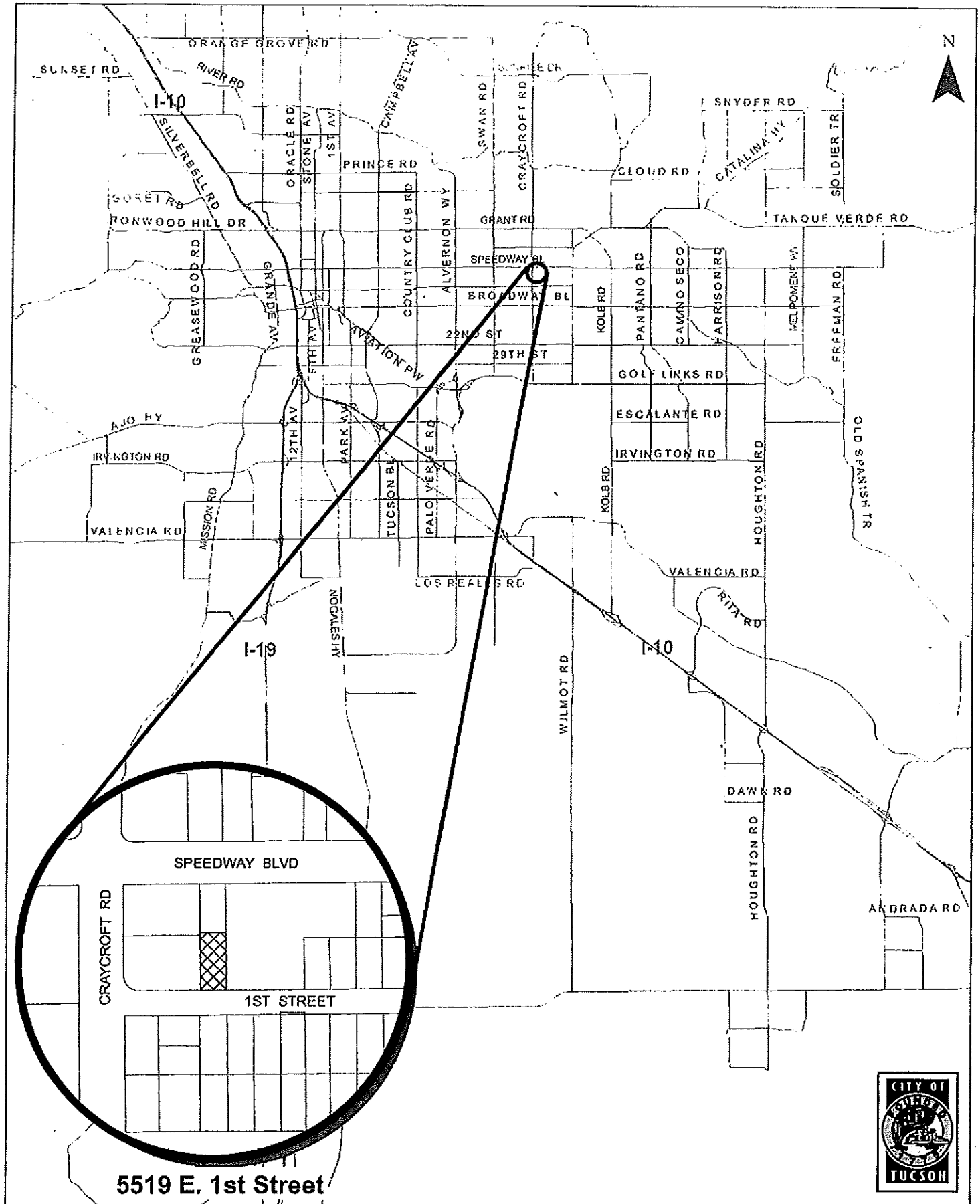
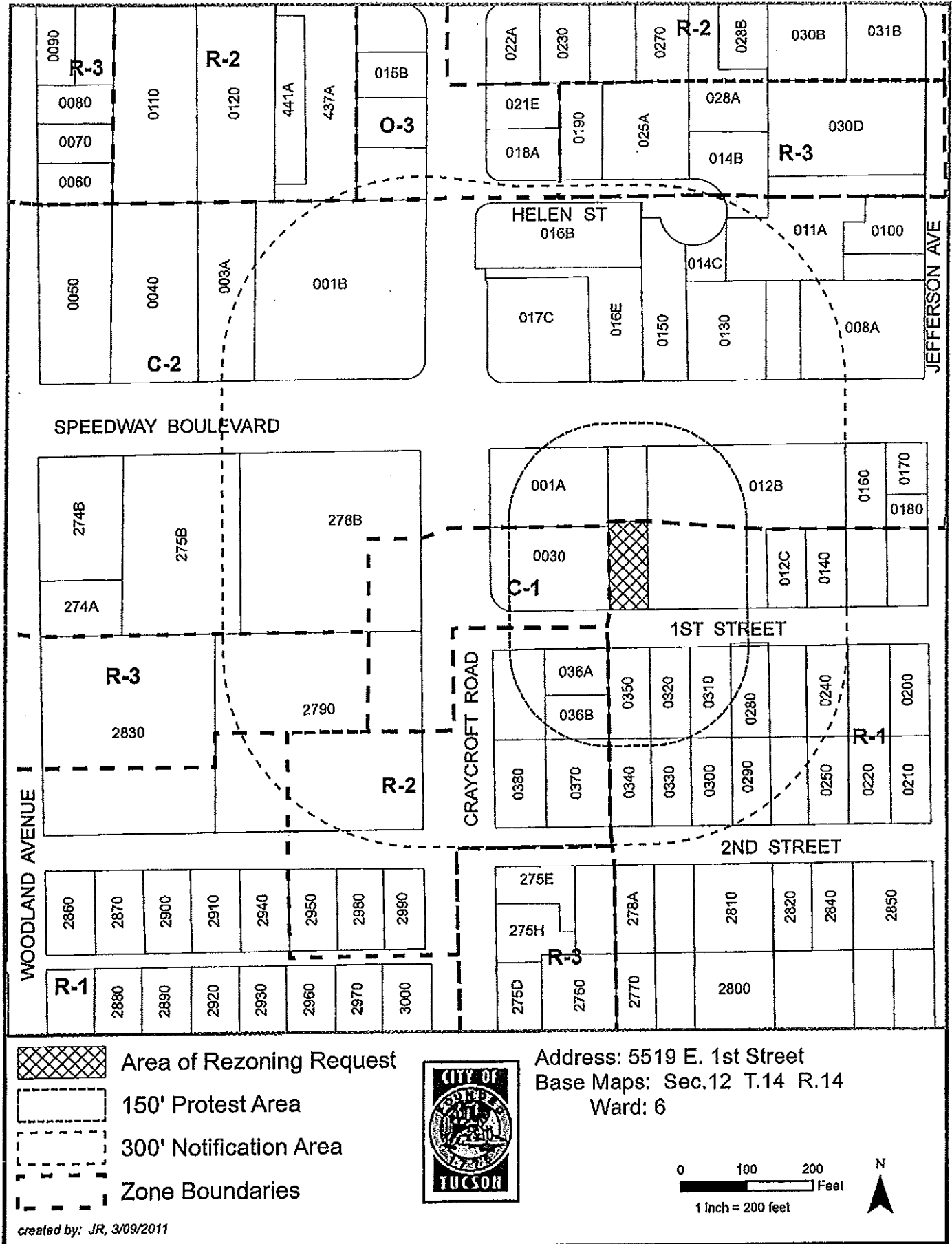


