



# MEMORANDUM

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DATE: April 18, 2018  
For May 3, 2018 Hearing

TO: Steven Shell  
Zoning Examiner

FROM: Scott Clark  
Planning & Development Services  
Director

SUBJECT: REZONING  
PLANNING & DEVELOPMENT SERVICES REPORT  
C9-19-06 Brake Masters – Broadway Boulevard – R-2 and O-3 to C-2  
(Ward 6)

**Issue** – This is a request by Jim Egan, on behalf of the property owner, Shalom Laytin, to rezone approximately 0.63 acres from R-2 and O-3 to C-2 zoning. The rezoning site is located north of the future Broadway Boulevard right-of-way (ROW) line, west of Norris Avenue (see Case Location Map). The preliminary development package (PDP) proposes demolition and reconstruction of the existing automotive repair and service facility to conform to the Broadway widening at that location.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of C-2 zoning, subject to the attached preliminary conditions.

## **Background Information**

**Existing Land Use:** Alley, multiple-family structure and single-family dwelling

## **Zoning Descriptions:**

- R-2 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. Select other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.
- O-3 This zone provides for mid-rise, office, medical, civic, and select other uses, such as urban agriculture and renewable energy generation, that provide reasonable compatibility with adjoining residential uses.
- C-2 This zone provides for general commercial uses that serve the community and region. Residential and select other agriculture, civic, recreational, and utility uses may also be permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned R-1; Single-family residences  
South: Zoned C-1; Automotive repair and service facility (to be demolished)  
East: Zoned R-2; Tucson Fire Department #3  
West: Zoned C-1; Restaurant

Previous Cases on the Property: C9-11-07 Brake Masters – Norris Avenue, R-2 and O-3 to C-2. This was a previous application by Mr. Egan to rezone this property. The rezoning application was withdrawn.

Related Cases:

C9-16-11 Brake Masters – Speedway Boulevard C-1 to C-2 This was a rezoning request for 0.37 acres located 3.67 miles northwest of the subject site at W. Speedway and N. Silverbell to allow the development of a Brake Masters automotive repair and service use. On January 23, 2018, Mayor and Council adopted Ordinance No. 11516.

**Applicant’s Request** – “The City is taking the Brake Masters out do to the road widening project so we will replace the existing triplex and develop a Brake Masters in its place. We plan to retain the SFR at 25 Norris and provide parking in the rear of the lot.”

**Planning Considerations** – Land use policy direction for this area is provided by the *Sam Hughes Neighborhood Plan*, *University Area Plan* and *Plan Tucson*. A primary goal of the Land Use policies in the *Sam Hughes Neighborhood Plan (SHNP)* is to maintain the quiet, single-family residential character of the Sam Hughes Neighborhood. The Development Concept Map supports office and commercial uses along the north frontage of Broadway Boulevard, including on the subject parcels. *SHNP* policy indicates general commercial uses are appropriate along the Broadway Boulevard frontage. Design features are to be used as appropriate to mitigate impacts on residential areas to the north. *SHNP* policy restricts access for non-residential uses to major streets only, and discourages traffic from using residential streets.

The *University Area Plan (UAP)* General Policies support new development on the perimeter of residential areas which serves to protect and enhance the quality of life for neighborhood residents. New development should demonstrate sensitivity to surrounding uses in the design, location, orientation, landscaping, screening, and transportation planning of new development. *UAP* policies also encourage the retention of contributing historic buildings and viable residential structures by including them as integral components of new development. Specific to commercial development, *UAP* policies support the development of new commercial and office activities which complement the scale and character of neighborhoods and commercial districts in the University Area. And they encourage the consolidation of adjacent development parcels in order to provide integrated circulation and access while reducing the number of vehicular curb cuts along the street.

The rezoning site is located within an Existing Neighborhood Building Block as identified on the Future Growth Scenario Map of *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.

*Plan Tucson* policy supports infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions, and adhere to relevant site and architectural design guidelines. Plan policy also strives to protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses. Appropriate locations for commercial uses are supported, with priority for development in the existing urbanized area, to promote use and improvement of existing infrastructure, increase pedestrian activity and transit use, and meet residents' needs for goods and services. A mix of commercial, office and residential uses are supported along major transportation corridors. Plan Tucson also supports the retention and creation of jobs.

Established Neighborhoods policies support 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 an appropriate means to preserve the vitality of the street frontage and the adjacent neighborhood.

All three plans support the development of the north frontage of Broadway Boulevard at this location with proper design, screening and buffering, and traffic control to preserve the character of the adjacent neighborhood. The plans recognize that if done appropriately, especially under special conditions, such as a road widening, commercial development on the edge of the neighborhood can be a strategy for preserving the vitality of the street frontage and the character of the neighborhood.

Currently, the automotive repair and service facility exists south of the rezoning site. That facility will be demolished to accommodate the future widening of Broadway Boulevard. This general area will be greatly impacted by the widening project. Another automotive repair service, previously located immediately west of the current rezoning site has already been demolished. A restaurant east of the rezoning site will also be demolished as part of the road project.

The 0.63 acre rezoning site is currently north of the property fronting onto Broadway Boulevard. After the widening, the property will become the north frontage of the road, and will be the northwest corner of the intersection of E. Broadway Boulevard and N. Norris Avenue. The site is currently developed with a triplex and a single-family residence (SFR). The SFR is a contributing property to the Sam Hughes National Register District. Although the SFR is proposed for C-2, it will be preserved as part of the project, and will continue as a residence. The triplex is not a contributing structure and will be demolished to accommodate the project.

North of the rezoning site, across a 15-foot-wide alley, are one-story single family homes, of which three of the four are contributing structures. To the east, across Norris Avenue, is a Tucson

Fire station. The proposed structure will be 30 feet tall and will be setback 63 feet from the residential properties to the north. The Code-required setback is approximately 33 feet.

Broadway Boulevard is designated as a Gateway Arterial Route and Norris Avenue is a local street. Typically, community commercial rezoning is not supported at an intersection with a neighborhood street, due to the potential for infiltration of commercial traffic into the neighborhood. In this case, that potential is limited by site design, as discussed below.

Field inspection by staff indicates there are currently no billboards on the rezoning site.

### **Design Considerations**

Land Use Compatibility – The proposed design reflects the policy direction of the three plans. The building will be 22-feet tall with a 30-foot tall entry feature that encompasses approximately 500 square feet of the 5,498 square-foot building. To minimize noise impacts on the adjacent residential properties, all bay openings will be on the south side of the building, facing toward Broadway Boulevard. All exterior lighting will be regulated by the Outdoor Lighting Code, which requires full cut-off lighting to prevent light trespass onto adjacent properties.

