



# Zoning Examiner

## Preliminary Report

February 1, 2024

Rob Longaker  
The WLB Group  
4444 E. Broadway Blvd.  
Tucson, AZ 85711

**SUBJECT: TP-ENT-1023-00042 Pepper Viner – East Escalante Road, SR to R-2 (Ward 4)**

**Public Hearing: January 25, 2024**

Dear Mr. Longaker:

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case TP-ENT-1023-00042 Pepper Viner – East Escalante Road, SR to R-2 (Ward 4).

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from 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.

**TP-ENT-1023-00042 Pepper Viner – East Escalante Road, SR to R-2 (Ward 4)**



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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.

## **BACKGROUND**

This is a request by The WLB Group, on behalf of Pepper Viner Homes to rezone a 6-acre area from SR Suburban Ranch to R-2 Residential to allow for the development of a new 53-lot single family residential community.

The subject site is located at the southeast corner of Escalante Road and Evergreen Avenue, at approximately 7700 East Escalante Road, in Ward 4.

## **SUMMARY OF FINDINGS**

### **Background Information**

Existing Land Use: Vacant.

#### Zoning Descriptions:

Existing: SR (Suburban Ranch) – This zone provides for very low density, large lot, single-family, residential development, and suburban ranch uses. Uses that would adversely affect the open space, agricultural, or natural characteristics of this zone shall not be permitted.

Proposed: R-2 (Residential) – This zone provides for medium density, single-family and multifamily, residential development, together with schools, parks, and other public services necessary for an urban residential environment. Selecting other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

#### Adjacent Zones and Land Uses:

North: Escalante Road (Arterial Roadway, 150-foot ROW), R-2 opposite, single family residential land use.

East: C-1 Commercial



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South: R-2 Residential

West: R-3 Residential

**Project Background** – The property owner wishes to rezone the subject parcel for the construction of a new 53-lot single-family residential community to be named The Evergreen.

**Planning Considerations** – Land use policy direction for this area is provided by *Plan Tucson*, the *South Pantano Area Plan*, and the *Groves Neighborhood Plan*.

*Plan Tucson* – The site lies within the Existing Neighborhoods building block in the Future Growth Scenario Map in Plan Tucson. Existing Neighborhoods are primarily developed and largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to maintain the character of these neighborhoods, while accommodating some new development and redevelopment and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability.

The proposed development is comparable in scale and use intensity to the R-3 zoned area to the west and serves to transition from lower to medium-density residential closer to arterial roads.

The increased density is supported by existing transit stops and community commercial development to the east, creating opportunities for increasing transit use and reducing dependence on cars while allowing easy access between uses. The development includes a landscaped drainage basin and dog-walking path along the east edge of the development.

The developer proposes limiting homes along the south property line to a single-story with a maximum height of 16 feet. This both ensures that the privacy of homes south of the development and mountain views are not impacted.

*South Pantano Area Plan* – This is intended to provide guidelines for future development, to protect existing development, and to create a sense of community within established neighborhoods. The development complies with *Plan* guidelines by promoting mid-urban density along arterial streets. The applicant's desire to use Flexible Lot Development practices is supported by City policy encouraging housing development at compatible densities to existing development.

*Groves Neighborhood Plan (GNP)* –

This development creates a variety of residential densities supporting an orderly transition to



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medium density residential along Escalante Road, an arterial route per the *Major Streets and Routes Overlay*. It increases the ridership potential of nearby transit and creates a more pleasant pedestrian environment along Evergreen Avenue using landscaping and sidewalk improvements.

## **Design Considerations**

Land Use Compatibility – The site is located at the intersection of Escalante Road, an arterial street, and Evergreen Avenue. Evergreen Avenue is a divided road with a solid median and 90-foot-wide right-of-way, acting as a spine road between neighborhood streets and Escalante Road. Arterial streets are considered a recommended location for higher-intensity residential development per general and area plan policies. There is a shopping center adjacent to the east, and a single-family residential neighborhood to the south of the proposed development. The zoning classification across Escalante Road to the north is R-2 Residential, which is being requested at the project location. The neighborhood across Evergreen Avenue to the west is zoned R-3 and could potentially be developed with much higher densities than proposed by the Applicant. The neighborhood to the south is also zoned R-2, but comprised of single-family, single-story residential. The proposed development limits building heights along the southern boundary to a single-story, with a maximum height of 16 feet, to limit privacy and viewshed impacts to the existing neighborhood.

The proposed rezoning is aligned with the above plan policies. The land uses in the R-2 zone are primarily medium-density residential with associated public services. The preliminary development plan is compatible with the R-2 zone.

The closest transit stop is a bus stop adjacent to the site at the intersection of Escalante Road and Evergreen Road. The availability of transit supports the increase in residential density along this road.

Design Compatibility – The Design Compatibility Report and the proposed preliminary development plan illustrate the proposed development is compliant with relevant *General, Area, and Neighborhood Plan* policies

Road Improvements/Vehicular Access/Transit – The project faces Escalante Road, a designated arterial road by the Major Streets and Routes (MS&R) Plan. Vehicular access is provided by one access point on the north side of the property facing Escalante road and two points on Evergreen Avenue. Traffic in to and out of the Escalante Road access is limited to the east-facing lanes on

Escalante Road due to the median, and no median breaks are within 150 feet of vehicle access. The north access on Evergreen Avenue will require a new median opening approximately 300-



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feet south of Escalante Road and will allow for traffic leaving the subdivision to turn right on Evergreen, north bound to Escalante Road. The southern access on Evergreen is to be limited to right-in/right-out movement. These design features will restrict traffic from leaving the subdivision and moving south through existing neighborhoods.

