



# MEMORANDUM

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DATE: June 14, 2023  
For June 29, 2023 Hearing

TO: John Iurino  
Zoning Examiner

FROM: Kristina Swallow *Kristina Swallow*  
Planning & Development Services  
Director

SUBJECT: REZONING - PLANNING & DEVELOPMENT SERVICES REPORT  
TP-ENT-1122-00003 Sixth at Campbell PAD  
C-1, R-2, and P to Planned Area Development (PAD) (Ward 6)

Issue – This is a request by Lazarus & Silvyn, P.C. on behalf of the property owner, Scott Cummings, S. J. Cummings Properties, to rezone approximately 2.36 acres from C-1, R-2, and P (Parking) to PAD zoning. The rezoning site is located on the southwest corner of Sixth Street and Campbell Avenue, immediately adjacent to the University Arizona campus which is located to the north across Sixth Street (see Case Location Maps). The preliminary development plan proposes the development of a mixed-use, multi-story development comprised of storefront retail, commercial, restaurant uses with multi-family dwelling units and/or offices above, and potential land uses permitted within the PAD could include hotel. The project building heights range from 28 and 50 feet along Campbell Avenue to 70 and 80 feet moving west on the Sixth Street frontage.

The PAD is comprised of 14 parcels, 12 of which are owned by S. J. Cummings Properties. Two parcels are not owned by the applicant; one of those is owned by a private entity; and the other parcel is owned by the Arizona Board of Regents (ABOR). These two property owners provided letters of support and request to be included in the rezoning application (see Sixth at Campbell PAD, Appendix A and B). The parcels are currently developed with surface parking, and one story commercial and residential uses.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of PAD zoning, as proposed in the attached PAD document.

**2021 PAD Submittal** – The PAD rezoning request was originally denied by Mayor and Council on November 9, 2021 by a vote of 5-1. Note that per the Unified Development Code (Section 3.5.4.F.1-1) a new request for rezoning on property previously denied for rezoning by the Mayor and Council may not be accepted for a period of one year from the date of denial. The applicant's request has met this UDC requirement.

The project team has continued to work with the community, and this new PAD request reflects their engagement and revisions to the PAD document through both the previous and prior public processes (see Appendix A).

**Public Outreach** – The applicant held an in-person neighborhood meeting on March 30, 2023 at the Ward 6 Council Office, with approximately 40 attendees. Issues and topics raised and covered included parking, height and stories, constructions timing, rooftop amenities, number of residential units, questions as to how the revised PAD differs from the previously denied PAD, and concern about a Class 6 liquor license. Per the meeting summary, several attendees expressed support for the project.

### **Background Information**

**PAD Document Review:** The PAD document went through an iterative review process with numerous City departments and outside agencies, with multiple drafts until there was consensus that the final document was ready for the required neighborhood meeting and Zoning Examiner public hearing. The pre-PAD review involved considerations including adopted policy, existing capacities, traffic impacts and counts, water demand impact, sewer capacities, park facilities evaluated in relation to the proposed project.

**Existing Land Use:** Commercial, Parking, and Residential (rental) uses

### **Zoning Descriptions:**

**Residential Zone (R-2):** This zone provides for 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, urban agriculture, are permitted that provide reasonable compatibility and adjoining residential uses.

**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.

**Parking Zone (P):** This zone provides for off-street motor vehicle parking within residential areas to serve land uses in another zone. Select other uses, such as renewable energy generation and urban agriculture, may also be permitted that provide reasonable compatibility with adjoining residential uses.

**Planned Area Development (PAD):** enables and encourages comprehensively planned development in accordance with adopted plans and policies. The PAD is a zoning classification which provides for the establishment of zoning districts with distinct standards. A PAD may have land use regulations different from the zoning regulations in the UDC, any other PAD District, or other zoning districts. When a provision in a PAD varies from the UDC, the provisions in the PAD shall govern.

