



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

PRELIMINARY REPORT

November 15, 2018

Billy Longenbaugh, MCP
U-Haul Center of Southern Arizona
3801 N. Runway Drive
Tucson, AZ 85705

**SUBJECT: C9-18-17 U-Haul – E. Broadway Boulevard
C-1 to C-2 (Ward 2)
Public Hearing: November 8, 2018**

Dear Mr. Longenbaugh:

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 C9-18-17 U-Haul- E. Broadway Boulevard, C-1 to C-2. 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 Billy Longenbaugh, U-Haul Center of Southern Arizona, on behalf of the property owner, Amerco Real Estate Company, to rezone approximately 4.1 acres from C-1 to C-2 zoning. The rezoning site is located at the southeast corner of E. Broadway Boulevard and S. Camino Seco and is part of

the existing Broadway East Plaza shopping center (see Case Location Map). The Preliminary Development Plan (PDP) proposes converting the vacant grocery store on the property to interior personal and commercial storage, retail sales of moving and storage supplies, and establishing a vehicle rental and display area in the parking lot.

C-2 zoning is required for this site to accommodate the vehicle rental and the personal and commercial storage. The UDC limits the size of a personal storage use in the C-1 zone to three (3) acres and does not permit vehicle rentals in the C-1 zone.

Zoning Descriptions:

C-1 Commercial: 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.

C-2 Commercial: 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.

Background Facts: The rezoning site was previously a Safeway grocery store. In 2015, Albertsons LLC acquired Safeway, Inc., and the Safeway store was divested to Haggen Food and Pharmacy, which then filed bankruptcy and closed the store. It has remained closed since that time. The Bashas Store at Broadway and Houghton, two miles east of the subject site, closed in 2009, and remained vacant until redevelopment into movie/dinner complex began in late 2017. The Walmart Neighborhood Market, at the southwest corner of Camino Seco and Broadway, opened in mid – 2013.

The rezoning site is part of the Broadway East Plaza shopping center that includes a Walgreens drug store, fast food restaurants, and other commercial uses. Vehicular access to the rezoning site exists from both Camino Seco (across the Walgreens lot) and directly from Broadway Boulevard. Both streets are identified as arterial roadways on the Major Streets and Routes Plan map, with future rights-of-way of 150 feet (Camino Seco) and 120 feet (Broadway Boulevard).

All four quadrants of the Broadway/ Camino Seco intersection are zoned for and developed with a mix of commercial uses. The southwest quadrant is zoned C-2 and includes the Walmart Neighborhood Market. All of the other quadrants are zoned C-1. Immediately south and southeast of the rezoning site is mix of single family and multi-family developments. The nearest single-family development is approximately 80 feet from the rezoning site. The nearest multi-family development is approximately 50 feet south, across Cooper Street.

Previous Cases on the Property: C9-17-12 U-Haul – Broadway Boulevard, C-1 to C-2. This was also a request to rezone the subject property from C-1 to C-2 zoning for the same storage and vehicle rental use proposed in the current rezoning case. The Zoning Examiner held a public hearing on November 16, 2017. The Zoning Examiner’s Preliminary Report recommended denial and the Applicant withdrew the application.

Planning Considerations – Land use policy direction is provided by the *Pantano East Area Plan* and *Plan Tucson*. Policies in the Plans promote development that complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. *Plan Tucson* identifies the rezoning site as part of a “neighborhood center,” which is one of twelve grouped building blocks on the Future Growth Scenario Map in the Plan. Neighborhood Centers are characterized as a mix of small businesses surrounded by housing, and accessed internally and from nearby neighborhoods. The goal is to maintain the character and privacy of the neighborhoods while accommodating some new development and encouraging reinvestment, services, and amenities that contribute to further neighborhood stability. *Plan Tucson* also supports redevelopment of existing commercial centers when the project: stabilizes/enhances the transition to adjacent residential uses; provides all parking, loading and circulation on site and oriented away from residential properties; provides cross-access to other commercial parcels, and is accessed from arterial streets.

