



Zoning Examiner

Preliminary Report

September 7, 2023

Rory Juneman

Lazarus & Silvyn, PC

5983 E. Grant Road, Suite 290

Tucson, AZ 85712

**SUBJECT: TP-ENT-0623-00026– Centre East Center – E Speedway Boulevard.
RX-1 to C-1 (Ward 2)**

Public Hearing: August 31, 2023

Dear Mr. Juneman:

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-0623-00026– Centre East Center – E Speedway Boulevard RX-1 to C-1 (Ward 2).

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. 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.

TP-ENT-0623-00026– Centre East Center – E Speedway Boulevard. RX-1 to C-1 (Ward 2)



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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

This is a request by Jackson Cassidy and Robin Large of Lazarus & Silvyn, on behalf of the property owners, Centre East Center LLC, to rezone 1.06 acre of a 12.82-acre parcel from RX-1 Residential to C-1 Commercial, for the purpose of office space. The proposal includes conversion of the existing City Ward 2 office. The proposal also includes parking improvements, landscaping, fencing and walkways. The subject site is east of the Pantano Wash, north of Speedway Blvd, and west of N. Pantano Road. (see Case Location Map). The rezoning is requested because Centre East Center LLC has entered into a land exchange agreement with the City of Tucson.

Background Information

Existing Land Use: Administrative and Professional Office

Zoning Descriptions:

Existing: Residence Zone – RX-1: This zone provides for suburban, low-intensity, single family, residential development, agriculture, and other compatible neighborhood uses.

Proposed: Commercial Zone (C-1) – This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

Adjacent Zones and Land Uses:

North: Zoned RX-1; Protective Services (TFD)

South: Zoned O-3; Manufactured Housing, Multi-family

West: Zoned O-3; Post-secondary Institution

East: Zoned C-1; Commercial Services, mixed retail use



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Project Background – Centre East Center, LLC has entered into a land exchange agreement with the City of Tucson. As part of this agreement, Centre East will soon own the existing Ward 2 Office Building located at 7575 E. Speedway Boulevard, which is on the 1.06 -acre portion of parcel 133-130-05E. The property has been occupied by Ward 2 and the City for administrative offices and civic uses pursuant to the City’s exemption from local zoning regulations. When Centre East acquires the property as a private owner, the exemption will no longer apply. The existing Ward 2 office building located at the center of the property is one story and approximately 7,337 square feet in size. There will be no changes to the existing building.

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

Plan Tucson

Plan policy is provided by *Plan Tucson*, which contains the following policies related the proposed rezoning, which is located within the Existing Neighborhoods Building Block of the Plan:

- LT28.1.7:** Preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community.

- LT28.2.5:** Support neighborhood commercial uses located at the intersections of arterial streets, arterial and collector streets, or collector street intersections.

- LT28.2.8:** Consider the expansion of commercial areas into adjoining residential areas when logical boundaries, such as existing streets or drainageways, can be established and adjacent residential property can be appropriately screened and buffered. Commercial expansions or consolidations, especially in conjunction with street widening, may be appropriate means to preserve the vitality of the street frontage and adjacent neighborhoods.

- LT28.2.10:** Support the location of residentially scaled office uses as a possible alternative to residential uses along major streets when:
 - a. The project stabilizes and enhances the transition edge when adjacent to existing and future residential uses;
 - b. Safe and appropriate access generally can be provided from a major street;
 - c. Required parking, loading, and maneuvering can be accommodated on site;



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- d. Screening and buffering of adjacent residential properties can be provided on site;
- e. Consideration is given to the consolidation of design elements, such as access points, parking, landscaping, and screening; and,
- f. Consideration is given to accommodating current or future cross access between adjacent parcels and uses.

LT28.2.12: Support environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community.

LT28.2.13: Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.

Pantano East Area Plan

The site is covered by the *Pantano East Area Plan*. The Plan was developed to address existing conditions and guide future development. Current land uses, rezoning and development proposals, projected improvements, and environmental features are described in the Plan. The Pantano East Area Plan Land Use Map classifies the land use for the subject property as being suitable for office/commercial use. The following policies relate to the proposed use:

Policy 1 Promote commercial developments in appropriate locations in the area.