Surrounding Zones and Land Uses:

North: Zoned R-2; University of Arizona Campus, Arizona Stadium and UArizona Indoor Practice Facility

Northeast: Zoned C-1 and R-2; Fraternity

South: Zoned R-2; UA South Stadium Parking Garage; Single-Family Residential

East: Zoned OCR-1; Sam Hughes Place (mixed-use)

West: Zoned C-1, and R-3; UArizona Surface Parking

Eligibility Status of Historic Structures:

There are two buildings within the proposed PAD area that are considered by the City of Tucson Historic Preservation Office staff to eligible for historic designation:

- 1718 East 6<sup>th</sup> Street (124-03-1860)
- 1722 East 6<sup>th</sup> Street (124-03-1870)

Previous Cases on the Property:

C9-20-12 - The PAD rezoning request was originally denied by Mayor and Council on November 9, 2021 by a vote of 5-1.

C9-03-04 - On August 2, 2004 Mayor and Council adopted Ordinance No. 10023 establishing conditions of rezoning for a property at 422, 428-432 North Martin Avenue, 0.41 acres, from R-2 to P for 48 parking spaces to provide for additional parking for existing commercial development north of the site across the alley. The conditions of rezoning case C9-03-04 Cummings – Martin Ave as established by Ordinance No. 10023, were met and the zoning changed to P with the issuance of a building permit (T04EL02283) on November 16, 2004. Prior to the rezoning, on February 24, 2003, the Mayor and Council approved Resolution #19520 amending the *University Area Plan* to allow a parking lot on two parcels currently developed with multi-family residential.

Related Cases:

C9-18-04 Speedway + Campbell Gateway PAD, R-3 and C-1 to PAD - On June 19, 2018, Mayor and Council adopted Ordinance No. 11563 establishing conditions of rezoning for the above referenced rezoning case. The ordinance became effective and the zoning changed to PAD on July 19, 2018. This was a rezoning request to rezone 2.49 acres for a mixed-use activity center with retail, grocery, hospitality and/ or multi-family residential and professional or medical office for a total square footage ranging from 360,000 to 420,000. The maximum building height is 250-feet (20 stories) with proposed step-back and height transitions along Speedway Boulevard and Campbell Avenue of 7 stories (104-feet) and 6 stories (90-feet) for parking structure components of the project. Due to the site's location at the gateway of the University of Arizona (UA) within proximity to the Helen Streetcar stop and other multi-modal opportunities, the proposed project is considered a transit-oriented development as it is proposed for mixed-use development designed

to take advantage of nearby transit and includes features that encourage walking, biking and transit ridership.

C9-03-18 La Colonia Seis – Campbell Avenue, R-2 and C-1 to OCR-1 – On November 10, 2003 Mayor and Council adopted Ordinance 9910 establishing conditions of rezoning for the above referenced rezoning case. The project was for a one three-story building and five two-story buildings containing a maximum of 62 residential units and 39,611 square feet of office and retail uses, on 3.4- acre site at southeast corner of Campbell Avenue and Sixth Street. On August 4, 2003, prior to the rezoning, Mayor and Council adopted Resolution No. 19662 amending the *Sam Hughes Neighborhood Plan* to allow a mixed-use office/commercial/residential development on the subject site at the southeast corner of Campbell Avenue and Sixth Street. The Concept Map, Map 4-Office/Commercial Development, was also amended to add a new land use designation identified as “Mixed Use”.

**Applicant’s Request** – “The goal of the Sixth at Campbell PAD is a mixed-use development comprised of storefront retail with multi-family dwelling units and/or offices above. If market conditions are favorable, travelers’ accommodations (hotel) is also an allowed use for upper floors. The intent is a high-visibility regional activity center, campus edge, and gateway with the goal of attracting Tucson and Greater Arizona residents, athletic fans, and alumni to urban, transit-oriented housing options, shopping, culture, and entertainment.”

**Planning Considerations** – Land use policy direction for this area is provided by Plan Tucson (PT) and the *University Area Plan (UAP)*. Additionally, while not a City policy, this area is located within the University of Arizona Campus Planning Area, which is referenced by the *University Area Plan* and contemplates future development on this site.

Plan Tucson - The Plan Tucson Future Growth Scenario Map identifies the PAD location as within the Campus Areas Building Block. Campus areas include and surround large master-planned educational, medical, or business facilities. A fully realized campus serves the local workforce and student population and includes a range of housing, a variety of retail opportunities, and convenient transit options. Campus areas often accommodate businesses that are a spin-off of economic development opportunities generated by the primary employers. Existing examples of Campus Areas include the University of Arizona and Banner University Medical Center.

