

April 10, 2020
Oro Valley Development Services
Milini Simms

Re: Conditional Use Permit – Building #1 at Desert Sky Center, 1901071

Project Narrative:

This application is for a conditional use permit for a convenience use drive-through restaurant in the Desert Sky Center, a proposed commercial development on North Oracle Road, near Desert Sky Road. The building will be a maximum of 3,960 square feet, with one drive-through window.

The granting of this use permit will not be materially detrimental to the public health, safety, or welfare. Considerations include:

- a. Noise: Design consideration has been taken into account for the location of exterior speakers that might be used at a drive through of this type. Speakers will be directed away from the wedding facility to the east.
- b. The possibility of damage or nuisance caused by smoke or odor will be mitigated with odor abatement equipment, mounted on kitchen exhaust fans if present. Odor and smoke abatement will be assured.
- c. There is no specific hazard due to explosion, contamination, fire or flood that is created by this use.
- d. The volume and character of traffic has been examined by a traffic report, and the site has been verified to accommodate anticipated traffic.

The characteristics of the proposed use are reasonably compatible with the types of permitted permitted in the surrounding area and sufficient mitigation measures are employed to minimize impact on adjoining properties. To the south, there is a multi-purpose commercial development (El Corredor) with one convenience food service user (Kneaders) that currently has a drive-through window. To the north, there is undeveloped natural desert. To the east is an existing wedding facility. The following are considerations that have been made in the site design for this proposed use:

- 1. The adjacent wedding facility to the east has a parking lot that significantly encroaches onto this property. Approximately one half of the existing western parking lot at the wedding facility is on our property. This existing parking lot will be allowed to remain.
- 2. There is a grade separation that will be nicely landscaped with a double retaining wall (the wedding facility sits higher) and landscape at the top of the wall (adjacent to upper level parking) and with trees at the bottom. The canopy of the trees will screen the convenience use.
- 3. The building has been situated on the site with the maximum distance separation from the convenience use and the existing wedding chapel to the east. The separation distances are the maximum allowed by setbacks from Oracle Road, as required in the ORSCOD.
- 4. The hours of operation of the proposed use will be from 6:00 a.m. – 11:00 p.m., and will not adversely affect surrounding properties.

5. Along the street frontage of Oracle Road, Core canopy vegetation has been protected, providing screening from Oracle.
6. Also along Oracle, a large portion of the northern half of the site has been left natural, providing visual continuity with the mountains behind.
7. The maximum height for all buildings in this development will be 18 feet.
8. Being located on Oracle Road, this development is subject to the requirements of the Oracle Road Scenic Corridor District (ORSCOD). The overall development, including this convenience use, will comply with all requirements or ORSCOD.

The proposed conditional use will be consistent with the goals and policies of the general plan. The relevant policies as follows:

Community Goals:

- A. Long term financial and economic stability – Jobs and revenue will be created.

Environment Goals:

- M. Protection and preservation of natural features – This project maintains large natural drainage and vegetation areas.

3.5 Economy Focus:

- E.1 – Develop robust economic environment – The proposed facility will be providing jobs to the community, as well as revenue.

4.4 Environment Goals:

- K- Preservation of natural areas will provide this goal.

4.5 Sonoran Desert Resource Focus:

- SD.3 – Conserve natural resources – this development contains an untouched natural desert area of approximately 45,000 square feet.

- SD.4 – Natural desert resources are to be preserved during construction. Untouched areas and native plant protection will apply.

- SD.6 – Protection of scenic corridors – This is being done by virtue of low building height and view corridors through the site.

- SD.7 – Protect natural habitats – This is being done with set-aside natural area northwest corner of site.

5.4 Development Goals:

- Q – Conservation – The large natural wash that runs through the site will be left in place to maintain a natural feature.