



# Zoning Examiner

## ZONING EXAMINER DECISION

January 15, 2026

To: Rory Juneman  
Lazarus & Silvyn P.C.  
5983 E. Grant Rd #290  
Tucson, AZ

**SUBJECT:** SPECIAL EXCEPTION LAND USE TP-ENT-0725-00012 Desert Christian High School – 1300 N Prudence Rd, RX-1 Zoning (Ward 2)

**PUBLIC HEARING:** January 8, 2026

Dear Mr. Juneman,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter contains the Zoning Examiner's decision for the SPECIAL EXCEPTION LAND USE TP-ENT-0725-00012 Desert Christian High School – 1300 N Prudence Rd, RX-1 Zoning (Ward 2).

The Zoning Examiner's decision may be appealed to the Mayor and Council by any party of record in accordance with Unified Development Code Section 3.9.2 by submitting a notice of intent to appeal to the City Clerk within 14 days from the effective date of the decision with a copy delivered to PDSD and reviewed by PDSD. The complete appeal materials must be filed with the City Clerk within 30 of the effective date of the decision.

### **Applicant's Request for Special Exception Land Use**

This is a request for a Zoning Examiner Special Exception in the RX-1 (Residential) zoning district, submitted by Lazarus & Silvyn, P.C. on behalf of the property owner, Desert Christian High School, Inc. The subject property consists of approximately 15.52 acres and is in the 7500 East block of Speedway Boulevard, approximately 600 feet north of the Speedway Boulevard right-of-way. The site is developed and operated as an educational use.

The applicant requests approval of a Special Exception to extend the hours of operation for the educational use beyond 7:00 p.m. to 10:00 p.m., Monday through Friday only; and install athletic field lighting for the existing football field and track. In addition, there may be a future public address system installed at the field.

The Unified Development Code (UDC) states, educational uses located in the RX-1 Residential zone are subject to the use-specific standards of UDC Section 4.9.3.D. The UDC allows exceptions to these standards through approval of a Zoning Examiner Special Exception, provided the request meets the findings noted in Section 3.4.5 and acceptable conditions are met. This request seeks such approval to allow extended hours of operation that includes field lighting and a public address system at some point associated with the extended hours.

### **Zoning and Land Use Background Information**

#### **Existing Land Use: Education – Elementary & Secondary**

**Existing Zoning Description:** Residential Zone (RX-1) – This zone provides for suburban, low density, single-family, residential development, agriculture and other compatible neighborhood uses.

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

North – R-1 Residential Zone, Single-Family Residential

East – R-2 Residential Zone, Townhouse Development

South – O-3 Office Zone, School Building, Townhouse Development

West – R-2 Residential Zone, Multifamily Development

**Previous Cases on the Property:** There are no previous Special Exception cases on property.

**Related Cases:** None

### **Land Use Planning Considerations**

Land use policy direction is provided by Plan Tucson and the Pantano East Area Plan.

Plan Tucson designates this area within the Mixed-Use Corridors building block, which supports a mix of residential, commercial, and employment-related uses, including educational and community-serving facilities. Plan Tucson encourages development that incorporates lighting designed in compliance with the Outdoor Lighting Code to minimize light pollution while providing adequate illumination for users (Policy A.20), and supports projects informed by engagement with surrounding communities (Policy A.22).

Plan Tucson further promotes investment in sports and recreational facilities and outdoor gathering spaces that enhance community character and reflect Tucson's desert environment and cultural heritage (Chapter 3, Culture 8). Additionally, the Plan emphasizes improving physical, mental, and social health outcomes through recreational activities, events, and programs serving residents of all ages (Chapter 3, Wellness 18).

The Pantano East Area Plan provides guidance for future growth while protecting existing development patterns. The Plan's Parks, Recreation, and Open Space sub-goal supports the

provision and continued use of existing and future recreational open space, consistent with neighborhood context.

The proposed Special Exception is evaluated for consistency with these adopted plans by balancing expanded educational and recreational use of the site with appropriate operational limits and mitigation measures to ensure compatibility with adjacent residential uses.

### **Neighborhood Meeting May 7, 2025**

A neighborhood meeting for the Desert Christian High School Special Exception request was held on May 7, 2025, at the school campus. Notice was mailed to all property owners within 400 feet of the site and to registered neighborhood associations within one mile. Approximately 20 nearby residents attended, along with a representative from the Ward 2 Council Office and members of the project team, including the property owner, architects, engineers, lighting consultant, and planning/zoning consultants.

The project team presented an overview of the Special Exception request, emphasizing that the proposal does not introduce new land uses or increase zoning intensity, but seeks limited extensions to the school's hours of operation and installation of athletic field lighting in compliance with the City's Outdoor Lighting Code. The team described modern, fully shielded LED lighting, pedestrian access coordination with the City, and the Special Exception review process.

Public comments focused primarily on traffic circulation, parking management, noise impacts, and the appropriateness of athletic events near residential properties. Concerns were raised regarding evening traffic on Fremming Avenue, use of the secondary parking lot, parking spillover, and noise associated with football games and announcements. Residents also expressed concern about late evening activity and potential future expansion.

In response, the applicant acknowledged neighborhood concerns and indicated a willingness to incorporate operational limitations and mitigation measures, including limits on the number and timing of games, early shutoff of lighting, parking management strategies, and further evaluation of noise mitigation options. The applicant clarified that football games are limited in number, typically end by 10:00 p.m., and that the school's enrollment and athletic program capacity are capped. The meeting concluded following a question-and-answer period.