Plan Tucson calls to integrate land use, transportation, and urban design to achieve an urban form that supports more efficient use of resources, mobility options, more aesthetically pleasing and active public spaces, and sensitivity to historic and natural resources and neighborhood character (PT, LT1). It provides policy direction to evaluate the benefits of new development relative to historic properties in land use decisions (PT, HP7). It supports opportunities where residential, commercial, employment and recreational uses are located, ensuring urban design is sensitive to the surrounding scale and intensities of existing development (PT, LT3 and LT4). Plan Tucson calls for considering special zoning districts, such as Planned Area Development (PAD) as a way to foster mixed-use activity nodes in areas suitable for redevelopment or enhancement (PT, LT28.1.10). Plan Tucson calls to consider redevelopment, including the demolition of substandard structures, which encourages the assemblage of large parcels for activity center or node

development (LT28.5.2). It supports residential development with densities that complement the size and intensity of the center or node, while providing transitions to lower density residential uses (PT, LT28.5.5). Policy direction supports 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.

*University Area Plan (UAP)* - The *University Area Plan* has been established for an area surrounding but not including the main campus of the University of Arizona. The UAP recognizes the importance of the University's Comprehensive Campus Plan and seeks to enhance coordination between policies of the two plans in the best interests of University Area neighborhoods and the community of Tucson. The *University Area Plan* recognizes the nature and potential of the University and its immediate surroundings as a relatively compact, pedestrian-oriented regional activity center, and works to strengthen the identity and quality of this area with city-wide and neighborhood goals. It promotes the cooperation between neighborhoods, private developers, the City of Tucson, and the UA to ensure new development is sensitive to local neighborhood concerns and supportive of adopted city-wide policies.

The UAP calls to preserve and enhance the historic character of the University Area neighborhoods through protecting designated and potentially eligible properties from demolition or neglect (UAP, Section 2 4.2). It supports carefully located and designed mixed use development as a viable means to integrate housing, employment, shopping, and related activities in a relatively compact pedestrian-oriented area, consistent with regional activity center policy in *Plan Tucson* (UAP, Section 3D). It supports projects where commercial activity is located at the street level and is connected to the public sidewalk; tenant mix offers goods and services oriented to local residents and compatible with the neighborhood and area; and development that includes a well-defined pedestrian system linked to public sidewalk system, convenient access to transit facilities, and secure bicycle parking areas (UAP, Section 3.D). The UAP calls for design that complements surrounding development, utilizing compatible building materials, architectural style and ornamentation, setbacks, step backs, and variations in building height or mass to complement the scale and character of surrounding development and reduce the appearance of excessive height and bulk (UAP, Section 8.1). New development should carefully reflect and enhance neighborhood identity, streetscape continuity, historic development patterns, neighborhood landmarks, predominant architectural and landscaping themes, and scenic or historic views (UAP, Section 8.2). It calls for orientation to buildings, views and balconies so as to protect the privacy of adjacent residents. It encourages the consolidation of adjacent parcels wherever possible in order to provide integrated circulation and access, reduce the number of curb cuts along the street, and enhance screening and buffering between adjacent, noncompatible uses (UAP, Section 8.11).

*The University of Arizona Comprehensive Campus Plan Update 2009 (Campus Plan)* – The project site is located within the University of Arizona Campus Planning Area (UAP, Map 8). The Campus Plan identifies this area along Sixth Street as South Campus – Precinct 4 which describes appropriate potential development of mixed-use buildings at the east end of Sixth Street with storefront retail, housing, student recreational facilities, and structured parking.

**PAD Document Overview** – The Sixth at Campbell PAD proposes a PAD zoning district based on modified provisions to the OCR-1 zone in the Unified Development Code. The PAD is considered a single parcel for purposes of setbacks, building placement, permitted land uses, and other development standards. The PAD district is further divided into four sections (A, B, C, and D) with each section having its own specific development standards.

**Land Uses (PAD, Part III, B.1,2, and 3):**

- Permitted uses for the PAD include office, hotel, restaurant, retail, multi-family dwelling
- Excluded uses including manufacturing, automotive: all uses, animal service, restricted adult activities, all residential care services and group dwelling.