The preservation of the SFR complies with the policy to incorporate historic structures into site design. While the building won't be part of the commercial use, it remains a contributing structure to the national register district and it provides a buffer between the automotive service use and the residences to the north. Staff is proposing a rezoning condition that will require the property remain a residential use.

The proposed dumpster site does not meet the standard rezoning condition-imposed 50-foot setback from a residential property line. The preliminary development package (PDP) shows it on the north property line, at the alley, placing it 15 feet from the residential property lines to the north. There are some mitigating circumstances that provide a certain comfort level for this location. First, the automotive repair use will not dump food waste or other odor-producing waste into the dumpster. Second, the alley is also used for trash collection for the residences to the north, therefore, the noise factor already exists. The dumpster is oriented so the truck will approach it from the south. Three, while the residential property line is only 15-feet from the proposed dumpster site, the closest residential structure is 69 feet from the dumpster. Finally, the closest properties to the dumpster also have accessory structures and mature vegetation between the residence and the dumpster, thereby providing additional buffering. Staff is recommending a condition limiting the times of trash collection to between the hours of 7:00 AM and 6:00 PM.

Due to the proximity of residential properties, staff is recommending limits on the placement of signs. Conditions are recommended to prohibit signage on the north side of the commercial building which faces the residential lot at 25 N Norris, and to limit signage along Norris to either an enclosed design, such as a cabinet or individual lettering with internal or halo method lighting to reduce light trespass. The existing Brake Masters pole sign is nonconforming for height, setback and size. The sign will be removed in the course of the road widening. Future signage

will be permitted through a separate review. Staff is recommending a condition that future free-standing signage be limited to the Broadway frontage.

Drainage/Grading/Vegetation – The site is relatively flat and not in a flood plain or hazard area. Storm water will be directed to depressed landscape areas.

Road Improvements/Vehicular Access/Circulation – Plan policy restricts access for non-residential uses to major streets only, and discourages traffic from using residential streets. Policy also encourages the consolidation of adjacent development parcels to provide integrated circulation and access while reducing the number of vehicular curb cuts along the street. The applicant is proposing access from Broadway Boulevard and Norris Avenue. To minimize northbound traffic infiltrating the neighborhood, the PDP includes a “pork chop” at the Norris access that will allow entry into the site from the north and south, but will direct all traffic leaving the site south, to Broadway. This is an improvement over the current condition which does not limit the direction of exiting traffic. In addition, the owners of the property to the west and the applicant have an agreement for shared-use of part of the remnant property adjacent to both sites. That area will provide additional parking, as well as access to Campbell, thereby providing a northbound route for Brake Masters customers. That area is shown as the shaded area extending west of the rezoning site on the PDP.

**Conclusion** – The *SHNP*, *UAP* and *Plan Tucson* all support commercial development at this site, provided site design can properly buffer existing residences and preserve the quiet character of the neighborhood. *Plan Tucson* also supports the retention of jobs in the community. The proposed project preserves a contributing structure to the national register district, orients the noise and activity from the business toward Broadway Boulevard and away from the residences, and improves the traffic control for vehicles leaving the site by directing them toward Broadway Boulevard and away from the neighborhood. Subject to compliance with the attached preliminary conditions, approval of the requested C-2 zoning is appropriate.

## Preliminary Conditions

PROCEDURAL

1. A development package in substantial compliance with the preliminary development package and required reports dated is to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
6. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATIBILITY

7. The Single-family residence at 25 N. Norris Avenue (American Villa Resub, Lot 18, Block 7) shall remain a residential use.
8. Trash collection will be limited to the hours from 7:00 AM to 6:00 PM.
9. Signage shall be prohibited on the north elevation of the commercial building and on the residential property. Signs on the east elevation should be an enclosed

Preliminary Conditions

design, such as a cabinet or individual lettering with internal or halo method lighting to reduce light trespass. Future pole sign shall be limited to the Broadway Boulevard frontage.

10. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
11. Six (6) inch wide masonry block or greater shall be used for perimeter walls.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

12. The “pork chop”, depicted at the Norris Avenue access on the PDP, is required to direct traffic away from the neighborhood.

AGREEMENT TO WAIVE ANY CLAIMS  
AGAINST THE CITY FOR ZONING AMENDMENT

This agreement ( "**Agreement**") is entered into between \_\_\_\_\_, as the owner of the property described herein ("**Owner**") and the City of Tucson ("**City**") to waive any and all claims for diminution of value that may be based upon action by the City in response to a request from the Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(I).

The Owner is the holder of fee title to the property located at \_\_\_\_\_, Tucson, Arizona, (the "Property") which is more fully described in the Owner's application to the City in Case \_\_\_\_\_ and incorporated herein. The Owner, or the authorized agent of the Owner, has submitted an application to the City requesting that the City rezone the Property. The Owner has requested this action because the Owner has plans for the development of the Property that require the rezoning. The Owner believes that the rezoning of the Property will increase the value and development potential of the Property, and that this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134 et. seq.

By signing this Agreement, the Owner waives any right or claim that may arise under A.R.S. §12-1134, including any claim for the reduction in the value of the Property, as a result of the enactment of the zoning amendment in Case \_\_\_\_\_.

The Owner understands that City staff may propose, the Zoning Examiner may recommend and the Mayor and Council may adopt conditions to the requested zoning that limit the potential development of the Property. The Owner acknowledges that the rezoning and conditions are a single, integrated legislative approval. The Owner agrees and consents to all conditions that may be imposed. The Owner retains the right to withdraw the rezoning application prior to a vote by the Mayor and Council or to decline to implement the necessary requirements to effectuate the zoning if the Owner disagrees with any conditions that are proposed or approved. If the Owner does not withdraw the application, the Owner shall be deemed to have accepted all adopted conditions to the requested zoning. If the Owner withdraws the application or does not effectuate the new zoning, this Agreement is null and void.