- B. Implementation Technique B – Rezoning to commercial uses should be based on all the following:
 - i. The demonstrated need for commercial zoned land in the area;
 - ii. The site is located on an arterial street;
 - iii. The proposed use is integrated with other adjacent commercial uses.

Policy 2 Discourage the extension of strip commercial as a pattern of development.

- B. Ensure future commercial developments be:
 - i. Restricted to limited number of access points;
 - ii. Integrated with adjacent commercial developments; and
 - iii. Designed in harmony with adjacent residential uses.



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Design Considerations

Land Use Compatibility – The site is surrounded by a variety of land uses, which include mixed commercial retail, education, municipal protection services and manufactured and multi-family retail to the south. The proposed commercial office use is aligned with *Plan Tucson's* and *Pantano Area Plan's* policy, which supports appropriate commercial development along arterial streets, and the proposed use is integrated with other adjacent commercial uses, designed in harmony with adjacent residential use and with a limited number of access points. Additionally, Speedway Boulevard designated as an arterial road is appropriate for commercial development. The proposed project has no additional building heights and is compatible with the existing building character of the area.

Design Compatibility – The Design Compatibility Report and the proposed Preliminary Development Plan include a new gated emergency entrance/exit along with a backup/turnaround space, and a security fence separating the lot from the proposed northern parcel. These changes ensure that access to the site will only be from Speedway onto Fremming Avenue. These proposed changes will also ensure the protection of the Fire Departments emergency vehicle access easement along Fire Station Drive.

Environmental Resource Report – Per the *Pantano East Area Plan*, all development within this plan area is required to provide an Environmental Resource Report. Due to the limited scope of work and minimal modification of the site, an Environmental Resource Report is not required.

Road Improvements/Vehicular Access/Transit – Speedway Blvd. is a designated gateway arterial by the Major Streets and Routes (MS&R) Plan. Fremming Avenue is a public street adjoining the east frontage of the subject property. Fire Station Drive is also a public street west within the western frontage of subject property. The proposal retains two access points on Fremming Avenue and maintains pedestrian connectivity along Speedway and within the site. Vehicle access on Fremming Avenue will continue to function with a center left turn lane and right turn lane. Additionally, Fire Station Drive will remain a public street with an emergency access easement.

Additionally due to the reconfiguration of the access, ROW Engineering provided a series of comments which are reflected in the preliminary conditions and reference standards in relation to a required sidewalk along the eastern property line and Fremming Avenue.



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Parking – Required parking for the project is 25 spaces, and 27 spaces are provided. Fixed route transit service is available on Speedway Blvd., and near to two transit bus stops. 2 required bicycle parking spaces will also be provided.

August 31, 2023, Zoning Examiner Hearing

The Applicant’s representative spoke in support of the requested rezoning at the August 31, 2023, Zoning Examiner hearing. No other person spoke.

As of the date of the August 31, 2023, Zoning Examiner hearing, there were eight (8) written approvals and eight (8) written protests. The protests raised concerns about increased traffic on Fremming Avenue and on Helen Street. In response, the Applicant’s representative clarified that it was unlikely that anyone driving to the office building on the rezoning site would travel to or on Helen Street, and that the existing access to the building from Speedway Blvd would be unchanged.

Conclusion –The proposed rezoning of the site from RX-1 to C-1 is appropriate for this location, is compatible with existing surrounding land uses, and is in compliance with *Plan Tucson* and the *Pantano East Area Plan*. Subject to compliance with the preliminary conditions proposed by PDS, approval of the requested C-1 zoning is recommended.