**Development Standards (PAD, Part III, C.2):**

- Building Height Standards:
  - Section A Maximum Building Height 80-feet
  - Section B Maximum Building Height 70-feet
  - Section C Maximum Building Height 50-feet
  - Section D Parking Structure 28-feet
- The PAD document calls out programming by floor for each section with commercial / retail and parking uses on the lower floors, and residential, office, parking (visibility screened), hotel on the upper floors. Hotel excluded from Sections B and C.
- Parking: The Sixth at Campbell PAD is considered by the Traffic Impact Analysis as a Transit-Oriented Development with goals of discouraging motor vehicle use with associated with parking and encouraging bicycle, public and university transit which are reflected in the parking requirements.
  - Entire PAD Vehicle Parking: Off-street Residential = min. 0.9 space per dwelling unit; Off-street Hotel = min. 0.62 space per room; All Other Uses = 1 per 400-feet.
  - Parking which is not allocated to residents or guests in the residential portion of the project may be made available as public parking.
  - Parking requirement reductions may be requested through the City's Individual Parking Plan process (UDC 7.4.5.A). Employee parking may be provided at locations within ¼ mile of site.
  - Electric Vehicle Charging Stations will comply with adopted City requirements.
- Parking Screening: All new parking shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of parking structure walls, occupied space, display space, pedestrian arcades, substantial landscape elements or combination thereof.
- Bicycle parking: may not be reduced or eliminated and must be based on the number of motor vehicle parking spaces required as per UDC Section 7.4.8 for the proposed uses. PAD will include bike share station.
- Pedestrian Circulation: Sidewalks along Campbell and Sixth min. 8-feet wide.

- Martin Avenue: Applicant to work with City, UArizona, Rincon Heights NA and other affected neighbors on the potential to close Martin Avenue and convert it to a landscaped area with bicycle and pedestrian path. If acquired applicant agreeable to being responsible for landscape upkeep and other maintenance of the amenity.
- Vehicle Access (PAD, Exhibit 7): The Concept and Circulation Plan shows three ingress/egress points along Sixth Street with one ingress/egress point from Campbell Avenue and at the alley which is to be widened to a 24-foot. Access to the South Stadium Parking Garage while still from Martin Avenue will only be from Sixth or Campbell. The circulation created by the PAD will eliminate southbound traffic through Rincon Heights Neighborhood that is now occurring on UArizona football game days.
- Site Amenity Restrictions:
  1. No rooftop amenities are allowed on top level of Sections A, B or C.
  2. Rooftop amenities are allowed below highest level of Sections A, B, or C with the following requirements:
    - Rooftop amenities may be allowed on the top level of any floor below the top floor, such that the top floor or other screens create a solid noise screen to the adjacent neighborhoods to the south, east, and west.
    - The amenity faces north.
    - The amenity must be designed to prevent objects falling onto the pedestrian areas below.
    - No rooftop amenities on any level of Section D.
    - Rooftop amenities include pools and terrace areas.
    - Balconies or amenity terraces shall not be permitted on the south façade of any proposed development within the PAD.

Design (PAD Part III.J and K):

- Design Review Committee (DRC) shall consist of (1) applicant; (1) City of Tucson Design Professional; (1) Registered Architect; (1) Design Professional from the UArizona Planning Design and Construction Department; and (1) Representative from the Rincon Heights Neighborhood Association; (1) Registered Landscape Architect; (1) Real estate developer or person affiliated with the development industry; (1) General Contractor licensed in the State of Arizona.
- DRC will review and approve all plans and materials for future development for conformance with PAD, Part III Section 10 Design Standards.
- Provide a letter of recommendation to City of Tucson at time of any development package submittal.
- Design standards to provide a common theme and include building articulation with details at the first floor to provide interest and variety at pedestrian / street level; a single plane of façade shall be no longer than 50-feet without architectural detail; provide arcades, canopies or awnings for shade, with storefronts integrated with the sidewalk design and treatment.

- Design materials to include texture, colors, metals glass, tile, and selected with the idea of localizing the architectural effect and ambiance of surrounding area.
- Shade shall be provided for at least 50 percent of all sidewalks and pedestrian access paths as measured at 2:00 p.m. on June 21 when the sun is 82 degrees above the horizon. Shade can be provided by a building orientation, trees, arcades, canopies, or shade structures.

