CITY OF TUCSON
ZONING EXAMINER'S OFFICE

Zoning Examiner Preliminary Report

July 19, 2018

Sun-N' Fun Construction, LLC
Jim Sullivan
6500 N. White Deer Lane
Tucson, AZ 85743

SUBJECT: C9-17-13 Spieth – Vine Avenue
Rezoning: from R-2 to P (Ward 5)
Public Hearing: July 12, 2018

Dear Mr. Sullivan,

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 C9-17-13 Spieth- Vine Avenue, R-2 to P.

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 (PDSD) 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.

SUMMARY OF FINDINGS

This rezoning is a request by Jim Sullivan of Sun 'n Fun Construction, LLC, on behalf of the property owners, Volker and Lilian Spieth, to rezone a vacant lot of approximately 0.15 of an acre from R-2 (residential) to P (parking) zoning. *Plan*

Tucson and the *Arroyo Chico Area Plan* provide policy direction for the rezoning site.

The rezoning site is located on the southeast corner of Vine Avenue and 16th Street. The preliminary development plan (PDP) proposes the development of a seven (7) space parking lot to provide overflow parking for customers and employees of Roma Imports Market, a retail and food service use located approximately 100 feet south of the rezoning site. The proposed parking lot will be accessed directly by a one-way entrance drive from 16th Street with a one-way exit drive onto Vine Avenue.

Planning & Development Services Recommendation
The Planning & Development Services Department recommends approval of P (Parking) zoning, subject to the special conditions attached to the Staff Report. The applicant agrees with the special conditions.

Surrounding Zones and Land Uses
The subject property is currently vacant and zoned R-2. To the north are Cox Cable Company and University of Arizona Motor Pool lot, zoned Park Industrial (P-I), to the south are industrial and commercial uses zoned Industrial (I-1), to the east is a contractor's yard and other industrial and commercial uses zoned Industrial (I-1), and to the west are single and multi-family residences zoned Residential (R-2).

Planning Considerations – Policy direction is provided by *Plan Tucson (PT)* and *Arroyo Chico Area Plan (ACAP)*
The proposed development is consistent with the applicable Land Use, Transportation, and Urban Design Policies of *PT*, and the supporting guidelines for Development Review. *PT* policy supports the retention and expansion of existing businesses as well as infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions. This site is within a Business Center as identified on the Future Growth Scenario Map of *PT*.
The *ACAP* was developed in order to encourage a compatible mix of residential, industrial, and business uses in the plan area, while protecting the integrity of existing neighborhoods. The project site is located in an area classified in the *ACAP* as appropriate for industrial and commercial uses.

Zoning Examiner Hearing July 12, 2018
The applicant's representative spoke at the July 12, 2018 public hearing and testified that the Applicants have agreed to the special conditions recommended by PDSD. No other persons spoke. The record contains statements from the neighborhood meeting demonstrating that two neighboring property owners support the rezoning. In addition, two neighbors submitted Approval forms in support of the rezoning; one noted that the rezoning and construction of a parking lot will relieve the parking burden on Vine Avenue.

CONCLUSION – The proposed rezoning is consistent with, and supported by, the policy direction provided in *Plan Tucson*. A plan amendment to the *Arroyo Chico Area Plan* is not required. The parking lot for customers and employees of the nearby import market will help reduce the number of vehicles parking along the local streets. Subject to compliance with the attached preliminary conditions, approval of the requested rezoning is appropriate.

RECOMMENDATION
The Zoning Examiner recommends approval of the rezoning subject to the PDSD recommended conditions.