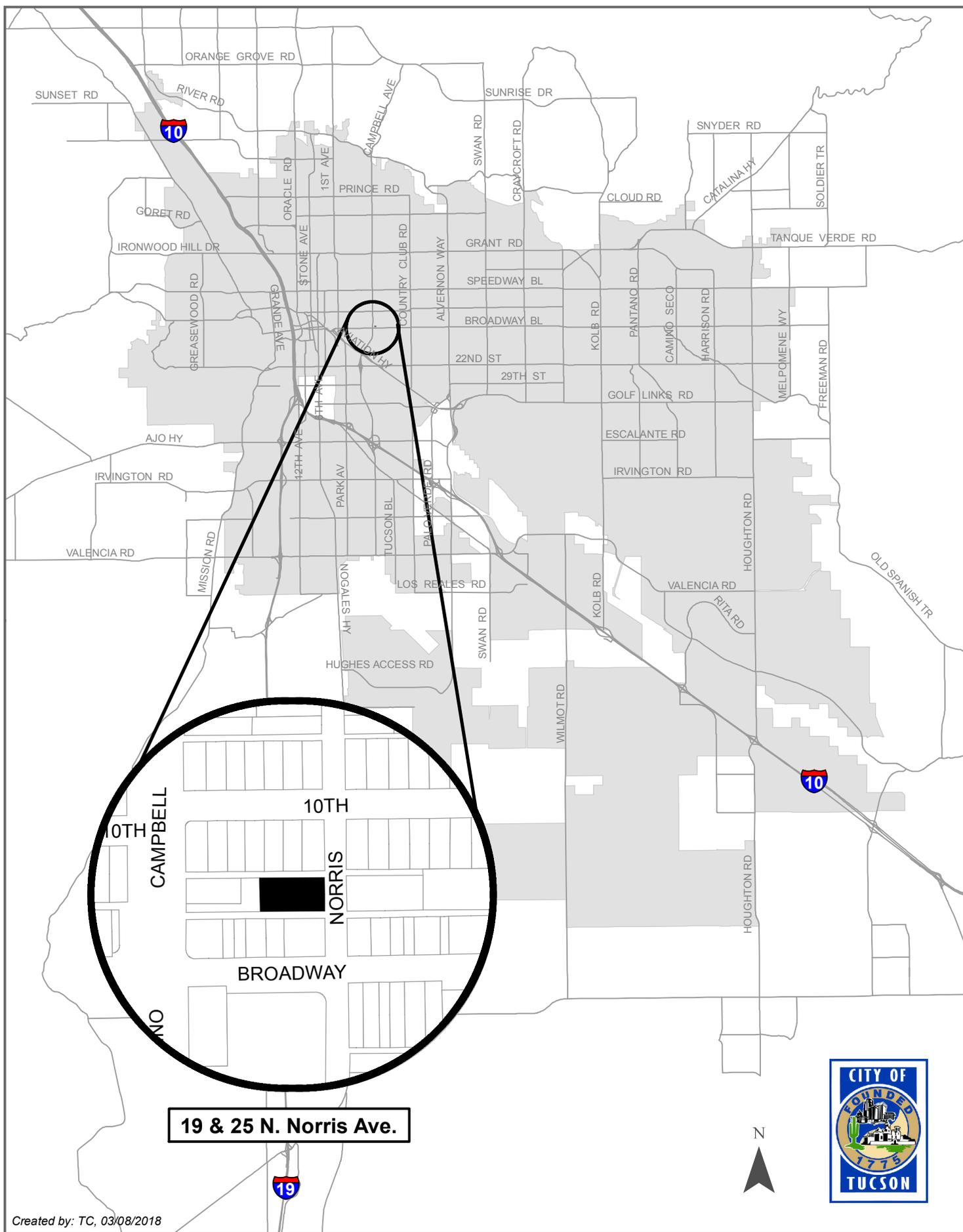
This Agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona. The Owner has agreed to the form of this Agreement provided and approved by the City Attorney. The Owner has had the opportunity to consult with an attorney of the Owner's choice prior to entering this Agreement and enters it fully understanding that the Owner is waiving the rights and remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pima County Recorder.

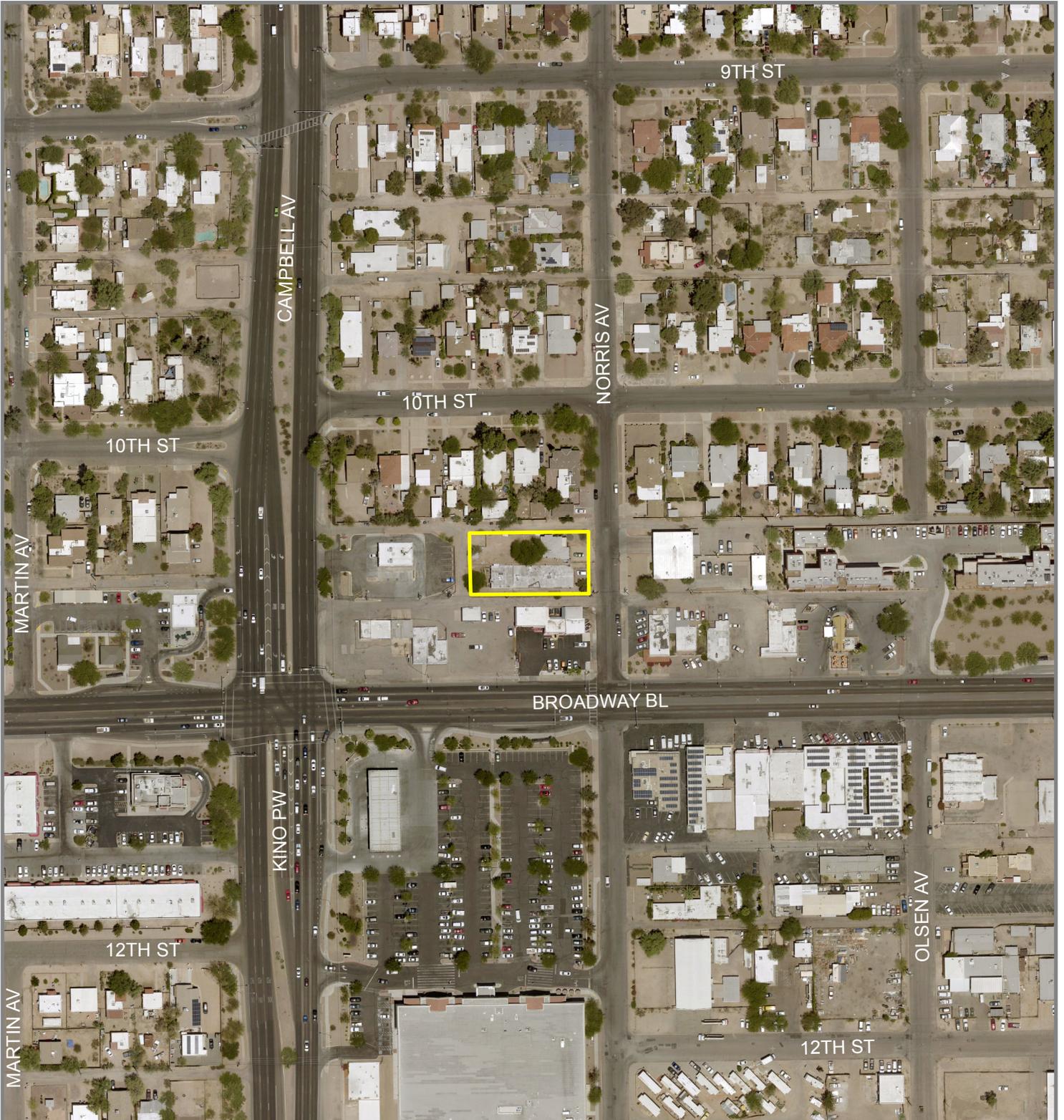
The Owner warrants and represents that the person or persons listed herein as the Owner is/are the owner in fee title of the Property. The Owner further agrees to indemnify