Pantano East Area Plan Commercial Policies support commercial zoning/development at arterial intersections. Under the *Pantano East Area Plan*, rezoning to commercial uses should be predicated on the proposed use being integrated with other adjacent commercial uses, and with adjacent, less intense land uses being adequately buffered.

Design Considerations

Land Use Compatibility – The applicant is proposing to establish a climate-controlled personal (43,723SF) and commercial (4,533SF) storage use inside the existing building. In addition to the storage use, there will be a retail section for moving and storage materials; an area to store rental equipment, such as dollies, moving blankets and other devices used when moving; and an office. Generally, the exterior of the building will remain the same.

Proposed changes to the exterior of the building occur at the entrance and in the parking lot. The Applicant proposes to create passenger vehicle and small truck loading zones on the north side of the building, to serve those using the interior storage area. The PDP shows three (3) of each type of loading zone. The passenger vehicle spaces are standard parking spaces, while the truck loading spaces are 35’ x 12’.

To accommodate these loading spaces, the Applicant is proposing to shift the east-west parking area access lane (PAAL) in front of the building to the north by about 35 feet. The re-configured PAAL will be 28 feet wide and will maintain access from the shopping center, across the Walgreens lot, to Camino Seco. Pedestrian circulation from Camino Seco into the shopping center will also be maintained along the front of the building. Landscape islands will be relocated as necessary to accomplish these changes.

The Applicant is proposing to use part of the parking area on the rezoning site to create a 10,650 square foot “shunting area” -- an organizing area for vehicles that have been reserved for pick up, or have been returned on a given day. In addition to the shunting area, eight (8) parking spaces along the Broadway Boulevard frontage are proposed to be re-striped to angle spaces to accommodate “display” trucks to advertise the U-Haul truck rental business.

Staff required the Applicant to conduct a parking study of the entire shopping center to ensure that the creation of the shunting area and display area would not leave the center short of required parking spaces. The parking study shows the center has more than the required number of parking spaces. Overall, 342 spaces are required for the entire shopping center, and 535 spaces are provided.

Drainage/Grading/Vegetation – Two landscape islands will be relocated to accommodate the rerouting of the PAAL along the front of the building. The shunting area is to be screened on the east and west sides by new and enhanced landscape areas. All of the new landscape areas will be depressed six (6) inches to allow for storm water collection. The majority of the landscaping and the grade of the overall rezoning site will remain undisturbed.

Road Improvements/Vehicular Access/Circulation – No changes are proposed to the access points to Broadway Boulevard or Camino Seco as part of this project. As noted above, the PDP proposes eliminating the east-west parking area access lane that connects the eastern and western portions of the shopping center, so that parking and loading spaces can be created to serve the proposed U-Haul store and storage uses. The access lane would be shifted 35 feet to the north in front of the U-Haul building.

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The Applicant's consultant and representatives spoke in favor of the rezoning. The Applicant's consultant presented the key aspects of the proposed use for the rezoning site and the accompanying changes to the property. The existing building would remain intact and would be used for residential and commercial self-storage, a small retail store selling moving supplies and a small office. The parking lot and its use would be changed in four areas: 1) the existing driving lanes across the rezoning site from Camino Seco east through the southern portion of the shopping center would be relocated 35 feet to the north in the area on the

north side of the existing building; 2) a new parking and loading area would be built to serve the self-storage use, in place of the existing driving lanes in front of the building; 3) landscaping and traffic islands on the north portion of the rezoning site would be relocated to build a 10,650 square foot "shunting area" to park rental trucks and vehicles reserved by rental customers, and to receive rental trucks and vehicles returned by customers; and 4) eight (8) diagonal parking spaces on the north side of the rezoning site along Broadway Boulevard would be created to be used as a "display" area to park U-Haul rental trucks.