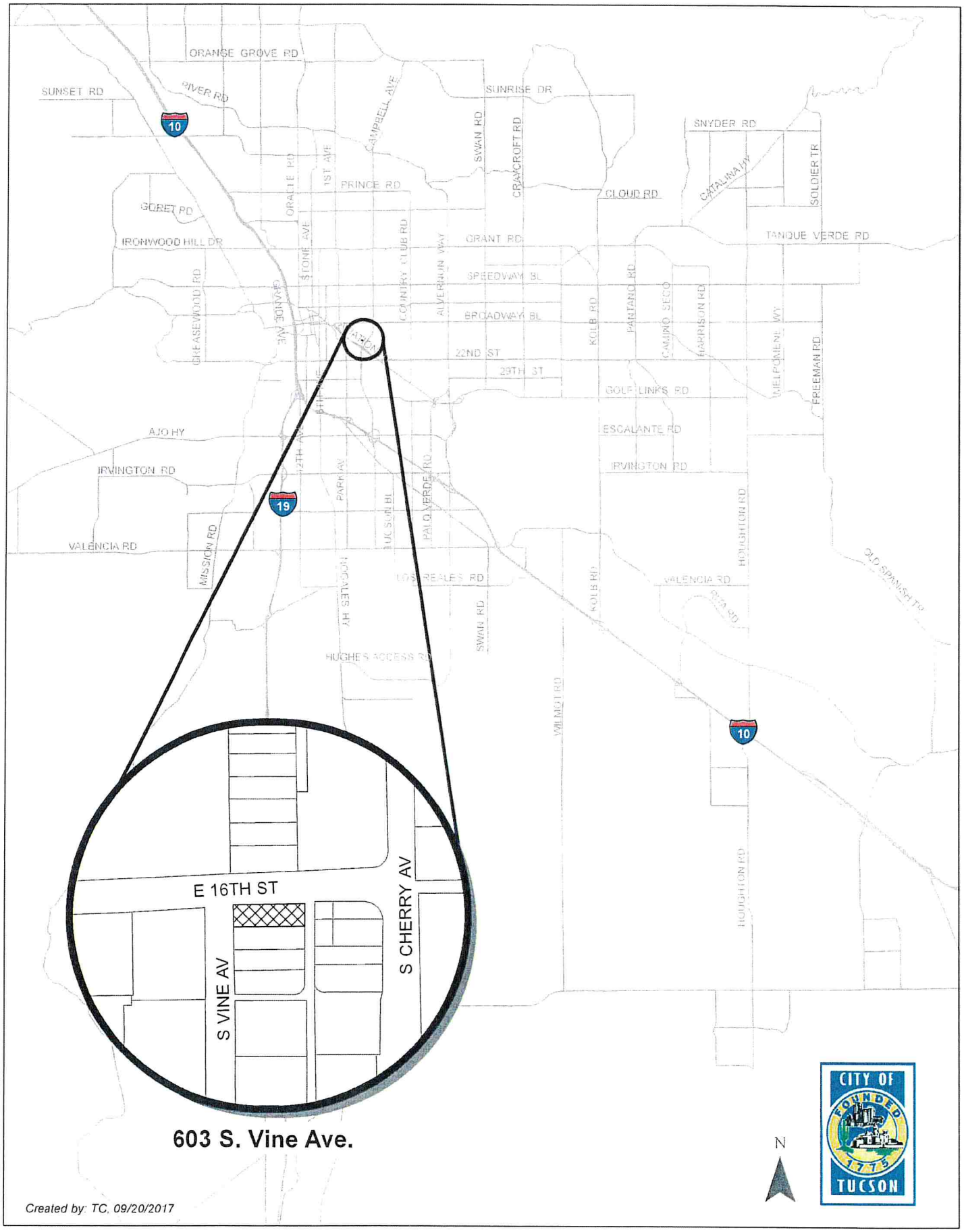
Sincerely,

John Iurino,
Zoning Examiner

ATTACHMENTS:
Case Location Map
Rezoning Case Map

cc: City of Tucson Mayor and Council

C9-17-13: Spieth - Vine Ave.