Approach to Potentially Historic Structures (PAD Part III. H.1 and 2):

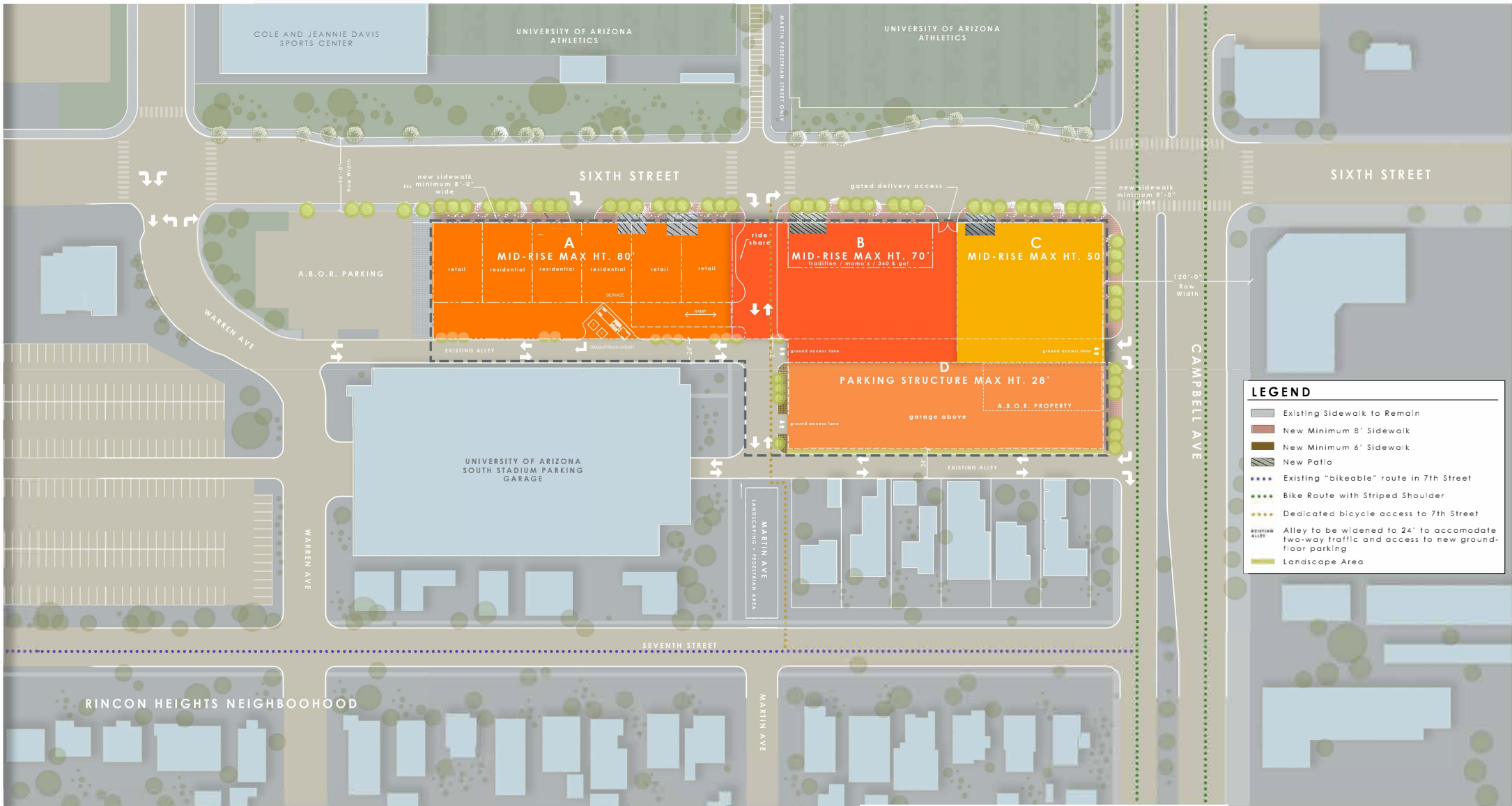
- The PAD recognizes two buildings to be considered eligible for historic status – 1718 East 6<sup>th</sup> Street; and 1722 East 6<sup>th</sup> Street.
- The developer is to provide a historic assessment for each of the two buildings and include an evaluation for the possibility of relocation. Results to be presented to the Tucson Historic Preservation Office with one of two recommendations 1) relocation of building to a property within Rincon Heights Neighborhood; or 2) demolition of the structure per City of Tucson requirements.
- Design constraints to mitigate PAD impact on adjacent historic neighborhoods.

