



Zoning Examiner

Preliminary Report

November 2, 2023

Jeffrey Stanley
JAS Engineering
200 E. Yvon Drive
Tucson, AZ 85704

SUBJECT: TP-ENT-0723-00031– Houghton/Escalante SR to R-2 (Ward 4)

Public Hearing: September 21, 2023

October 26, 2023

Dear Mr. Stanley:

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-0723-00031– Houghton/Escalante 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.

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.

TP-ENT-0723-00031– Houghton/Escalante SR to R-2 (Ward 4)



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BACKGROUND

This is a request by Jeffrey Stanley of JAS Engineering, on behalf of the property owners, BTO Development (25%), Seamus Capital (50%), and Camfe LLC (25%), to rezone 10.7 acres from SR Suburban Ranch Residential to R-2 Residential, for the purpose of constructing a 32 lot residential subdivision. The proposal is described as two developed areas bisected by a regulatory wash area, more specifically the proposed design includes two dead-end streets, with one accessed by South Houghton Road, and the other accessed by East Escalante Road. The preliminary development plan also includes retention areas, easements, parking improvements, landscaping, buffering and access. The subject site is north of the East Escalante Road, and west of South Houghton Road. (see Case Location Map).

SUMMARY OF FINDINGS

Background Information

Existing Land Use: Vacant

Zoning Descriptions:

Existing: Residence Zone – 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: Residential Zone – (R-2): This zone provides medium, density, single -family and multi- family, residential development together with schools, parks, and other public services necessary for an urban residential environment. Select 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: Zoned R-2; Subdivision

South: Zoned R-1; Subdivision

West: Zoned SR; Vacant

East: Zoned SR; Vacant, Unincorporated Pima County

Applicant's Request – The Applicant seeks to rezone this vacant site from SR to R-2, to develop a residential subdivision. The project is proposing a density of 3.0 units per acre. R-2 zoning allows for medium intensity, residential development together with schools, parks, and other public services necessary for an urban residential environment.



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

Plan Tucson - The property is not located within any *Plan Tucson* Existing Neighborhoods Building Block, however the following policies related to the proposed rezoning apply:

G11 Encourage green infrastructure and low impact development techniques for stormwater management in public and private new development and redevelopment, and in roadway projects.

G12 Rehabilitate and enhance natural drainage systems, water detention and retention basins, and other infiltration areas for multiple benefits, such as recreation, wildlife habitat, and stormwater management.

G15 Create, preserve, and manage biologically rich, connected open space; wildlife and plant habitat; and wildlife corridors, including natural washes and pockets of native vegetation, while working to eradicate invasive species.

H2 Focus public and private investment on documented housing needs and priorities considering long-term housing supply and demand.

LT.28.1.1 Utilize solutions and strategies included in the Design Guidelines Manual to provide an improved level of community design.

LT28.1.17 Support methods to conserve and enhance habitat when development occurs.

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 conditions.

South Pantano Area Plan – The proposed rezoning is located within the *South Pantano Area Plan*, Subarea 7. The Proposed Uses section of the plan states that:

Suburban to mid urban densities are appropriate along the frontage of Houghton provided the final design of proposed development is sensitive to natural topography. Cut and fill and grading for any proposed development should be kept to a minimum.

The *South Pantano Area Plan* defines suburban densities as up to 6 units per acre; Mid Urban Density includes average densities up to 15 units per acre.



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Design Considerations

Land Use Compatibility – The site is surrounded by residential land uses including multi-family apartments properties to the north, single family residences to the south and northwest. Both east and west parcels are vacant and zoned as SR. The vacant parcel to the east is also within unincorporated Pima County. Integrally located within the proposed subdivision is a regulated wash. The proposed R-2 Subdivision use is aligned with *Plan Tucson's* and *South Pantano Area Plan's* policy, which supports appropriate residential development along arterial streets, and the proposed use is integrated with adjacent regulated wash areas, designed in harmony with adjacent residential use and with a limited number of access points. Additionally, Houghton is designated as a County Scenic Routes and is appropriate for residential development.

Design Compatibility – The Design Compatibility Report and the proposed Preliminary Development Plan include a revised 32 lot configuration with two primary internal roads. The preliminary development plan also includes retention/detention areas, easements, landscaping, buffer yards and two primary ingress and egress points. Each access road also includes emergency vehicle turn-around points at their terminus. The DRC also notes the proposed homes will adhere to the R-2 height limit of 25' and the 32 lots will be a mix of single and two-story buildings. Additionally, the buildings will adhere to the required setback distances. Perimeters setbacks for R-2 are 6' or 2/3 of building heights.