Sincerely,

John Iurino

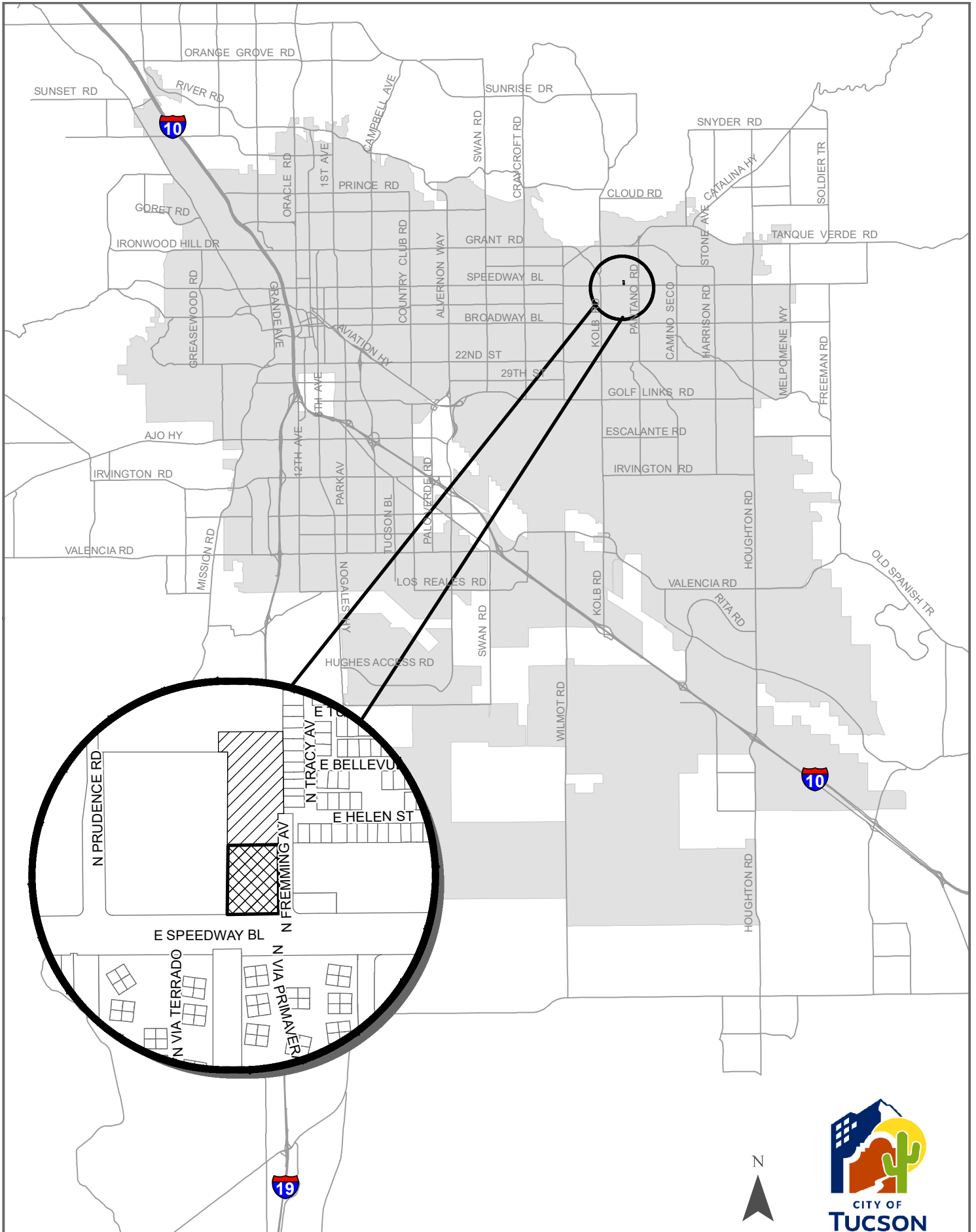
