



**CITY OF  
TUCSON**  
ZONING  
EXAMINER'S  
OFFICE

## PRELIMINARY REPORT

January 17, 2019

Carly Caylor  
Caylor Construction  
2 E. Congress Street, Suite 900  
Tucson, AZ 85701

**SUBJECT: REZONING C9-18-19 Caylor – Lee Street  
RX-1 to R-1 (Ward 2)  
Public Hearing: January 10, 2019**

Dear Ms. Caylor:

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 C9-18-19 Caylor- Lee Street RX-1 to R-1.

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.

## **SUMMARY OF FINDINGS**

This is a request by Carly Caylor, on behalf of the property owner, Lee Street LLC, to rezone approximately 2.38 acres from RX-1 to R-1 zoning. The rezoning site is located on the north side of E. Lee Street, approximately 1,850 feet east of Pantano Road (see Case Location Map). The preliminary development plan (PDP) proposes subdividing the subject parcel into 12 lots for single-family dwellings at a proposed maximum height of 25 feet.

### **Background Information**

#### **Zoning Descriptions:**

RESIDENCE ZONE (RX-1): This zone provides for suburban, low density, single-family, residential development, agriculture and other compatible neighborhood uses. Minimum lot size is 36,000 SF.

RESIDENCE ZONE (R-1): This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment. Certain other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses. Minimum lot size is 7,000 SF.

#### **Existing Land Use: Single-family dwelling**

#### **Surrounding Zones and Land Uses:**

North: Zoned RX-1; Single-family Residences (Average 38,000 SF lot size)

South: Zoned R-1; Single-family Residences (Lot sizes range from 7,427 SF to 9,014 SF)

East: Zoned RX-1; Single-family Residence (52,000 SF Lot)

West: Zoned R-1; Single-family Residences (Lot sizes generally range from 7001 to 7500, with two larger lots of 8,238 SF and 12,808 SF)

**Prior Rezoning Cases in the Area:** Seven rezoning cases, resulting in R-1 zoning, have been approved within the immediate vicinity of the subject site.

These rezoning cases resulted in single-family subdivisions averaging approximately 4.5 residences per acre (RAC). The current proposal would result in a subdivision of 5.04 RAC.

**Applicant's Request** – “Rezone to R-1 and create 12 individual lots.” Planning and Development Services Department Staff reports that the Applicant has requested Direct Ordinance Adoption per UDC 3.5.3.J.3, and has submitted a development package with the tentative plat for review.

### **Planning Considerations**

Policy direction is provided by *Plan Tucson* and the *Pantano East Area Plan*. *Plan Tucson* supports policy that utilizes the Future Growth Scenario Map as a guide for determining the general location of development opportunities, development patterns, land use and transportation concepts, while also considering area and site specific issues. The project site is located in an area identified on the *Plan Tucson* Future Growth Scenario Map as an Existing Neighborhood. The goal is to maintain the character of existing neighborhoods while accommodating some new development and redevelopment, and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability. *Plan Tucson* supports 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. *Plan Tucson* also offers support for infill redevelopment projects that reflect sensitivity to site and neighborhood conditions, and projects that adhere to relevant site and architectural design guidelines.

The *Pantano East Area Plan* was developed to guide future development in the Plan area, while protecting and enhancing existing neighborhoods. A sub-goal of the Plan is to promote a variety of residential opportunities in the area. Residential Policy 1 calls for preserving the integrity of established neighborhoods. Residential Policy 2 promotes residential infill of vacant land, where adequate provisions of streets and utilities are available, and low-density residential developments within the interior of established low-density neighborhoods. Average densities up to six units per acre are included in this category. The basic unit of development is single family units on separate lots, but some attached units such as duplexes and townhouses are also appropriate.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 9.6 vehicle trips per day, per dwelling, for a total of 115 vehicle trips per day from the 12 units.

