



TO:	Town of Oro Valley, Community & Economic Development Dept. 11000 North La Canada Drive Oro Valley, AZ 85737	FROM:	Paul Oland
		DATE:	9/7/2023
PROJECT:	Starbucks at Innovation Park Conditional Use Permit Request & Scenic Corridor Analysis for Drive-Thru	PROJECT #:	19avc02

Project Overview

Roughly 35 years ago the Rancho Vistoso PAD was approved by the Oro Valley Town Council. The planning of the PAD's main employment area, Neighborhood #3 a.k.a. Innovation Park, wisely included several commercial parcels to provide convenient retail services to the many employees envisioned to work there. Over the years a number of employers have successfully located within Innovation Park, providing critical employment opportunities. As expected, the retail parcels have not developed along the same timelines because retailers first need a base of customers before they will setup shop. At long last, Starbucks has been attracted to Innovation Park, and wishes to locate a 2,400-square-foot store across Innovation Park Drive from Oro Valley Hospital. A critical part of most coffeeshop business models is drive-thru service, and of course Starbucks is no exception. Restaurants are permitted by the existing zoning, while the drive-thru element requires a Conditional Use Permit. As such, we submit this request for approval of a CUP concurrently with the review and approval of the Conceptual Site Plan package for the overall development. Further details are provided below.

To garner Town Council approval a project must demonstrate that it meets several design criteria:

- A. Noise shall not exceed the levels listed in Table 25-1.A.
 - ✓ *Attached to this letter is an acoustical study prepared by Spendiarian & Willis Acoustics & Noise Control LLC. The study demonstrates compliance with this criterion.*
- B. Odor abatement shall be in accordance with Section 25.1.A.6.
 - ✓ *Although the drive-thru use that is the subject of this CUP request will not create any odors, the associated coffeeshop (which is already permitted by zoning) will of course meet or exceed the Town's regulations regarding odor abatement.*
- C. Visibility of drive-thru uses and stacking lanes shall be mitigated in accordance with Section 25.1.B.8 and screened in accordance with Section 27.6.C.5. (Section 25.1.B.6.a.i.d).
 - ✓ *An opaque screen constructed of masonry or functionally similar material will be installed along the drive-thru lane where it runs parallel to Tangerine Road. Landscape bufferyards will also be installed in that location to provide additional screening and to satisfy the Town's bufferyard requirements.*

Conditional Use Permit Request

Town Code allows Town Council to approve drive-thru uses when a proposed development has demonstrated compliance with the criteria for evaluating Conditional Use Permits as stated in Section 22.5 of the Oro Valley Zoning Code. The criteria are listed below, along with responses to each criterion.

1. That the granting of such conditional use permit will not be materially detrimental to the public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:



- a. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;
 - ✓ *Of the potential nuisances listed, the proposed drive-thru use could only create noise impacts to surrounding properties. The aforementioned acoustical study analyzed existing noise levels and also modeled potential noise impacts based on the proposed drive-thru speaker location. The study concluded modern, well designed, and intentionally located drive-thru kiosks will not have an adverse effect on nearby areas. There are no nearby residents.*
 - b. Hazard to persons and property from possible explosion, contamination, fire or flood;
 - ✓ *None.*
 - c. Unusual volume or character of traffic.
 - ✓ *Attached to this letter is a traffic impact study prepared by Southwest Traffic Engineering. The study analyzed existing traffic levels and also modeled potential traffic impacts of the proposed development based on industry-standard trip generation rates from the Institute of Transportation Engineering. Drive-thru coffee shops do tend to create traffic levels above typical restaurant uses. However, the trip generation during the AM peak hour is actually less than for coffee shops without drive-thrus. Additionally, most vehicular trips "generated" by a coffee shop drive-thru lane are considered "pass-by" visits rather than "destination" visits, meaning that most of those cars will already have been on the roadway system anyway. The study concluded that the existing nearby roadway system can accommodate the development without causing existing levels of service to drop below acceptable levels.*
 - ✓ *The proposed drive-thru provides room for up to 14 vehicles to stack without impeding traffic flow within the surrounding parking area. This exceeds the recommendation in the Traffic Impact Analysis from Southwest Traffic Engineering, which referenced notable studies in the industry. As another point of reference, the proposed drive-thru queue length also meets Pima County's recently updated requirements.*
 - ✓ *There is no unusual volume or character of traffic created by this development. The traffic generated is well within the range of what would be expected in the vicinity of one of Oro Valley's primary employment and retail areas.*
2. That the characteristics of the proposed use are reasonably compatible with the types of use permitted in the surrounding area and sufficient mitigation measures are employed to minimize impact on adjoining properties.
 - ✓ *As previously stated, the development's proposed retail/office and restaurant uses are already permitted by existing zoning. Those permitted uses were established by the Rancho Vistoso PAD decades ago. The proposed drive-thru, being food service related, also comes with the potential acoustical impact associated with the menu board speaker. Even so, the Spendarian noise study concluded that modern, well designed, and intentionally located drive-thru kiosks such as the one proposed on this property will not have an adverse effect on nearby areas.*
 - ✓ *Typical hours of operation for a drive-thru coffee shop in Oro Valley are 4:30 AM to 8:00 PM. The operational hours of the proposed drive-thru restaurant will ultimately be determined by the restaurant itself, but certainly follow any applicable Town regulations.*