The Applicant's consultant presented photographs of the existing shopping center to demonstrate that visibility of the businesses on the east side of the shopping center is affected by the existing landscaping. The Applicant's consultant also presented photographs showing landscaping improvements performed by the Applicant at the rear of the property and along the Broadway Boulevard frontage. The Applicant's representative presented information from a market study performed on behalf of the Applicant that supported the storage and truck rental use for the property.

Eight persons spoke in opposition to the proposed rezoning, including representatives of the owners of all of the rest of the shopping center and several of the shopping center tenants. The concerns included: 1) the proposed relocation of the access lane across the shopping center, the creation of the shunting area, and the display area were inappropriate, would effectively divide the shopping center, and would impede access across the shopping center property; 2) the shunting area and display area would block visibility of the shopping center and its businesses from Broadway Boulevard; 3) the proposed C-2 zoning and the proposed truck rental use were incompatible with the existing commercial uses within the shopping center; 4) the proposed truck rental operation belongs in an industrial area, not in the middle of an existing C-1 shopping center; 5) the CC&Rs for the shopping center limit the use of the parking lot to the parking of passenger vehicles and pedestrian and vehicular traffic; and 6) the proposed loading zone in front of the U-Haul building, with trucks and trailers backing up in the east-west access lane, is not good planning and is against good shopping center flow practices.

The speakers in opposition stated that the proposed U-Haul use would not be an "anchor" use for the shopping center and would drive very little traffic to the other businesses. The speakers in opposition testified that the shopping center was built around and based on C-1 uses, such as grocery, fitness, retail, restaurants and others, and that a truck rental business was not compatible with those uses. Finally, a representative of the owner of the eastern portion of the shopping center testified that U-Haul is classified by the Assessor as an industrial use, and that the shopping center has lost its status as a qualified shopping center for property tax valuation purpose, resulting in increased full cash valuations and increased property taxes.

The Applicant's consultant then spoke and stated that there would be synergy between the proposed U-Haul uses and the existing shopping center businesses and that the statements regarding the property tax impact were not correct.

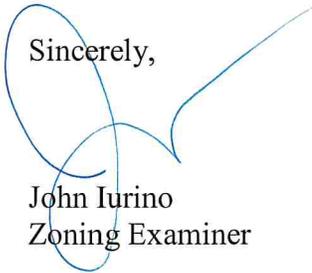
As of the date of the Zoning Examiner Hearing there were zero (0) written approvals and ten (10) written protests.

Conclusion – The proposed rezoning would allow for the redevelopment of a vacant grocery store in the shopping center. However, the *Pantano East Area Plan* states that “[r]ezoning to commercial uses should be based on all of the following: . . . iii. the proposed use is integrated with other adjacent commercial uses.” The Zoning Examiner cannot find that the proposed use in this case would be integrated with the adjacent commercial uses. The rezoning site lies between the east and west ends of an existing shopping center and the proposed redevelopment involves the construction of a 10,650 square foot shunting area for rental trucks and equipment; relocation of the existing access road that serves to tie together the shopping center and provides access between the businesses in the shopping center, as well as direct access to Camino Seco, one of the arterial streets serving the shopping center; and the use of parking spaces along Broadway Boulevard for the display of U-Haul equipment, which will block visibility of the other uses in the shopping center. As a result, the Zoning Examiner finds that the proposed use would not be integrated with the other, adjacent commercial uses as required by the *Pantano East Area Plan*.

RECOMMENDATION

The Zoning Examiner recommends denial of application to rezone the property from C-1 to C-2.