# C9-18-06 Brake Masters



C9-18-06  
Brake Masters



 Area of Rezoning Request



Address: 19 & 25 N. Norris Ave.  
Base Maps: Twp.14S Range14E Sec. 08  
Ward: 6

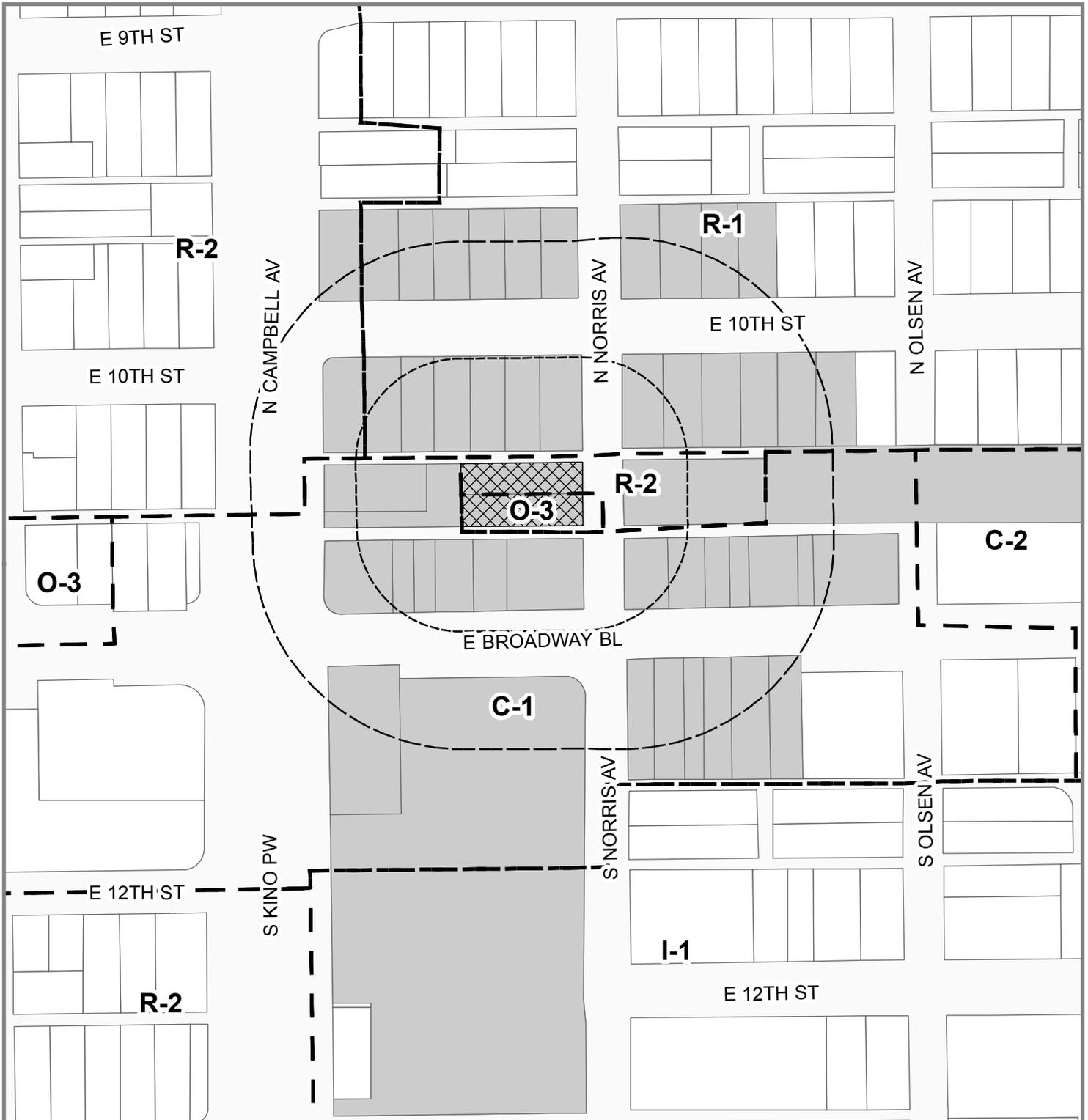
 Feet  
0 100 200

1 inch = 200 feet



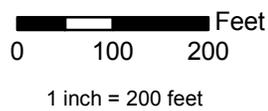
# C9-18-06 - Brake Masters

## Rezoning Request: From O-3 and R-2 to C-2



- Subject Property
- Notification Area (300-foot Radius)
- Protest Area (150-foot Radius)
- Zone Boundaries
- Properties Notified

Address: 19 and 25 N. Norris Ave.  
 Base Maps: Twp.14S Range14E Sec. 08  
 Ward: 6