**Discussion** – The Sixth at Campbell PAD is located adjacent to the University of Arizona a regional activity center. It also is situated within the University’s Comprehensive Campus Plan boundary (Precinct 4) which proposes potential mixed-use development with storefront retail, housing and offices. This type of development is also consistent with the policy direction found in both *Plan Tucson* and *University Area Plan*. The PAD is well-positioned to support and enhance the UArizona regional activity center with employee housing and off-campus businesses. It is adjacent to a variety of multi-modal opportunities, campus and public transit options. The potential abandonment of Martin Avenue can direct traffic away from the interior of the neighborhood and provide an amenity to the neighborhood with the proposed pocket park.

The PAD proposal has been revised since it last went to Mayor and Council in 2021. The Project Team has worked with the community, with the latest PAD version addressing concerns and issues raised in both previous and current public processes.

**Conclusion** – The request to rezone the site to a PAD to facilitate a new activity center with a mix of residential and commercial uses is consistent with *Plan Tucson* and the *University Area Plan*. A plan amendment is not required. Approval of the requested PAD zoning is appropriate. No other conditions are required.





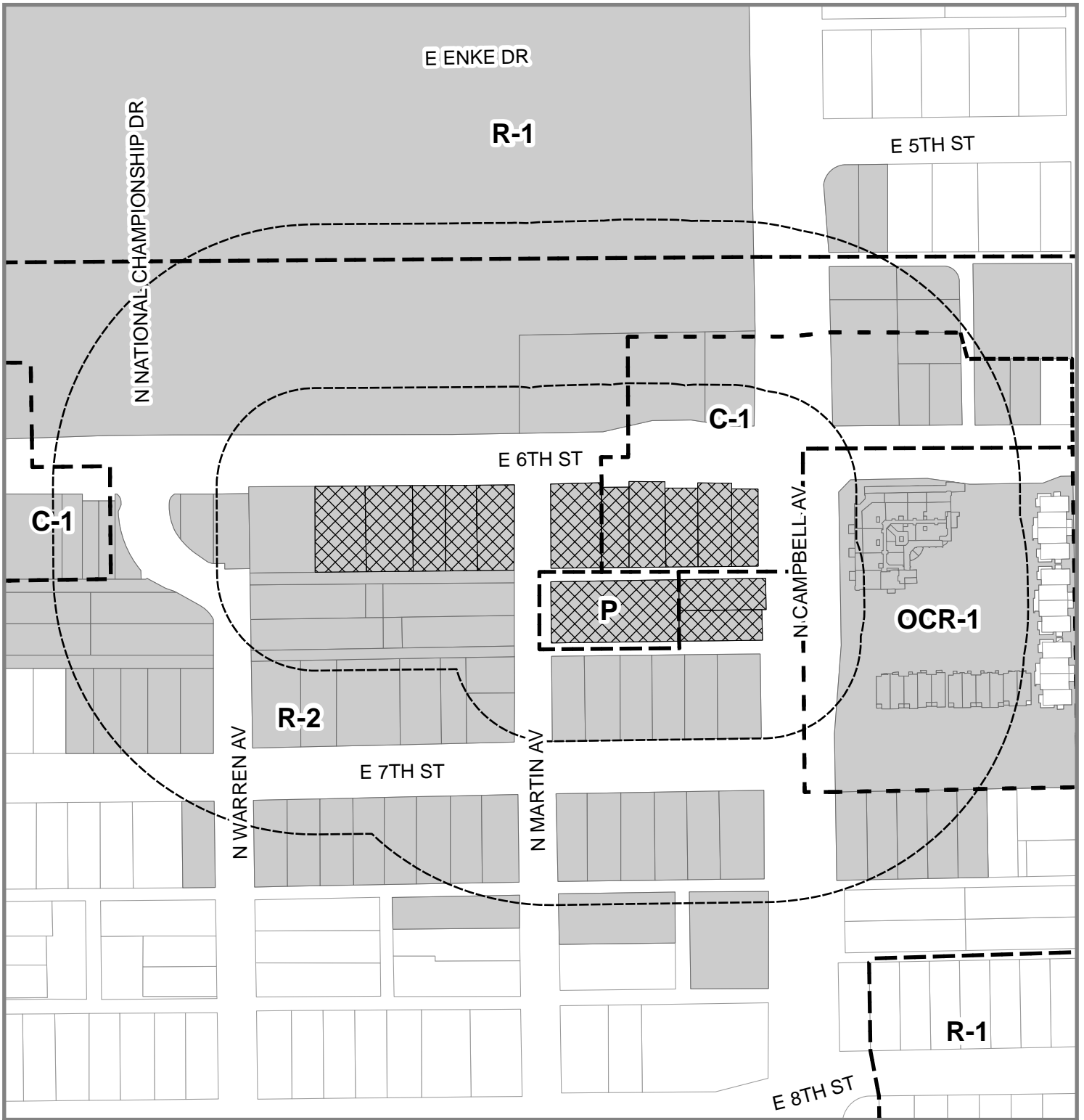
**PAD Concept & Circulation Plan**




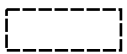

FORSarchitecture+interiors

**REZONING**  
 Preliminary Development Plan  
 TP-ENT-1122-00003 Date April 6, 2023  
 Planning & Development Services

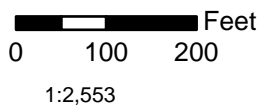
**SJCummings Properties**

# Sixth at Campbell Rezoning from C-1, R-2 and P to PAD

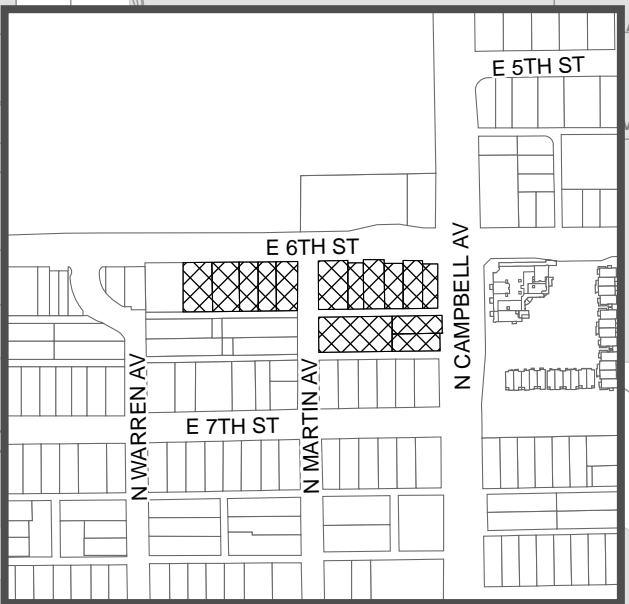
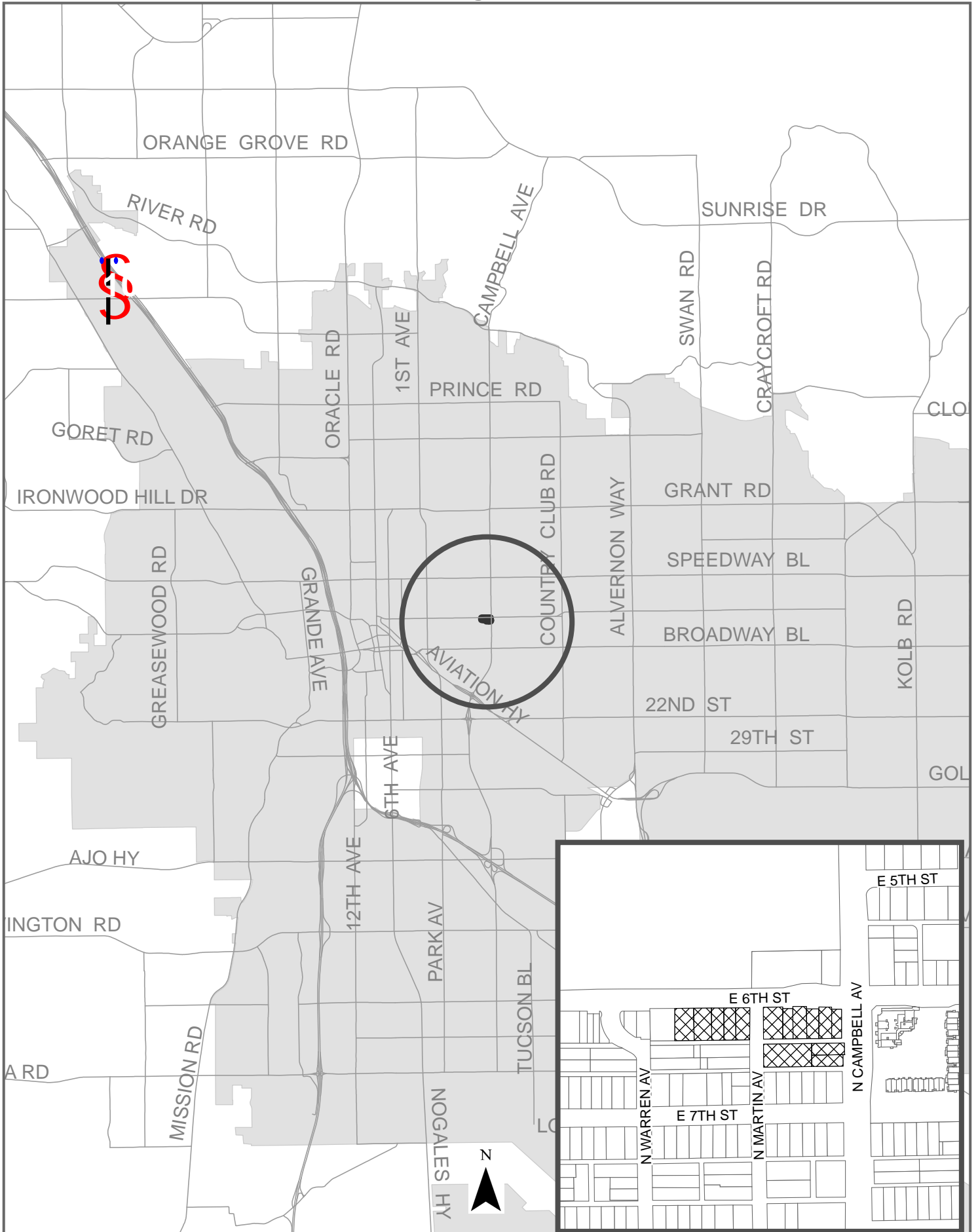