Interior pedestrian circulation is provided through 5-foot sidewalks within the development, with access to a proposed newly constructed 6-foot sidewalk along Evergreen Avenue. An existing sidewalk along Escalante Road provides pedestrian connectivity from the proposed development and nearby neighborhoods to the shopping center at the corner of Escalante Road and Pantano Road.

## **January 25, 2024, Zoning Examiner Hearing**

The Applicant's representative spoke in support of the requested rezoning at the January 25, 2024, Zoning Examiner hearing. No other person spoke.

As of the date of the Zoning Examiner hearing, there was one (1) written approval and no (0) written protests.

**Conclusion** –The proposed rezoning of the site from SR to R-2 is appropriate for this location, is compatible with existing surrounding land uses, and it is in compliance with *Plan Tucson*, the *South Pantano Area Plan* and the *Groves Neighborhood Plan*. Subject to compliance with the preliminary conditions proposed by PDSD, approval of the requested R-2 zoning is recommended.

Sincerely,

John Iurino

Zoning Examiner

## **ATTACHMENTS:**

Case Location Map

Rezoning Case Map

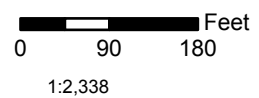
Cc: Mayor and Council

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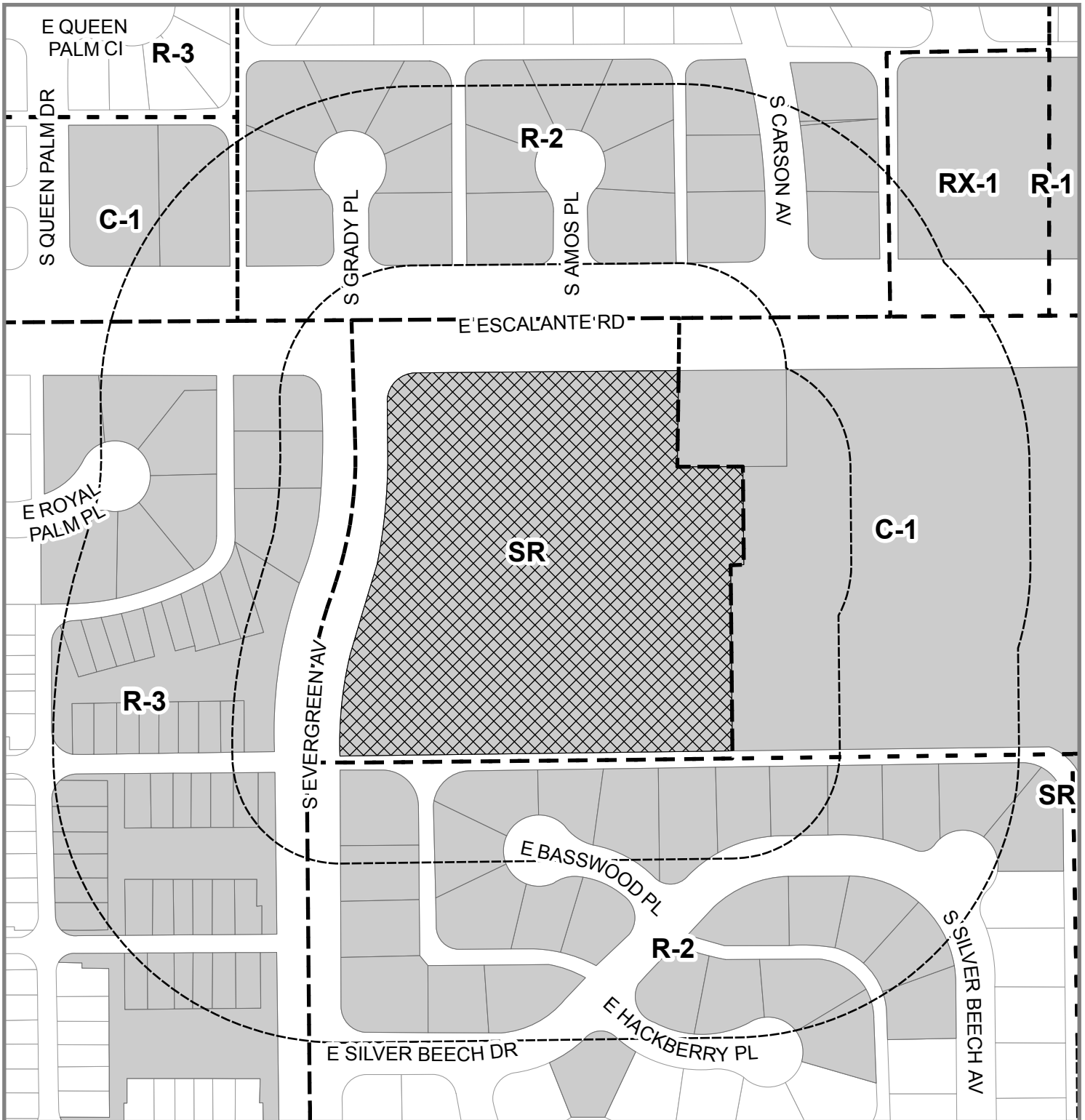


 Area of Rezoning

Address: No Address on Record  
Base Maps: Twp. 1403 Range 1502 Sec. 32  
Ward(s): 4



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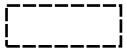
Area of Rezoning



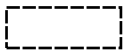
Zone Boundaries



Properties Notified

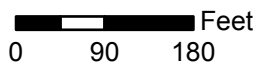


400' Notification Area



Protest Area (150 ft. Radius)

Address: 7667 E ESCALANTE RD  
 Base Maps: Twp. 1403 Range 1502 Sec. 32  
 Ward(s): 4



1:2,338



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