



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

Preliminary Report

November 29, 2013

Charles and Patti Bass
Fort Lowell Real Estate, LLC
3936 E. Fort Lowell Road
Tucson, AZ 85711

Anne Graham-Bergin
2205 E. Speedway Blvd.
Tucson, AZ 85719

**SUBJECT: C9-13-10 Bass – Woodland Avenue, R-1 to C-1
Public Hearing: November 21, 2013**

Dear Ms. Graham-Bergin,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case C9-13-10, Bass – Woodland Avenue. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either 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 Anne Graham-Bergin, on behalf of the property owners, Charles and Patti Bass. The request is to rezone approximately 0.4 acres from R-1 (low density residential) to C-1 (low intensity commercial) zoning. The rezoning site is an inverted “L”-shaped parcel located on the north side of 5th Street, approximately 360 feet west of Craycroft Road. The parcel was previously exempt from City of Tucson standards, having been developed as a United States Post Office and currently used as offices. The applicant seeks to conform the existing zoning to the existing use as a parking lot. The site plan proposes continuing the parking lot use. The zoning change will allow consistent zoning for the property, support the existing building and use, and allow the property owner to combine both parcels into a single tax parcel.

Directly to the north of the site is a church parking area, zoned R-1. South and west of the site is the former post office building, zoned C-1, and south across 5th Street, single family homes zoned R-1. To the east are commercial and office uses, zoned C-1.

Principal access to the site is from 5th Street, identified on the *Major Streets and Routes Plan* as a collector street. The Pima Association of Governments – Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 78 vehicle trips per day, unchanged from the existing development.

Land use policy direction for this area is provided by *Plan Tucson* and the *Broadway-Craycroft Area Plan (BCAP)*. While the application in this case was reviewed under the *General Plan* in effect at the time of review, the public hearing was heard after the passage and effective date of *Plan Tucson*. The policies applicable to this case have not substantially changed.

The nonresidential policy guidelines in the *BCAP* support new commercial and low-rise office development or redevelopment. The rezoning site is identified on the *BCAP* map as an appropriate location for office or commercial uses. Plan policies encourage integrating non-residential development with existing, adjacent non-residential uses. This may be achieved by providing common access points, parking, and an integrated vehicular/pedestrian circulation system. *BCAP* policies also directs the use of appropriate design elements and buffering techniques to ensure that new non-residential development and redevelopment designs are sensitive to established neighborhoods.

Plan Tucson supports development including nonresidential uses where the scale and intensity are compatible. Appropriate redevelopment of commercial uses at intersections of major streets is also supported with priority to promote the use

and improvement of existing infrastructure. *Plan Tucson* also promotes an 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* policy calls for economic viability of existing neighborhoods and commercial districts, and increased pedestrian activity and transit use. *Plan Tucson* policy also encourages the expansion and continued viability of trade, service activities, and to assist local firms in the trade and service sectors to expand their existing markets.

CONCLUSION

The request to rezone to C-1 Neighborhood Commercial zoning is consistent with policy direction provided in the *ABAP* (as amended July 9, 2013) and *Plan Tucson*. Subject to compliance with all staff conditions, approval of the requested C-1 zoning is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of C-1 zoning.

Sincerely,



Linus Kafka
Zoning Examiner

ATTACHMENTS:

Case Location Map

Rezoning Case Map

cc: City of Tucson Mayor and Council



4TH STREET

BAKER ST

WOODLAND AVENUE

5TH STREET

WOODLAND VISTA AVE



C9-13-10 Bass - Woodland Avenue
2010 Aerial

0 25 50 100 Feet
1 inch = 100 feet