C9-11-02 Circle K - Speedway Boulevard



C9-11-02 Circle K - Speedway Boulevard Rezoning Request: from R-1 to C-1





**CITY OF
TUCSON**
ZONING
EXAMINER'S
OFFICE

May 12, 2011

David Cisiewski
11811 North Tatum
Suite 1051
Phoenix, AZ 85028

**SUBJECT: C9-11-02 Circle K – Speedway Boulevard, R-1 to C-1
Public Hearing: May 5, 2011**

Dear Mr. Cisiewski:

Pursuant to the City of Tucson Land Use Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case C9-11-02 Circle K – Speedway Boulevard. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

The requested rezoning from R-1 to C-1 zoning is for a Circle K convenience store and a gas station with eight fueling dispensers at the southeast corner of Speedway Boulevard and Craycroft Road.

The .18-acre rezoning site is a portion of the 1.3-acre, four-parcel total development site. The rezoning site is located on the north side of First Street approximately 200 feet east of Craycroft Road.

The rezoning site is adjacent to a single-family residence to the south and commercial uses to the north, east and west.

Vehicular access to the rezoning site is from Speedway Boulevard and Craycroft Road, arterial streets per the *Major Streets and Routes Plan*. No vehicular access is proposed to First Street. A vehicular cross-access easement with adjacent properties to the east runs through the center of the development site.

The Planning and Development Services Department recommends approval of this request based on the compliance with the policies of the *Sewell-Hudlow Neighborhood Plan*.

The *Sewell-Hudlow Neighborhood Plan* supports commercial uses on the rezoning site. The *Plan* supports the rezoning of residentially-zoned parcels on the north side of First Street to C-1 zoning if the parcels are consolidated with commercial parcels that front on Speedway Boulevard and the proposed uses are compatibly designed with adjacent residential uses.

The applicant has proposed several design measures to mitigate the impacts of the proposed use on the adjacent residential uses. These measures include: internal and extra security cameras; lighting along the south side of the building; a six-foot high masonry wall with landscaping on the inside and outside of the wall; wrought-iron fencing around the landscaped area south of the proposed building; no access to First Street; restricted hours for trash pick-up; a "Do Not Enter" sign at the location of the vehicular cross-access easement; and the installation of a "Mitman Neighborhood" sign.

Letter to David Cisiewski
May 12, 2011
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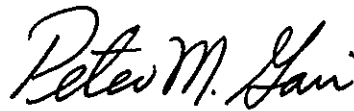
CONCLUSION

Given the location of the proposed development at the intersection of Speedway Boulevard and Craycroft Road (arterial streets per the *Major Streets and Routes Plan*), the compliance of the proposed project with the *Sewell-Hudlow Neighborhood Plan* and the design mitigation measures proposed by the applicant, this rezoning request is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of C-1 zoning, subject to the recommended staff conditions as amended.

Sincerely,

A handwritten signature in black ink that reads "Peter M. Gavin". The signature is written in a cursive, flowing style.

Peter M. Gavin
Zoning Examiner

ATTACHMENTS:

Case Location Map
Rezoning Case Map

cc: Dennis Archuleta, Circle K Stores
Michael Scarbrough, MD Partners, LLC
Erin Loudermilk Harris, Star Consulting
Sandra Paris, President, Mitman Neighborhood Association
Ray Tipton, Tucson Seat Cover

City of Tucson Mayor and Council