Environmental Resource Report – Per the *South Pantano East Area Plan*, all development within this plan area is required to provide an Environmental Resource Report. Additionally, No further drainage calculations have been provided but will need to be included with Development Package. The property is located within the Hillside Development Zone, and the applicant needs to provide additional slope and grading information per sections 5.2.7 and 9-01.2.0 of the *Unified Development Code*. Additionally, the Environmental Resource Zone requirements per section 5.7.2.G.4 also apply.

Road Improvements/Vehicular Access/Transit – Houghton is designated as a County Scenic Routes and is appropriate for residential development. Escalante is designated as an arterial by the Major Streets and Routes (MS&R) Plan. The Design Compatibility Report and the proposed Preliminary Development Plan include two primary internal Private or public? roads. The preliminary development plan also includes retention/detention areas, easements, landscaping, buffer yards and two primary ingress and egress points. Each access road also includes emergency vehicle turn-around points at their terminus. Pedestrian sidewalks and safe access walkways will be provided. ADA requirements will be met.

Additionally due to the additional traffic generation, ROW Engineering is requesting a Traffic Impact Analysis and Private Improvement Agreement which are reflected in the preliminary conditions.



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Landscaping and Screening – Due to the existing wash and natural area, this area is also identified as a riparian and water course and contains a variety of vegetation including Palo Verde, Acacia, Saguaro and Mesquites. Plant preservation and site sensitive design may effectively be utilized to meet both buffer and landscape requirements.

Additionally due to the vegetation, Site Landscaping is requesting Hillside Site Development standards and a Native Plant Preservation Plan and NPPO along with other requirements which are also reflected in the preliminary conditions.

September 21, 2023 Zoning Examiner Hearing

The Applicant's representative spoke in support of the requested rezoning at the September 21, 2023 Zoning Examiner hearing. No other person spoke.

As of the date of the September 21, 2023, Zoning Examiner hearing, there were no (0) written approvals and seven (7) written protests.

Some of the protests raised concerns about traffic on Houghton Road and the possible adverse impact of the additional traffic generated by the proposed development. When asked to address this concern, the Applicant's representative stated that the proposed development was dependent on the planned widening and improvements to Houghton Road.

After the September 21, 2023, Zoning Examiner hearing, PDSD received a communication from a party who attended the hearing and posted a question or comment on the Zoom chat function but did not elect to speak at the hearing. To make certain that all public input is received, the Zoning Examiner directed that the public hearing be re-opened, and the matter scheduled for October 26, 2023.

October 26, 2023, Zoning Examiner Hearing

The Applicant's representative spoke in support of the requested rezoning at the September 21, 2023, Zoning Examiner hearing and addressed the concerns raised by the written protests. The Applicant's representative stated that parking will be provided within the proposed development, the Native Plant Protection ordinance will be followed, impacts of views would be addressed by lowering some of the higher elevation land and by limiting the proposed development to one story dwellings, the proposed development's density is similar to and compatible with the densities of the adjoining residential subdivisions, and the construction will not occur until the Houghton Road improvements are completed.

One other person spoke and stated opposition to the development, raising issues concerning traffic, questions about the availability of water and impact on wildlife.

As of the date of October 26, 2023, Zoning Examiner hearing, there were no (0) written approvals and eleven (11) written protests.



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Conclusion

The proposed rezoning is appropriate for this location, is compatible with existing surrounding land uses, and it is in compliance with *Plan Tucson* and the *South Pantano Area Plan*. Subject to compliance with the preliminary conditions proposed by PDSD, and the additional condition limiting the proposed homes to one story, approval of the requested rezoning is appropriate and recommended.

