned a property in the area and received a notice. The caller wanted to know the scope of the project and if there would be any impact on their property. Staff provided the details of the project and the caller had no concerns with the proposed use.

PREVIOUS CASES ON PROPERTY:

There is a temporary use permit approved by the Board of Adjustments on this property. The temporary use permit was for a bakery/restaurant and was approved by the Board of Adjustments in 2007. The temporary use permit allowed the use on the property for nine months. At the time the temporary use permit was approved, the required permits to open the bakery were approved and issued.

BACKGROUND INFORMATION:

This is a request for a restaurant. The proposed restaurant will be located within an existing building. There will be an improved parking area and an outdoor area for customers to eat.

DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL

The Flood Control District will review this project as needed during the permit process. Development Services staff reviewed the project with the Department of Transportation. After reviewing the site plan the Department of Transportation did not have an objection to the proposed use.

CULTURAL RESOURCES

Please be aware that Pima County cultural resources requirements could apply to Pima County Conditional Use Permits. If cultural or historic sites will be impacted by the proposed use, mitigation of impacts on sites eligible to the National Register of Historic Places could be required before the County issues the building permit. A first step in identifying the cultural resources status of your property is to request an archaeological records review from the Arizona State Museum (ASM), at 621-2096, and submit it with the permit application. The County Office of Cultural Resources and Historic Preservation will review the ASM report and determine whether additional cultural resources actions are necessary.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the conditional use request. Staff does not believe the proposed restaurant will adversely affect neighboring property owners in the area. In addition, the proposed use is in an existing permitted building. Lastly staff does not believe that a development plan is warranted in this case. The architect who drew the plans showed the requirements of the zoning code being met. The appropriate number of parking spaces for the use is shown. Also the access will be modified with plants to allow only one access point on the site. Staff suggests the Hearing Administrator determine an appropriate driveway treatment and add other conditions that ensure there are no adverse effects to neighboring property owners in the area.

c: Carmine DeBonis, Development Services Director
Kirke Rice, Applicant



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PUBLIC HEARING – February 10, 2016

DATE: February 8, 2016

TO: Jim Portner, AICP, Hearing Administrator

FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector

SUBJECT: **P21-14-014 – DYER FAMILY TR – S. BELVEDERE AV.**
Type I Conditional Use – Time Extension

LOCATION:

The subject property is located on east side of S. Belvedere Av. The property is approximately 1.09 acres and is zoned CI-1 (Light Industrial).

SURROUNDING LAND USE OR CONTEXT:

Properties to the north, south and east are also zoned CI-1. Most of the industrial zoned properties are developed with commercial or industrial uses. Properties to the west are zoned CR-3 (Single Residence).

PUBLIC COMMENT:

To date no public comment has been received on this process.

DEVELOPMENT SERVICES COMMENTS/RECOMMENDATION:

This request is to allow a time extension of the existing approved conditional use permit. The conditional use permit was approved by the Board of Supervisors on November 18, 2014. The zoning code requires permits be submitted within nine months of the approval. Permits were never submitted within the nine month time frame. The zoning code does permit a one year time extension of the conditional use approval. If the Hearing Administrator grants the approval of the time extension the fire station would be given until August 18, 2016. Staff recommends **APPROVAL** of the time extension request. There has not been any public comment received during the original approval process and staff has not received any public comments from the most recent mailing.

c: Carmine DeBonis, Development Services Director
The Architecture Company, Applicant