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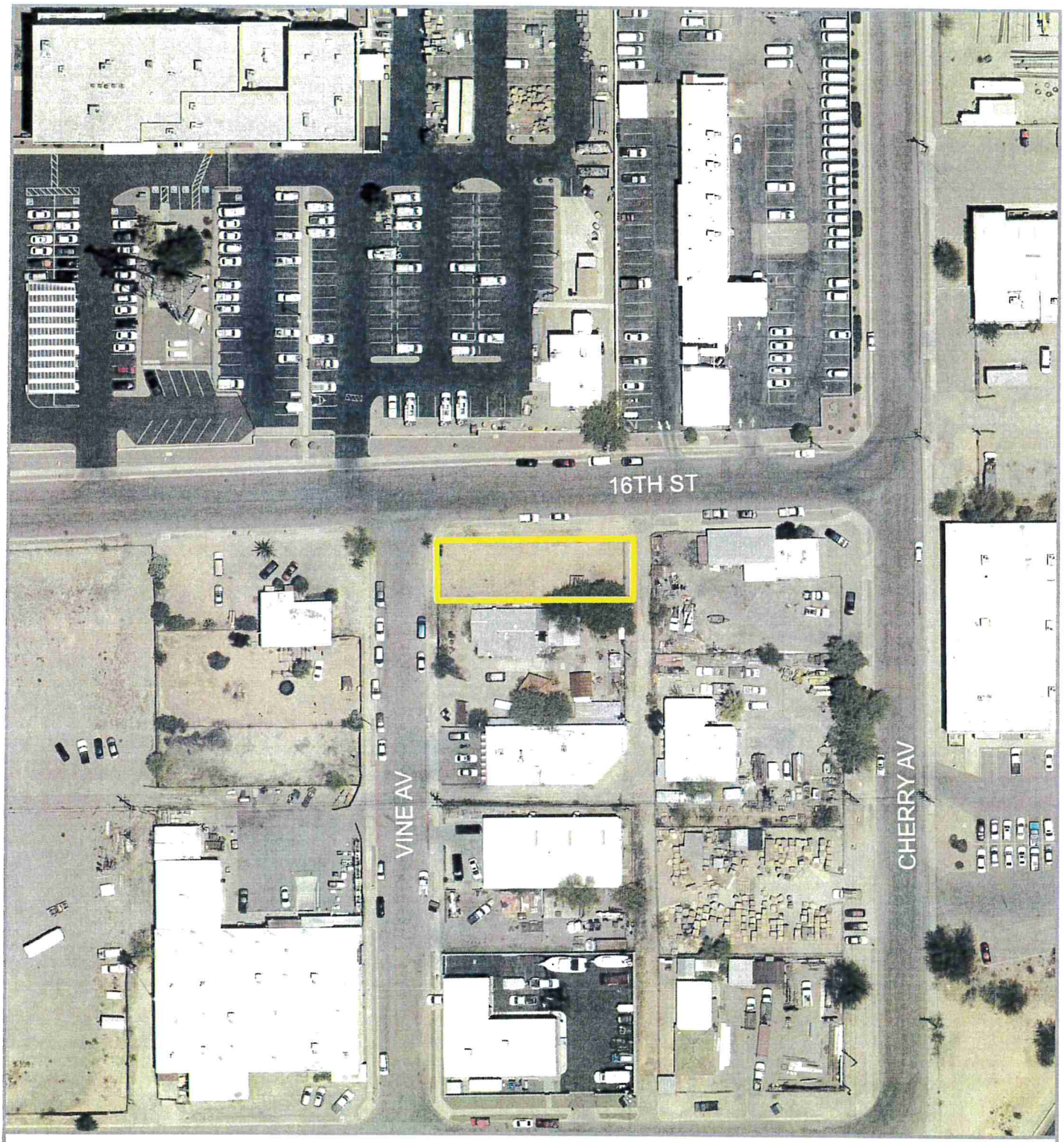
C9-17-13 Spieth - Vine Ave.