**PUBLIC FACILITIES AND SERVICES REPORT FOR May 3, 2018**  
(as of April 5, 2018)

**C9-18-06 Brake Masters – Broadway Boulevard, R-2 and O-3 to C-2**

**CITY AGENCIES**

**Planning & Development Services – Sign Code:** See attached comments dated 4/04/18.

**No Objections Noted**

**Planning & Development Services – Historic Preservation Officer**

**Planning & Development Services – Zoning Review:** See attached comments dated 4/02/18.

**Environmental Services**

**Planning & Development Services – Landscape**

**Planning & Development Services – Engineering**

**Transportation – Traffic Engineering:** See attached comments dated 3/02/18.

**Transportation – Engineering**

**Tucson Fire Department**

**Tucson Parks and Recreation**

**Tucson Police Department**

**Tucson Water Department:** See attached comments dated 3/29/18.

**NON-CITY AGENCIES**

**PAG-TPD:** Estimated traffic generation of proposed development: No change in vehicle trips per day.

**Pima County Wastewater:** See attached comments dated 4/02/18 (Standard Condition).

**No Objections Noted**

**Arizona Department of Transportation**

**Pima County Transportation and Flood Control**

**Pima County Parks and Recreation**

**Davis-Monthan Air Force Base**

**Tucson Electric Power**

**Tucson Unified School District**

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, April 18, 2018 at

<https://www.tucsonaz.gov/pdsd/public-hearing-agenda-materials-rezoning-special-exceptions-original-city-zoning>

**From:** Heather Thrall  
**To:** TucsonRezoning  
**CC:** Heather Thrall  
**Date:** 04/04/2018 1:03 PM  
**Subject:** Fwd: Rezoning C9-18-06 Brake Masters (sign review)  
**Attachments:** Rezoning C9-18-06 Brake Masters

Sue - these comments were entered into Permits Plus already -

RE: signage review  
For: rezoning  
Site: Broadway/ Norris  
Use: Brake Masters & parking  
Case: C9-18-06  
Reviewer: H. Thrall  
Date: 4/3/18

Signs division has reviewed the proposal to rezone to a C-2 classification and rebuild the Brake Masters in place of an existing residential triplex (due to roadway widening).

The Brake Masters development will be reviewed as a premise under the Sign Standards, as presented on the current proposed development plan.

Recommended condition that no signage should be placed on the north building elevation, which faces the residential lot at 25 N Norris.

Recommend condition that freestanding signage be limited to Broadway frontage rather than Norris.

Recommend condition that wall signage on east elevation be limited to enclosed design, such as but not limited to cabinet or individual lettering with internal or halo method lighting to reduce light trespass into residential neighborhood after dusk. (Unclear if Fire Station will remain at location, and residential zoning is on parcel.)

The existing pole sign at the Brake Masters now is nonconforming for height, setback and size. The sign will be removed in the course of construction due to position of ROW. Proposed signage would be permitted separate of plan review by licensed contractor. Consult [Heather.Thrall@tucsonaz.gov](mailto:Heather.Thrall@tucsonaz.gov) for details on freestanding sign allowances at this future designed premise, and available process to facilitate sign design requests. A sign area ratio of 3 square feet per linear foot of street frontage is generally allowed within the commercial zoning of the property.

Heather Thrall, Lead Planner  
Signs Division  
Planning & Development Services  
City of Tucson  
520-837-4975 (sign code & permit info)  
520-837-4980 (sign regulation billing info)  
<http://pdsd.tucsonaz.gov/pdsd/sign-permits>

CDRC TRANSMITTAL

TO: Development Services Department  
Rezoning Section

FROM: Steve Shields  
Principle Planner

PROJECT: 19 & 25 N. Norris Avenue  
129-04-1290 & 129-04-1300,  
R-2 & O-3 to C-2  
Rezoning Case Number – C9-18-06

TRANSMITTAL: April 2, 2018

The proposed Automotive: Major Service and Repair (excluding bodywork and paint-booths), falls under UDC Article 4.8.6, TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES. Commercial Services Land Use Group With Land Use Class/Type: Automotive: Major Service and Repair (excluding bodywork and paint-booths), subject to Use Specific Standards 4.9.13.E

|                                    |  |
|------------------------------------|--|
| <b>Vehicular Access:</b>           | = Vehicular access appears to be adequate  |
| <b>Vehicle Parking Required</b>    | = 18                                       |
| <b>Vehicle Parking Provided</b>    | = Not provided                             |
| <b>Short Term Bicycle Required</b> | = Not provided                             |
| <b>Short Term Bicycle Provided</b> | = Not provided                             |
| <b>Long Term Bicycle Required</b>  | = Not provide                              |
| <b>Long Term Bicycle Provided</b>  | = Not provided                             |
| <b>Off-Street Loading Required</b> | = Not provided                             |
| <b>Off-Street Loading Provided</b> | = Not provided                             |
| <b>Pedestrian Access:</b>          | = Pedestrian Access appears to be adequate |
| <b>Allowed Building Height:</b>    | = 30'                                      |
| <b>Proposed Building Height:</b>   | = Not provided                             |

**From:** Zelin Canchola  
**To:** TucsonRezoning; John Beall  
**Date:** 03/02/2018 1:00 PM  
**Subject:** C9-18-06 Brake Masters

No Adverse comments. TDOT recommends approval of Rezoning.

Zelin Canchola  
TDOT Engineering Review

**From:** Howard Dutt  
**To:** TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov  
**Date:** 04/03/2018 10:43 AM  
**Subject:** Rezoning C9-18-06 Brake Masters

Tucson Parks and Recreation has no issues or concerns regarding this rezoning.

Howard B. Dutt, RLA  
Landscape Architect  
Tucson Parks & Recreation  
(520) 837-8040  
[Howard.Dutt@tucsonaz.gov](mailto:Howard.Dutt@tucsonaz.gov)

**From:** Richard Sarti  
**To:** TucsonRezoning  
**CC:** Ronquillo, Therese  
**Date:** 03/29/2018 8:25 AM  
**Subject:** CASE: C9-18-06 Brake Masters-New Rezoning

Dear Mr. Wyneken:

Tucson Water has no objections to the proposed rezoning from O-3 and R-2 to C-2 for the Brake Masters located at 1935 E. Broadway.

There is an existing 8" PVC (polyvinyl chloride) Tucson Water main in Campbell Avenue, an existing 6" Tucson Water main of varying material (PVC and cast iron) in Broadway Boulevard, and an existing 6" Tucson Water main of varying material (PVC and cement asbestos) in Norris Avenue.

All proposed construction must be performed with consideration given to all Tucson Water infrastructure. As-built water plans should be obtained from Tucson Water Mapping and Records (520) 791-2658. If Water Modification Plans are required, please contact the Tucson Water Distribution Design Section at (520) 791-2648.

If you have any questions or comments, or desire further discussion on this matter, please contact me.

Sincerely,

Richard A. Sarti, P.E.