Sincerely,



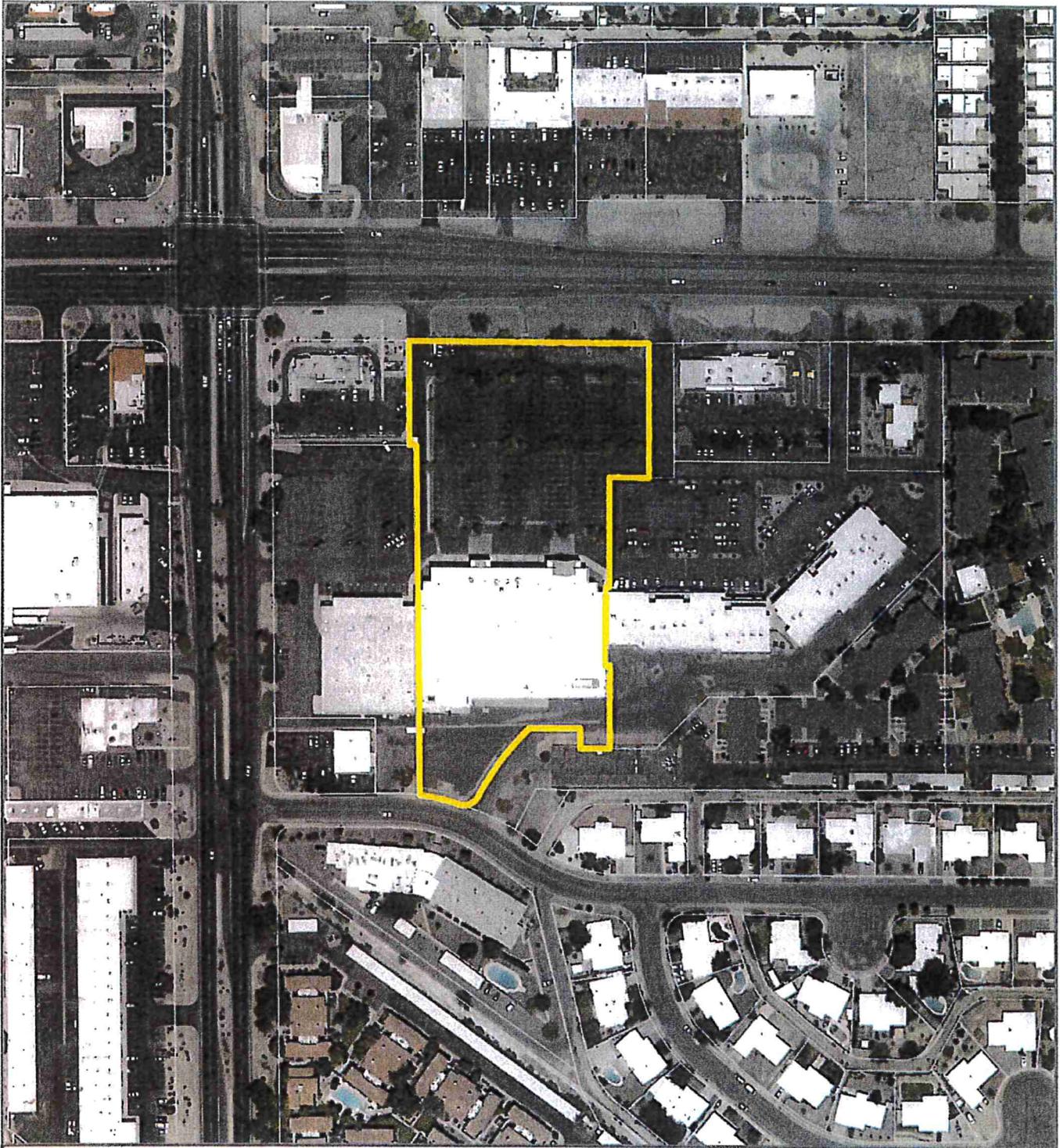
John Iurino
Zoning Examiner

ATTACHMENTS:

Case Location Map
Rezoning Case Map

cc: City of Tucson Mayor and Council

C9-17-12 U-Haul - Broadway Blvd.
Rezoning Request: C-1 to C-2



 Area of Rezoning Request: C-1 to C-2

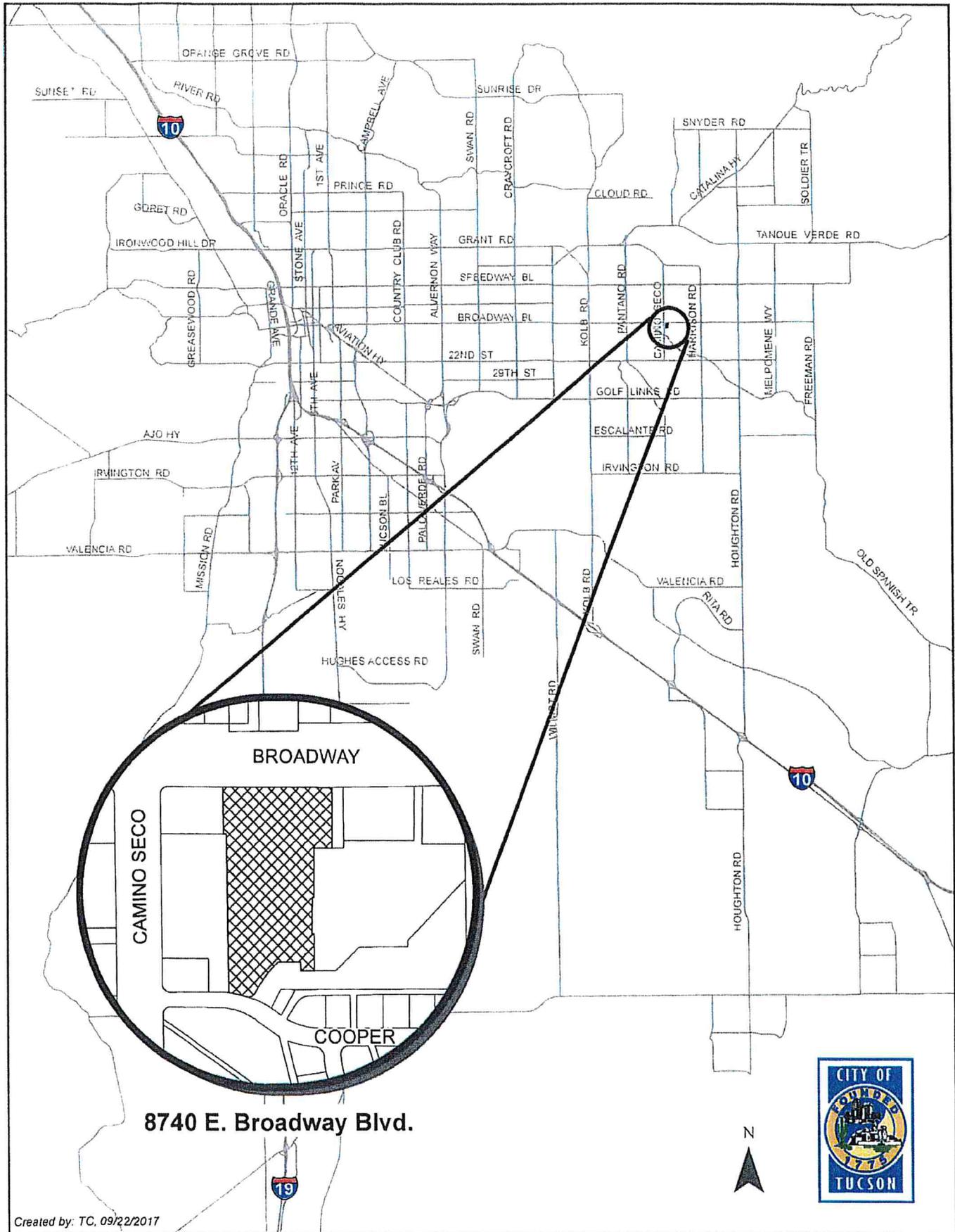
Address: 8740 E. Broadway Blvd.
Base Maps: Twp.14S Range15E Sec. 15
Ward: 2



0 100 200
Feet
1 inch = 200 feet



C9-17-12: U-Haul - Broadway Blvd.



8740 E. Broadway Blvd.