### **Design Considerations**

Land Use Compatibility – The subject property is nearly square in shape, with a north-south dimension of 316 feet, and an east-west dimension of 331 feet. The property is surrounded by single-family residences zoned either RX-1 or R-1, as described above. All of the properties surrounding the rezoning site are developed with single-story dwellings. However, there are two existing two-story homes in the subdivision to the west of the rezoning site and five two-story homes in the subdivisions south of the rezoning site. PDS Staff have recommended a rezoning condition to limit all structures, adjacent to off-site single-family residences, to one-story, with a maximum height of 18 feet. This condition would allow Lots 2 and 12 on the November 15, 2018 PDP to be 2-story dwellings, with a UDC-permitted maximum height of 25 feet.

Drainage/Grading/Vegetation – Two watersheds cover the site. To manage post-development discharge, the application proposes on-site detention/retention that will be large enough to reduce runoff to less than or equal to the existing volume. The site is relatively flat, with predominantly desert brush and medium density ground cover. A native plant preservation plan was submitted with the PDP.

Road Improvements/Vehicular Access/Circulation – An existing driveway provides access near the center of the Lee Street frontage. The Application and PDP propose to retain this access point to serve the interior of the subdivision. Four (4) new driveways, to accommodate lots fronting onto Lee Street are proposed. The PDP shows a sidewalk along the Lee Street frontage that matches the existing sidewalk to the west.

### **Zoning Examiner Hearing- January 10, 2019.**

The Applicant spoke in support of the rezoning request. Five persons spoke in opposition to the rezoning request. The concerns raised included a desire to

preserve the undeveloped nature of portions of the site; the density of the proposed development; traffic and possible interference with access along Lee Street; the disruption which may be caused by construction; loss of privacy and

loss of views which may be caused by the construction of two-story homes; drainage and the long term maintenance of the retention basin proposed for the northwest corner of the rezoning site; and adverse impacts on property values and property taxes, which might be caused by the new development.

The Applicant responded to each of the concerns that were raised. The Applicant explained that the proposed development was similar in density to the R-1 subdivisions to the west and south of the rezoning site; the traffic generated by the proposed development would not dramatically increase traffic on Lee Street; only two of the 12 lots are proposed for two-story homes, and those are located on Lee Street and are not adjacent to existing homes; the proposed subdivision would have an HOA which would be responsible for maintenance of the retention basin; the newly constructed homes would be of high quality and should enhance area property values, compared with the existing use of the site; and the Pima County Assessor would not increase the assessed values for existing homes based on the construction of new homes on the rezoning site.

As of the date of the Public Hearing, there were three (3) written approvals and thirty five (35) written protests.

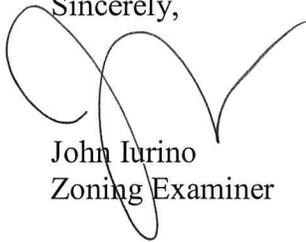
**Conclusion** – The proposed subdivision density and design are consistent with the exiting subdivisions to the west and south of the rezoning site. The proposed lots range in size from 7,009 SF to 9,252 SF. Lots in the Rancho Eireann subdivision, located west of the rezoning site, have mostly 7,001 to 7,500 SF lots, with two larger lots of 8,238 SF and 12,808 SF. Lots in the existing subdivision to the south of the rezoning site range from 7,427 SF to 9,014 SF in size. The density of the proposed rezoning is similar to the densities of the existing subdivisions in the area. In addition, the maximum height of the single-story homes at 18 feet, and the condition limiting two-story homes to two lots on Lee Street which are not adjacent to any existing homes, make the proposed rezoning compatible with the existing neighborhoods.

The proposed rezoning meets the goals of preserving existing neighborhoods and is in substantial compliance with the policies of *Plan Tucson* and the *Pantano East Area Plan*. Subject to compliance with the preliminary conditions, approval of the requested R-1 zoning is appropriate.

**RECOMMENDATION**

The Zoning Examiner recommends approval of the rezoning request from RX-1 to R-1, subject to the special conditions proposed by PDSD staff, with the additional conditions that 1) the Applicant shall form an HOA which will be responsible for the maintenance of the drainage structures and retention basin, and 2) the Applicant shall construct a five (5) foot high, masonry perimeter wall along the north and east boundaries of the property.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Iurino', written over the typed name and title.