Rezoning Request: R-2 to P



Subject Property

Address: 603 S. Vine Ave.
Base Maps: Twp.14S R.14E Sec. 18
Ward: 5

0 50 100 Feet

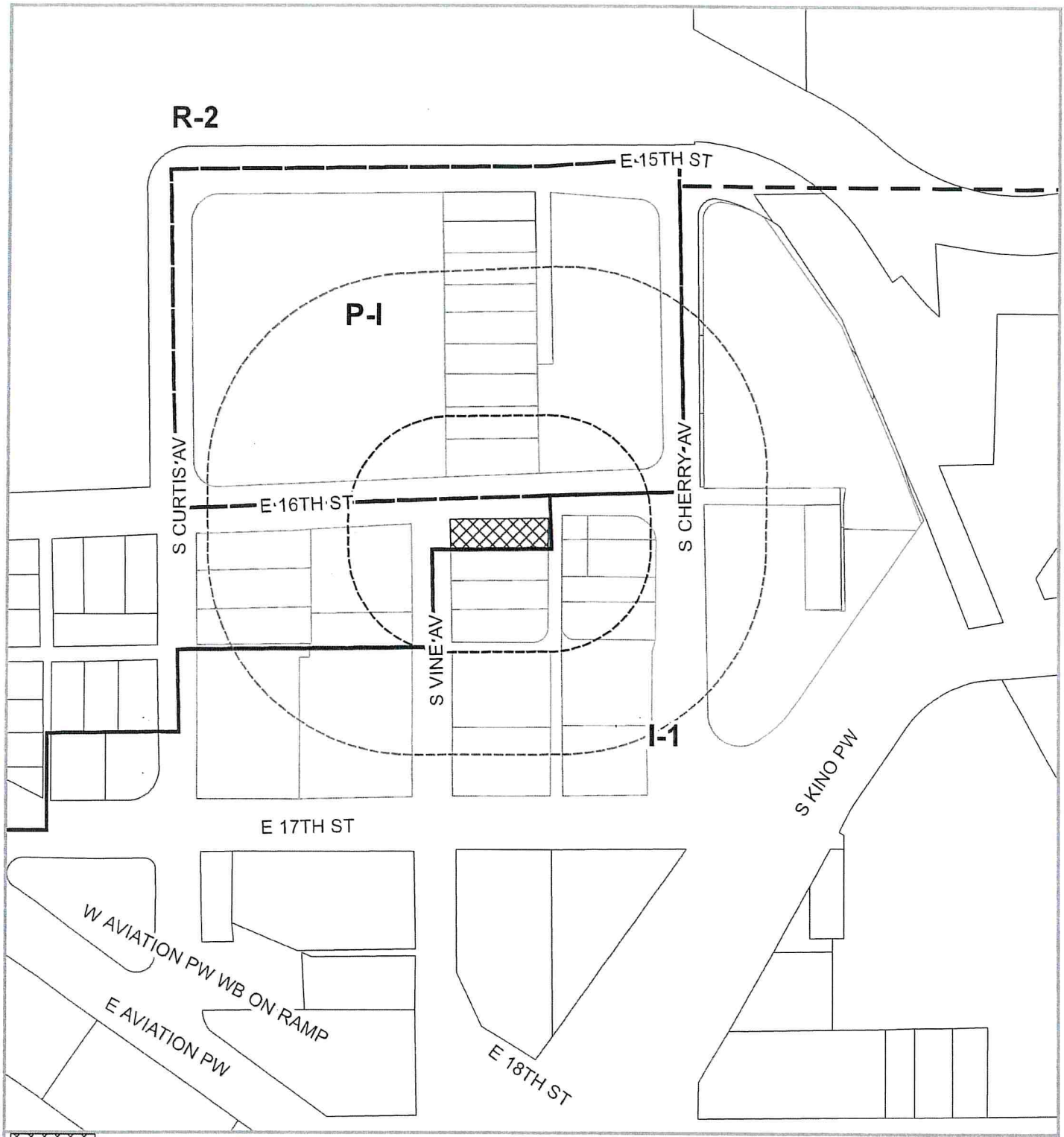
1 inch = 100 feet

N

2016 Aerial

Created by: TC, 09/20/2017

C9-17-13 Spieth - Vine Ave.
Rezoning Request: R-2 to P



Subject Property

Notification Area (300-foot Radius)

Protest Area (150-foot Radius)

Zone Boundaries

Properties Notified

Address: 603 S. Vine Ave.
Base Maps: Twp.14S Range14E Sec. 18
Ward: 5

Feet
0 100 200

1 inch = 200 feet

N

Created by: TC. 05/09/2018