Sincerely,

John Iurino

Zoning Examiner

ATTACHMENTS:

Case Location Map

Rezoning Case Map

Cc: Mayor and Council

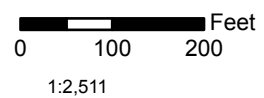


TP-ENT-0723-00031 from SR to R-2

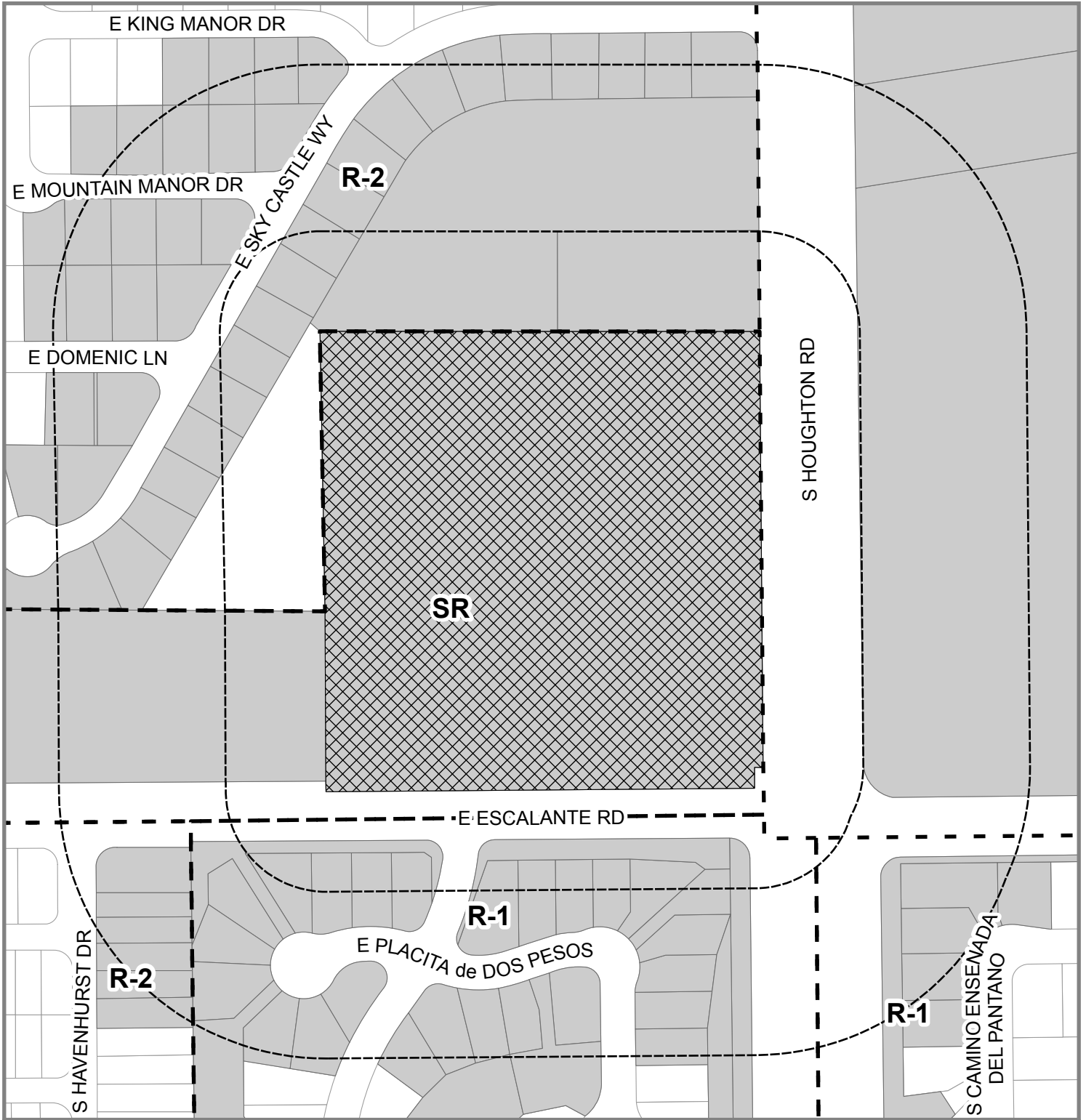





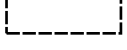

 Area of Rezoning

Address: No Address on Record
Base Maps: Twp. 1403 Range 1502 Sec. 26
Ward(s): 4

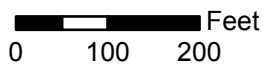


TP-ENT-0723-00031 from SR to R-2



-  Area of Rezoning
-  Zone Boundaries
-  Properties Notified
-  400' Notification Area
-  Protest Area (150 ft. Radius)

Address: 10271 E PLACITA DE DOS PESOS
Base Maps: Twp. 1403 Range 1502 Sec. 26
Ward(s): 4



1:2,511