John Iurino  
Zoning Examiner

**ATTACHMENTS:**

Case Location Map  
Rezoning Case Map

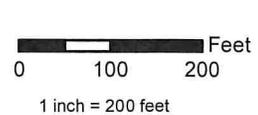
cc: City of Tucson Mayor and Council

**C9-18-19 Caylor - Lee St**  
Rezoning Request: From RX-1 to R-1

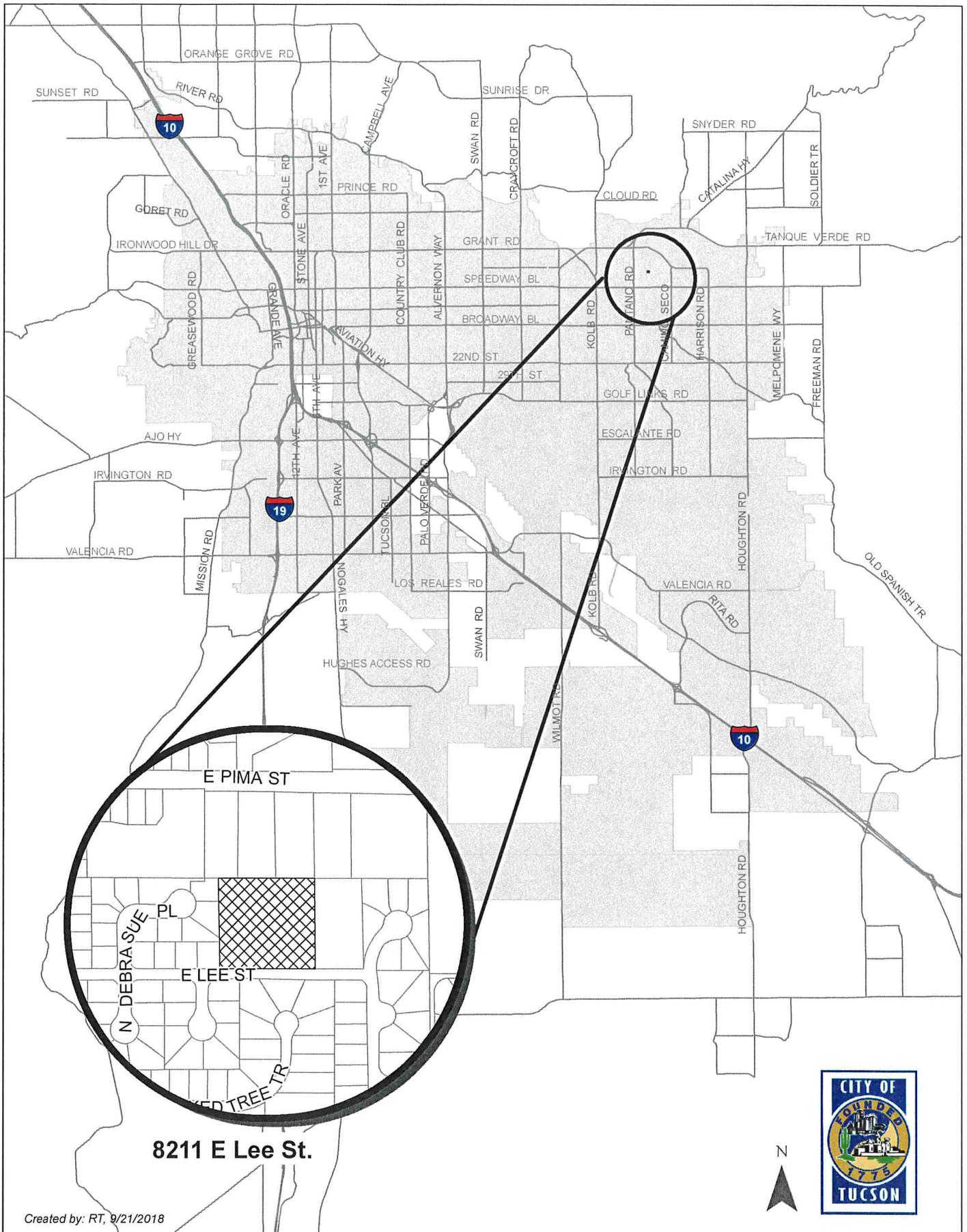


 Subject Property

Address: 8211 E Lee St  