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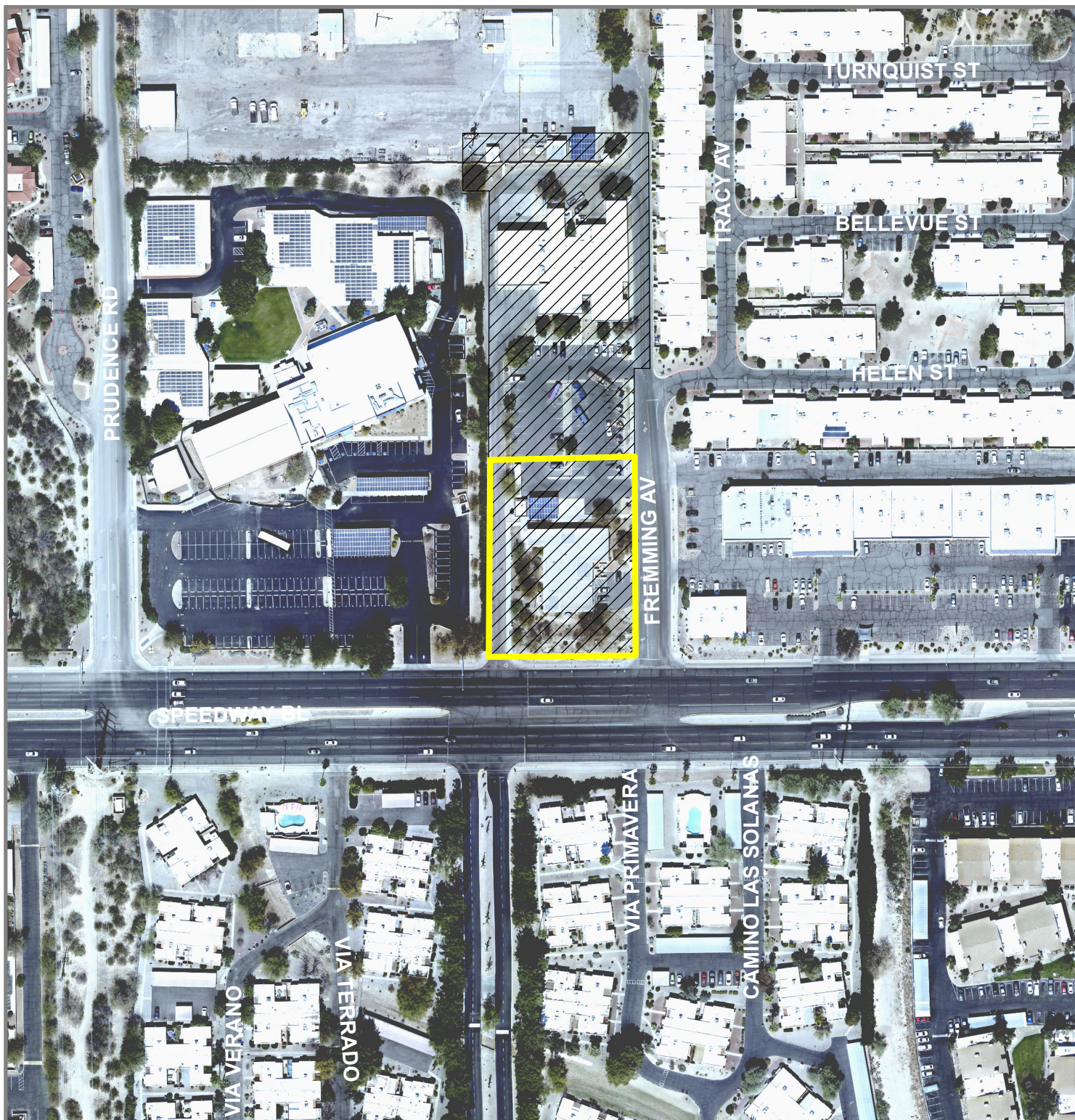
ATTACHMENTS:

Case Location Map

Rezoning Case Map

Cc: Mayor and Council



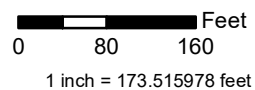


Area of Rezoning (RX-1 to C-1)

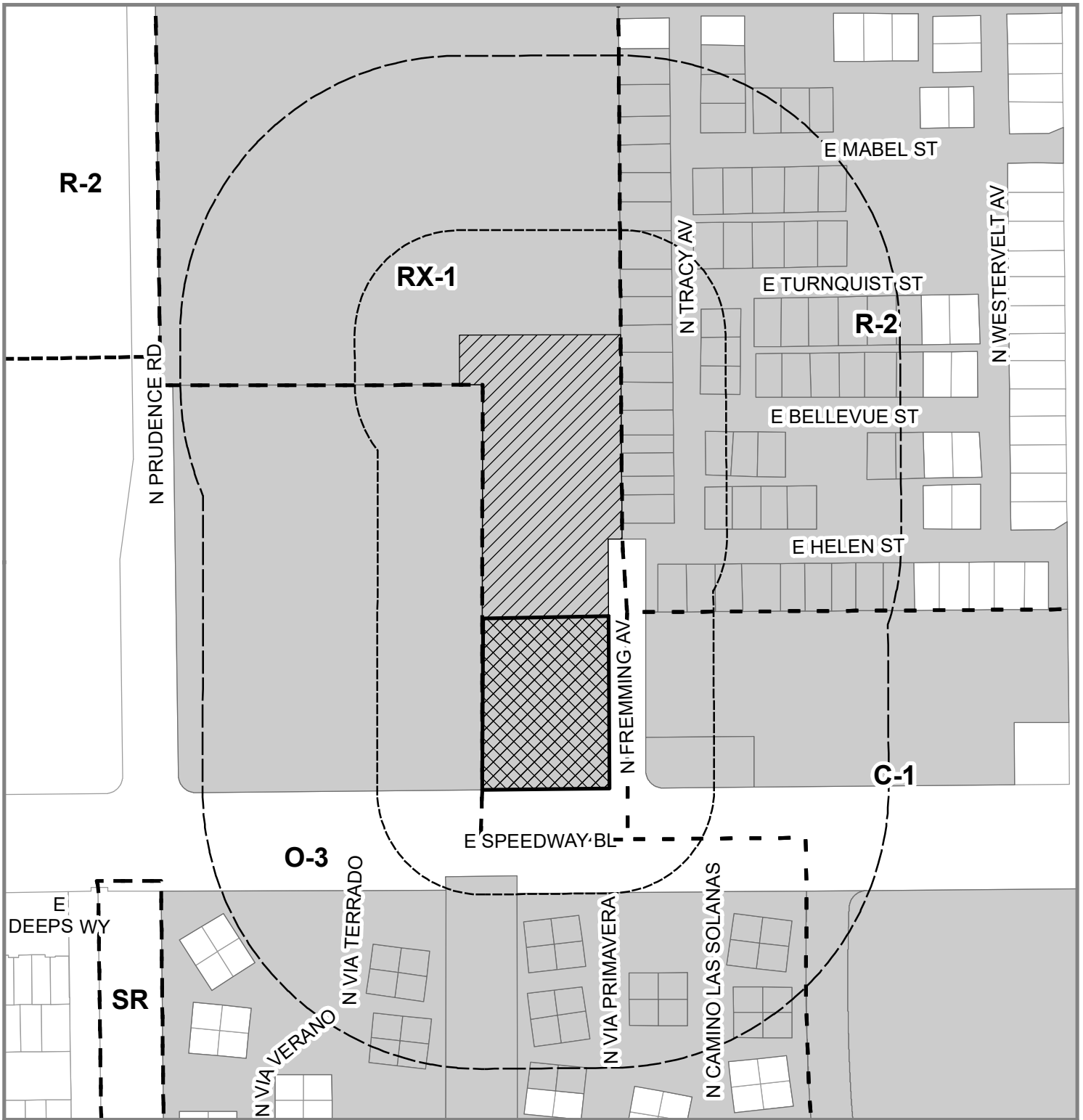





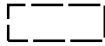

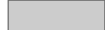
Same Ownership

Address: 7575 E SPEEDWAY BL
Base Maps: Twp. 14S R. 15E Sec. 05
Ward: 2



Rezoning Request: From RX-1 to C-1



-  Area of Rezoning (RX-1 to C-1)
-  Same Ownership
-  Protest Area (150 ft. Radius)
-  Notification Area (400 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: 7575 E SPEEDWAY BL
 Base Maps: Twp. 14S R. 15E Sec. 05
 Ward: 2