Tucson Water  
New Development Section  
Engineering Manager  
(520) 837-2215

**From:** "Eric Kramer" <ekramer@pagregion.com >  
**To:** <TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov>  
**Date:** 04/02/2018 12:27 PM  
**Subject:** C9-18-06 Brake Masters

Since Brake Masters will be rebuilt adjacent to the previous location (assuming the size of the service center remains similar), the impact of the development on trip generation will be negligible.

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Disclaimer: This report and/or data was funded in part through grant[s] from the Federal Highway Administration and/or Federal Transit Administration, U.S. Department of Transportation. The contents of this report and/or data reflect the views and opinions of the author(s) who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily state or reflect the official views or policies of the U.S. Department of Transportation, the Arizona Department of Transportation, or any other State or Federal Agency. This report and/or data does not constitute a standard, specification or regulation. The information in this publication is provided on an "as is" basis, and there are no warranties, express or implied, including, but not limited to, any warranties of merchantability or fitness for a particular purpose. In no event shall PAG be liable for any damages resulting from the use of the information. PAG provides the information in good faith and has endeavored to create and maintain accurate data. The users of this report and/or data are advised to use the information with caution and to independently verify accuracy.

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**Eric W. Kramer, Ph.D., AICP**  
**Senior Land-Use Modeler**

*Your Regional Metropolitan Planning Organization*



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[ekramer@pagregion.com](mailto:ekramer@pagregion.com)

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**From:** Susan Montes <Susan.Montes@tucsonaz.gov>  
**Sent:** Tuesday, March 20, 2018 1:03 PM  
**To:** sbeck@azdot.gov; tmartinez@azdot.gov; medelman@azland.gov; mhorowitz@azland.gov; srobidoux@flytucson.com; ekramer@pagregion.com; addressing@pima.gov; chris.poirier@pima.gov; jeanette.DeRenne@pima.gov; jim.forbus@pima.gov; mark.holden@pima.gov; mirela.hromatka@pima.gov; steve.anderson@pima.gov; thomas.coyle@pima.gov; greg.saxe@rfcd.pima.gov; mburke@tep.com; Allison Diehl <Allison.Diehl@tucsonaz.gov>; Andrew Connor <Andrew.Connor@tucsonaz.gov>; Fred Felix <Fred.Felix@tucsonaz.gov>; Gary Wittwer <Gary.Wittwer@tucsonaz.gov>; Heather Thrall <Heather.Thrall@tucsonaz.gov>; Howard Dutt <Howard.Dutt@tucsonaz.gov>; Jim Rossi <Jim.Rossi@tucsonaz.gov>; John Beall <John.Beall@tucsonaz.gov>; Loren Makus <Loren.Makus@tucsonaz.gov>; Martin Brown <Martin.Brown@tucsonaz.gov>; Mayor1@tucsonaz.gov; Michael Wyneken <Michael.Wyneken@tucsonaz.gov>; Pat Tapia <Pat.Tapia@tucsonaz.gov>; Peter McLaughlin <Peter.McLaughlin@tucsonaz.gov>; Richard Sarti <Richard.Sarti@tucsonaz.gov>; Steve Shields <Steve.Shields@tucsonaz.gov>; Thomas Ryan <Thomas.Ryan@tucsonaz.gov>; Tom Fisher <Tom.Fisher@tucsonaz.gov>; Ward1@tucsonaz.gov; Ward2@tucsonaz.gov; Ward3@tucsonaz.gov; Ward5@tucsonaz.gov; Ward6 <Ward6@tucsonaz.gov>; Zelin Canchola <Zelin.Canchola@tucsonaz.gov>; shaun.brown@tusd1.org; bonnie.carter@us.af.mil; mbends@waknet.org; greg.hitt@wmm.pima.gov  
**Subject:** Rezoning C9-18-06 Brake Masters

C9-18-06 – Rezoning Memorandum DATE: March 20,2018

FROM: Michael Wyneken, Entitlements Section

SUBJECT: New Rezoning  
CASE: C9-18-06 Brake Masters

WARD: 5

PROPOSED USE: The City is taking the Brake Masters out to do the road widening project so we will replace the existing triplex and develop a Brake Masters in its place. We plan to retain the SFR at 25 Norris and provide parking in the rear of lot.

PLEASE RESPOND BY: **April 3, 2018**

\*\*Please send comments to: [TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov](mailto:TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov)

\*\*Please respond with new e-mail and copy case number and name in subject line.

The above referenced request is being analyzed for a staff report and recommendation to the Zoning Examiner. Please advise of any considerations involving your jurisdiction including adopted policy, existing capacities, or planned improvements that should be evaluated in relation to this proposal. Relate specific information, such as design criteria, actual traffic counts, water demand impact, sewer capacities, lack of park facilities, etc. Also indicate facilities or services available for the proposed project, and give your opinion as to the adequacy of such services for the proposal.

It is particularly important to have specific data available if services are inadequate and you believe the proposal should be denied. If no response is received from your office, it will be so indicated in the communications to the Zoning Examiner and Mayor and Council. For further information contact Michael Wyneken at 837-6022.

See link for Rezoning documents and traffic impact analysis. Click on activity search and type in C9-18-06.

<https://www.tucsonaz.gov/PRO/pdsd/>

Attachments: Revised PDP

This e-mail is being sent to the following agencies:

- ◆ ADOT
- ◆ Arizona State Land Department
- ◆ COUNCIL WARD 1 2 3 4 5 6
- ◆ DAVIS MONTHAN AFB
- ◆ DSD – Zoning Review, Landscape, Information Technology, Sign Code Review, Zoning Administration, Engineering Review
- ◆ ENVIRONMENTAL SVCS
- ◆ MAYOR
- ◆ OFFICE OF CONSERVATION & SUSTAINABLE DEVELOPMENT
- ◆ PARKS & RECREATION
- ◆ PAG-TPD
- ◆ PIMA CO. ASSESSORS
- ◆ PIMA CO. DEVELOPMENT REVIEW
- ◆ PIMA CO. FLOOD PLAIN
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- ◆ TUCSON ELECTRIC POWER
- ◆ TUCSON FIRE – Fire Headquarters
- ◆ TUCSON POLICE
- ◆ TUCSON WATER
- ◆ Housing and Community Development – Historic, Land Use, Landscape



**PIMA COUNTY**

WASTEWATER RECLAMATION

201 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701-1207

PH: (520) 724-6500  
FAX: (520) 724-9635

JACKSON JENKINS  
DIRECTOR

April 2, 2018

**TO:** **Michael Wyneken**  
City of Tucson Planning and Development Services  
Entitlements Section

**FROM:** *Mirela Hromatka*  
Mirela Hromatka, Sr. Planner  
Planning Section  
Technical Services and Engineering Division

**SUBJECT:** **C9-18-06 – Brake Masters – Broadway Blvd Rezoning**  
From O-3/R-2 to C-2  
Preliminary Development Plan (1<sup>st</sup> submittal)  
Tax Parcels #129-04-1290 & 1300; 0.36 acres

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The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the preliminary development plan for the above referenced rezoning case and offers the following comments for your use.