Base Maps: Twp.14S Range15E Sec. 04  
Ward: 2



# C9-18-19 Caylor - Lee Street

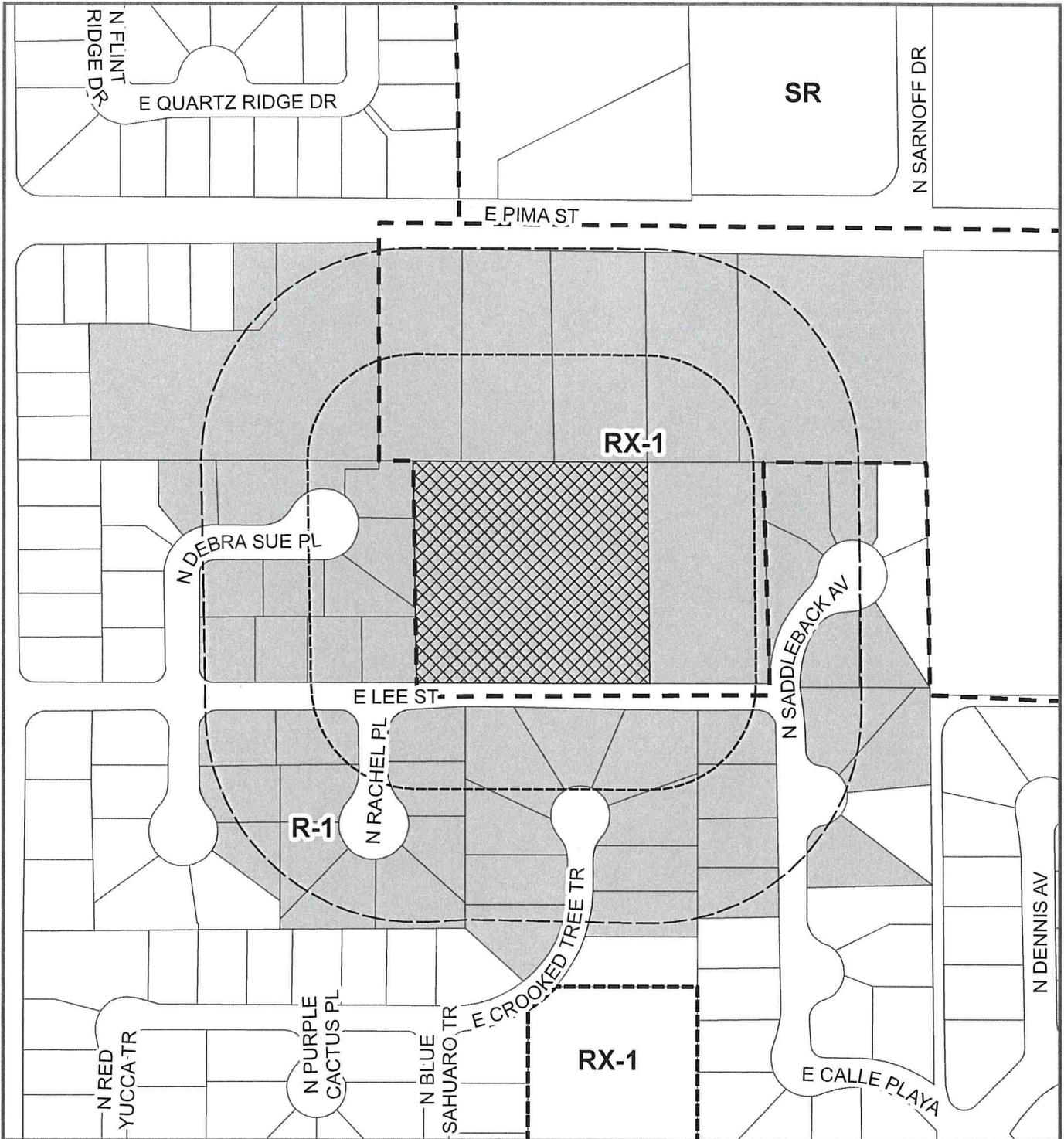


8211 E Lee St.



# C9-18-19 Caylor - Lee Street

## Rezoning Request: From RX-1 to R-1



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

Address: 8211 E Lee St  
 Base Maps: Twp.14S Range15E Sec. 04  
 Ward: 2