-  Area of Rezoning
-  Zone Boundaries
-  Properties Notified
-  400' Notification Area
-  Protest Area (150 ft. Radius)

Address: 1742 E 6TH ST  
 Base Maps: Twp. 1403 Range 1402 Sec. 07  
 Ward(s): 6




# Sixth at Campbell Rezoning from C-1, R-2 and P to PAD





# Sixth at Campbell Rezoning from C-1, R-2 and P to PAD



 Area of Rezoning

Address: 1742 E 6TH ST  
Base Maps: Twp. 1403 Range 1402 Sec. 07  
Ward(s): 6

0 100 200 Feet  
1:2,553



## Approval – Protest Form



If you wish to submit a written protest or approval, this form is provided for your convenience. Print your comments below, sign your name, and mail to the City of Tucson Planning and Development Services Department, Entitlements Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, Arizona 85726-7210. The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing. This form is not the City of Tucson Public Hearing Notice.

Protests from 20% of the property owners within 150’ of the whole perimeter of the property being rezoned, including BOTH 20% of the property by area and 20% of the number of lots with 150’, require an affirmative vote of ¾ of the Mayor and Council (5 of 7 council members) to approve the rezoning or special Exception ordinance. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations. Calculations will be provided to the Mayor and Council.

**Case: TP-ENT-1122-00003 Sixth at Campbell PAD, C-1, R-2 and P to PAD (Ward 6)**

\_\_\_\_\_   
 Property Owner(s) (PLEASE PRINT)

- APPROVE the proposed rezoning/special exception
- PROTEST the proposed rezoning/special exception

**Reason:**

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\_\_\_\_\_

OWNER(S) SIGNATURES	PLEASE PRINT PROPERTY ADDRESS	PLEASE PRINT YOUR MAILING ADDRESS

Date \_\_\_\_\_

Place  
Stamp  
Here

City of Tucson  
**Planning and Development Services Department**  
Entitlements Section  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

TP-ENT-1122-00003 jb

Expose this flap - Affix stamp and return

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City of Tucson  
Planning and Development Services  
Department - Entitlements Section  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210

TP-ENT-1122-00003 jb  
IMPORTANT LAND USE CHANGE NOTICE ENCLOSED