The existing Brake Masters building at the northwest corner of Broadway Blvd and Norris Ave will be demolished due to the Broadway Blvd widening project. Rezoning is sought for a new Brake Masters building and associated parking located north of the existing structure.

The existing public sewer system consists of 6" and 8" sewers located in Norris Ave. and Broadway Blvd. respectively. The existing building has been served by public sewer. Construction of the new building will not have a significant impact on the system capacity.

**The PCRWRD has no objection to the proposed rezoning request or the preliminary development plan, but adds the following rezoning conditions:**

REZONING CONDITIONS

Should the City of Tucson Mayor and Council be inclined to approve this rezoning, the Pima County Regional Wastewater Reclamation Department (PCRWRD) recommends the following conditions:

1. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.

2. The owner(s) shall obtain written documentation from the PCRWRD that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
3. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
4. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
5. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
6. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

If you wish to discuss the above conditions, please contact me at 724-6488.

MH

Copy: Project



**From:** Tom Martinez <TMartinez@azdot.gov>  
**To:** "TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov" <TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov>  
**CC:** Hannah Olsen <HOlsen2@azdot.gov>  
**Date:** 03/21/2018 5:38 AM  
**Subject:** C9-18-06 - Brake Masters Broadway, New Rezoning

Regional Traffic Engineering has no comments on this submittal and supports the acceptance of the new rezoning. The property will have no impacts to ADOT facilities because of the location. Thank you.

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Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by email, and delete or destroy all copies plus attachments.

**From:** "CARTER, BONNIE K CIV USAF ACC 355 CES/CENPP" <bonnie.carter@us.af.mil>  
**To:** "TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov" <TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov>  
**Date:** 03/20/2018 3:43 PM  
**Subject:** C9-18-06 – Rezoning Memorandum Review

Sir/ Ma'am

We have reviewed the Rezoning Memorandum and have determine this request to have no negative impact on the Davis-Monthan AFB Mission.

Thank you for continuing to include us in your reviews.

B. Kacey Carter, Civ USAF ☺  
Base Community Planner  
355th Civil Engineer Squadron/CENPP  
Davis-Monthan AFB AZ  
520-228-3291  
Bonnie.carter@us.af.mil



March 21, 2018

SENT VIA EMAIL

Michael Wyneken  
Rezoning Section,  
Planning and Development Services  
City of Tucson  
Tucson, AZ 85701

**Subject: C9-18-06 Brake Masters – E. Broadway Boulevard Rezoning**

Dear Michael:

Thank you for the opportunity to review and comment on City of Tucson C9-18-06 Brake Masters – E. Broadway Boulevard Rezoning, to rezone approx. 0.63 acres at the northeast corner of E. Broadway Boulevard and N. Campbell Avenue from O-3 and R-2 to C-2. The existing Brake Masters business is proposed to be relocated about 65 feet to the north due to the Broadway road widening project.

As the business will be relocated closer to existing homes on E. 10<sup>th</sup> Street, the rezoning could include conditions to reduce potential impacts on adjacent residential development (noise buffering, limited hours of operation, etc.).

Pima County Development Services Department, Planning Division has no opposition to the proposed rezoning.

Sincerely,

A handwritten signature in blue ink that reads "Mark Holden".

Mark Holden, AICP  
Principal Planner  
Pima County Development Services Department, Planning Division

**From:** Nicholas Jordan <Nicholas.Jordan@pima.gov>  
**To:** "tucsonrezoning.dspo2.chdom2@tucsonaz.gov" <tucsonrezoning.dspo2.chdom2@tucsonaz.gov>  
**Date:** 03/20/2018 4:25 PM  
**Subject:** C9-18-06 Brake Masters

Good afternoon,

Pima County Addressing has no comment on C9-18-06 Brake Masters.

Addressing review will take place at the development stage and any issues will be addressed at that time.

Thank you

**Nicholas Jordan**

Addressing Specialist

Pima County Development Services Department

201 N Stone AV – 1<sup>st</sup> Floor

Tucson, AZ 85701

(520) 724-9623

[Click here to search for Projects and Permits or to make a Payment](#)

March 29, 2018

Michael Wyneken  
Rezoning Section  
City of Tucson  
Public Works Buildings – 201 North Stone Avenue  
Tucson, AZ. 85701

RE: C9-18-06 Brake Masters, Received March 20, 2018

Dear Mr. Wyneken,

Thank you for the opportunity to comment on C9-18-06 Brake Masters. This is a rezoning application for an approximately 0.61 acre site which is located northwest of the intersection of North Norris Avenue and East Broadway Boulevard. This project proposes to change the zoning from O-3 (Office) and R-2 (Residential) to C-2 (Commercial) to support the construction of a new Brake Masters structure which is being relocated due to the future widening of East Broadway Boulevard.

This site is within FAA Part 77 airspace.

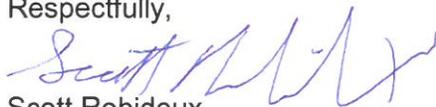
The Tucson Airport Authority conditionally approves the subject request contingent upon the following condition of approval, as noted below. This condition should be identified in the general notes of the approved development plan.

Conditions of approval:

1. "According to the FAA Notice Criteria Tool, this project is located in proximity to a navigation facility and could impact navigation signal reception. The applicant shall file Form 7460 with the FAA at least 45 days before construction activities begin for the project. It is highly recommended that the applicant file earlier than 45 days to provide the applicant with sufficient time to respond to any concerns which are identified by the FAA. Any cranes used which are used must also be identified with Form 7460. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>"

Please do not hesitate to contact me if you have any questions or concerns regarding this comment letter. I can be reached by email at [srobidou@flytucson.com](mailto:srobidou@flytucson.com) or by telephone at 520-573-4811.