- ✓ *The drive-thru lane itself will be screened by landscaping and low walls as required by Town regulations.*
- ✓ *The drive-thru menu board proposed on this property will be roughly 2,000 feet from the nearest home to the southeast and separated by fifteen lanes of roadway, other retail areas, Big Wash, and a notable difference in elevation. This drive-thru will not have an adverse impact on any surrounding areas.*
- ✓ *Conformance with OVZCR 25.1.B.6 "Requirements for Convenience Uses":*



- *This project is significantly more than 250 feet from the nearest residential property and is significantly more than 500 feet from a public park or school.*
- *Noise level controls, odor abatement, and drive-thru lane screening will all meet or exceed Town requirements.*
- *Innovation Park includes several hundred acres planned for, or developed as, "office park" uses, greatly exceeding the minimum of nine acres of "office park" uses per drive-thru convenience use. Additionally, this proposed coffee shop is ancillary to and located within Innovation Park.*
- *Access to this parcel is only via roadways classified as "collector" or "arterial". Access to the proposed convenience use is via driveways internal to the parcel, and cross-access to other development areas within the parcel has been included in the design.*
- *A large number of employers have already developed within Innovation Park (e.g. Roche Ventana, Oro Valley Hospital, Securaplane, etc.), meeting the requirements of 25.1.B.6.iv. for this project.*
- ✓ *Conformance with OVZCR 25.1.B.8 "Requirements for Drive-Thru Uses, Not Including Banks":*
 - *A noise impact study has been prepared by Spendiarian & Willis Acoustics & Noise Control LLC. The study demonstrates compliance with Section 25.1.A.3.*
 - *The drive-thru lane will be screened from view from Tangerine Road to meet the requirements of 25.1.B.8.b.*
 - *The vehicular queue length of the drive-thru lane exceeds the recommendations in the Traffic Impact Analysis prepared by Southwest Traffic Engineering, which referenced notable studies on the subject of drive-thru queuing. No queuing is expected to occur, or will be allowed, within roadways, drive aisles, or parking access lanes.*

3. That the proposed use is consistent with the goals and policies of the general plan.

- ✓ *This neighborhood-scale development supports a number of General Plan goals and policies. For example:*
 - *3.4.D. – The people of Oro Valley strive for a community with a wide range of services, amenities, shopping and dining opportunities and housing types that meet the needs of current and future residents.*
 - *This project will help Oro Valley to be a community with a wide range of services, amenities, shopping, and dining opportunities that meet the needs of current and future residents.*
 - *3.6.CC.6. – Promote the creation of unique community gathering places that are inviting, walkable, attractive and vibrant and offer commercial, entertainment or cultural activity.*
 - *This project will be an inviting, walkable, and attractive commercial gathering place right across the street from the Oro Valley Hospital and numerous offices and businesses. The drive-thru facility itself is obviously not pedestrian-oriented. However, it is a necessary component of a modern coffee shop, and a modern coffee shop clearly helps create an inviting, walkable, and attractive commercial gathering place by being pedestrian friendly with outdoor seating opportunities.*
 - *5.5.LU.5. – Provide diverse land uses that meet the Town’s overall needs and effectively transition in scale and density adjacent to neighborhoods.*
 - *As part of the overall Rancho Vistoso PAD, this commercial property is situated at the intersection of two arterial roadways and has no nearby residents who could potentially be impacted.*
 - *5.5.LU.8. – Encourage the development of master planned communities which include suitable residential and commercial uses.*
 - *Responsible development of this small commercial property continues to fulfil the original vision of the Rancho Vistoso PAD, which is a mixed-use master plan encompassing over 12 square miles of Oro Valley. When Rancho Vistoso was annexed in 1987 it more than tripled the size of Oro Valley, and has been an integral part of the Town’s growth and success. Even now, Rancho Vistoso makes of roughly one-third of Oro Valley’s incorporated area.*
 - *5.7.DG.1. – Continue to identify additional revenue sources that may provide supplemental revenues to ensure that infrastructure and services are maintained.*
 - *The developer will fund their fair share of any new infrastructure is required to offset the impacts of this development. For example, turn lane improvements will be constructed along Tangerine Road at the developer’s expense.*
 - *5.8.I.10. – Foster opportunities for walking, biking, and mass transit to places where people live, work, shop, and play.*
 - *This development’s central, infill location is extremely accessible by pedestrians and bicyclists working within Innovation Park.*

4. That the hours of operation of the proposed use will not adversely impact neighboring properties.

✓ *The hours of operation will not adversely impact neighboring areas.*

Scenic Corridor Conformance

1. Viewshed Analysis

✓ *The subject property is within the Tangerine Road Corridor Overlay District but is exempt from some of the district's requirements because it is within the Rancho Vistoso PAD. No significant scenic views of the Tortolita, Santa Catalina, or other mountains exist from Tangerine Road across the subject property. See Attached TRCOD Visual Analysis Photographs.*

2. View Preservation Plan (VPP)

✓ *Below is a rendering of the proposed coffee shop within a photograph taken from the perspective of a pedestrian walking along Tangerine Road:*



INNOVATION PARK
STARBUCKS
ORO VALLEY, ARIZONA



3. Core Character Vegetation (CCV)

✓ *Several large trees exist along the northern edge of Tangerine Road due to drainage accumulation along that elevated roadway section. However, those plants are within the public right-of-way. No Core Character Vegetation exists onsite.*

We appreciate your consideration of these requests. Please do not hesitate to contact me with any questions.

Sincerely,



Paul Oland