Respectfully,



Scott Robidoux,  
Senior Airport Planner

cc file



Tucson Electric Power  
3950 E. Irvington Road, Mail Stop RC131  
Tucson, AZ 85714

Telephone: 520-884-3916

March 23, 2018

City of Tucson  
Michael Wyneken  
Entitlements Section  
Planning & Development Services

**Re: C9-18-06 Brake Masters**

Dear Michael Wyneken,

On behalf of Tucson Electric Power (TEP), thank you for the opportunity to comment on this Rezoning Memorandum. TEP has no objections to this rezoning application. This project is located within TEP service territory and will require a new service application from the owner/developer to extend service to the location.

Please call me with any questions or concerns. I can be reached at (520) 884-3916 or via email at JRucker@tep.com.

Respectfully,

A handwritten signature in black ink, appearing to read "Jasmine Rucker", is written over a light blue horizontal line.

Jasmine Rucker  
Environmental & Land Use Planner  
Tucson Electric Power Company  
a UNS Energy Corporation

**From:** "Brown, Shaun" <Shaun.Brown@tusd1.org>  
**To:** TucsonRezoning TucsonRezoning <TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov>  
**Date:** 03/21/2018 1:44 PM  
**Subject:** Rezoning C9-18-06 Brake Masters

To whom this may concern,

TUSD Planning Services has no concern to the new rezoning.

Shaun Brown  
Planning Technician  
TUSD, Planning Services  
E-mail: [Shaun.Brown@tusd1.org](mailto:Shaun.Brown@tusd1.org)  
Phone: 520-225-4767  
Fax: 520-225-4939

---

**From:** Susan Montes [[Susan.Montes@tucsonaz.gov](mailto:Susan.Montes@tucsonaz.gov)]  
**Sent:** Tuesday, March 20, 2018 1:03 PM  
**To:** sbeck@azdot.gov; tmartinez@azdot.gov; medelman@azland.gov; mhorowitz@azland.gov; srobidoux@flytucson.com; ekramer@pagregion.com; addressing@pima.gov; chris.poirier@pima.gov; jeanette.DeRenne@pima.gov; jim.forbus@pima.gov; mark.holden@pima.gov; mirela.hromatka@pima.gov; steve.anderson@pima.gov; thomas.coyle@pima.gov; greg.saxe@rfcd.pima.gov; mburke@tep.com; Allison Diehl <Allison.Diehl@tucsonaz.gov>; Andrew Connor <Andrew.Connor@tucsonaz.gov>; Fred Felix <Fred.Felix@tucsonaz.gov>; Gary Wittwer <Gary.Wittwer@tucsonaz.gov>; Heather Thrall <Heather.Thrall@tucsonaz.gov>; Howard Dutt <Howard.Dutt@tucsonaz.gov>; Jim Rossi <Jim.Rossi@tucsonaz.gov>; John Beall <John.Beall@tucsonaz.gov>; Loren Makus <Loren.Makus@tucsonaz.gov>; Martin Brown <Martin.Brown@tucsonaz.gov>; mayor1@tucsonaz.gov; Michael Wyneken <Michael.Wyneken@tucsonaz.gov>; Pat Tapia <Pat.Tapia@tucsonaz.gov>; Peter McLaughlin <Peter.McLaughlin@tucsonaz.gov>; Richard Sarti <Richard.Sarti@tucsonaz.gov>; Steve Shields <Steve.Shields@tucsonaz.gov>; Thomas Ryan <Thomas.Ryan@tucsonaz.gov>; Tom Fisher <Tom.Fisher@tucsonaz.gov>; ward1@tucsonaz.gov; ward2@tucsonaz.gov; ward3@tucsonaz.gov; ward5@tucsonaz.gov; Ward6 <Ward6@tucsonaz.gov>; Zelin Canchola <Zelin.Canchola@tucsonaz.gov>; Brown, Shaun <Shaun.Brown@tusd1.org>; bonnie.carter@us.af.mil; mbends@waknet.org; greg.hitt@wmm.pima.gov  
**Subject:** Rezoning C9-18-06 Brake Masters

C9-18-06 – Rezoning Memorandum

DATE: March 20,2018

FROM: Michael Wyneken, Entitlements Section

SUBJECT: New Rezoning

CASE: C9-18-06 Brake Masters

WARD: 5

PROPOSED USE: The City is taking the Brake Masters out to do the road widening project so we will replace the existing triplex and develop a Brake Masters in its place. We plan to retain the SFR at 25 Norris and provide parking in the rear of lot.

PLEASE RESPOND BY: **April 3, 2018**

\*\*Please send comments to: [TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov](mailto:TucsonRezoning.DSPO2.CHDOM2@tucsonaz.gov)

\*\*Please respond with new e-mail and copy case number and name in subject line.

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See link for Rezoning documents and traffic impact analysis. Click on activity search and type in C9-18-06.  
<https://www.tucsonaz.gov/PRO/pdsd/>

Attachments: Revised PDP

This e-mail is being sent to the following agencies:

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- ◆ TUCSON FIRE – Fire Headquarters
- ◆ TUCSON POLICE
- ◆ TUCSON WATER
- ◆ Housing and Community Development – Historic, Land Use, Landscape



## Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing.

**Approvals and protests must have an owner’s signature to be recorded.**

If there are 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’, then an affirmative vote of ¾ of the Mayor and Council (5 of 7 council members) will be required to approve the rezoning ordinance or Mayor and Council Special Exception. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations.

**Case: C9-18-06 Brake Masters – Broadway Boulevard, R-2 and O-3 to C-2**

**Ward: 6**

\_\_\_\_\_  APPROVE the proposed rezoning/special exception  
I/We the undersigned property owners, wish to  PROTEST the proposed rezoning/special exception

**Reason:**

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| PLEASE PRINT<br>YOUR NAME | PLEASE PRINT<br>MAILING ADDRESS | PLEASE PRINT<br>LEGAL PROPERTY<br>DESCRIPTION |       |     |
|---------------------------|---------------------------------|---|-------|-----|
|                           |                                 | Subdivision                                   | Block | Lot |
|                           |                                 |   |       |     |
|                           |                                 |   |       |     |
|                           |                                 |   |       |     |

Owner’s Signature: \_\_\_\_\_ Date \_\_\_\_\_

Place  
Stamp  
Here

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

C9-18-06

Expose this flap - Affix stamp and return

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

C9-18-06 mww

**IMPORTANT REZONING NOTICE ENCLOSED**

F:\ShareDir\REZONING\Rezoning TEMPLATES\ZE mailout