### **Summary of Zoning Examiner Public Hearing January 8, 2026**

On January 8, 20206, The Zoning Examiner public hearing for the Desert Christian High School (DCHS) Special Exception request was convened to consider an application seeking approval to extend operating hours beyond 7:00 p.m. to 10:00 p.m. for existing outdoor athletic facilities and to allow the installation of permanent field lighting for the football field and track. The applicant's consultant as well as several persons representing DCHS and a lighting contractor spoke in support

of the Special Exception. There were also about eight speakers from the neighborhood expressing concerns.

The applicant presented the request as a limited and operational adjustment, rather than an expansion of use or facilities. Representatives for Desert Christian emphasized that the athletic fields are already constructed and that the Special Exception is intended to allow continued school-related athletic activities during evening hours, primarily due to seasonal daylight limitations. The applicant stated that outdoor activities would generally conclude by 8:00 p.m., with a narrowly defined exception for football games, limited to five regular season games and up to two playoff games per year, ending no later than 10:00 p.m. The applicant characterized the request as affecting approximately 20 evenings annually.

A focus of the applicant's presentation was on mitigation measures, particularly related to lighting and noise. The applicant described the proposed LED lighting system as fully shielded, downward-directed, and compliant with the City's Outdoor Lighting Code and dark sky standards. Based on concerns, the applicant removed lighting from the softball fields and pickleball courts nearest residential properties, limiting lighting to the football field and track. The applicant further committed to automated light shutoffs when the field is not in use.

Regarding noise, the applicant recognized concerns related to a public address system, music, and crowd noise during games. The applicant said there would be an acoustical consultant involved with designing the PA systems to ensure compliance with the City's noise ordinance at the border of residential areas. The applicant acknowledged that athletic events at schools are exempt from the City's noise ordinance but stated that the proposed conditions would voluntarily exceed baseline requirements especially involving the PA system.

The applicant also addressed traffic and parking concerns, stating that no changes were proposed to previously approved site circulation. Athletic event traffic would continue to use the main Speedway Boulevard entrance, with internal circulation between parking areas to minimize neighborhood cut-through traffic. Overflow parking agreements with nearby churches were cited as adequate to accommodate peak event parking demand.

Neighborhood testimony represented a substantial portion of the hearing and reflected concern regarding the cumulative impacts of athletic field operations on adjacent residential properties. Residents consistently described the current conditions as already disruptive, citing noise from games, practices, PA announcements, music, and band performances as intrusive to indoor and outdoor living spaces. Several speakers noted that athletic noise was audible inside homes even with windows closed, and expressed concern that extending hours would increase existing impacts.

Lighting was identified as a major concern by neighborhood speakers, many of whom expressed skepticism regarding the effectiveness of shielding and pointed to prior experiences with temporary or existing lighting affecting nearby homes. Residents emphasized the loss of dark sky conditions and nighttime quiet as a fundamental change to neighborhood character.

Traffic, parking, and safety concerns were also raised, including reports of overflow parking on residential streets, pedestrian cut-throughs, speeding vehicles after games, and student safety issues. Multiple speakers questioned how parking and access restrictions would be enforced over time.

The neighborhood testimony often mentioned concerns about whether the school would police itself and enforce policy to reduce noise, lighting and parking concerns. Several residents stated that prior discussions with the school suggested a more limited athletic use than what is currently occurring. As a result, speakers expressed concern that proposed conditions—particularly those related to hours, noise, and lighting—would be difficult to monitor and enforce once approval is granted. Residents requested clearer enforcement mechanisms, completed noise studies prior to approval, and greater assurances that violations would be promptly addressed.

In response, the applicant acknowledged neighborhood frustration and emphasized its willingness to engage with residents, modify the proposal, and accept enforceable conditions. The applicant maintained that the revised request reflects a good-faith effort to balance school operations with neighborhood compatibility, noting concessions already made and the limited frequency of evening events. The consultant earlier had stated that they were aware of the special exception findings and felt they could meet all of them. The meeting ended after about two hours of testimony.

### **Context, Special Exception Findings and Recommended Conditions**

Desert Christian High School (DCHS) seeks a Special Exception to allow extended evening hours for existing outdoor athletic facilities and to install permanent athletic field lighting for the football field and track. The underlying zoning (RX-1) permits educational uses, and athletic events are an established component of the school's operations. The request does not expand the campus footprint or introduce new facilities; rather, it formalizes and regulates evening athletic activity that is already occurring on a limited basis.

The Special Exception is needed because UDC Sec. 4.9.13.D limits hours of operation for educational uses in residential zones to 6:00 a.m.–7:00 p.m. The applicant requests an extension to 10:00 p.m. for a small number of football games and until 8:00 p.m. for other athletic activities. The City's Noise Ordinance (TCC Sec. 16-31(c)(5)) expressly exempts noise generated by athletic events, including crowd and band noise. However, the applicant has voluntarily agreed to conditions regulating the public address (PA) system, which is not exempt, and to adopt sound-control measures that exceed baseline requirements.

The conditions provide enforceable mitigation addressing neighborhood concerns regarding lighting, noise, traffic, and evening activity. These conditions include commitments made in the Design Compatibility Report, the neighborhood meeting, and the public hearing, and they ensure that the school's operations remain compatible with surrounding residential uses.

The narrative below addresses the findings in Section 3.4.5 required of a Zoning Examiner Special Exception request.

## **1. Conformance with Plan Tucson**

The Special Exception conforms to Plan Tucson, which identifies this area within the Mixed-Use Corridors building block. This designation supports community-serving educational and recreational facilities and encourages investment in sports and outdoor gathering spaces that enhance community character and promote physical and social well-being.

Plan Tucson also emphasizes minimizing impacts on surrounding neighborhoods through responsible lighting design, community engagement, and operational management. The conditions implement these policies by requiring:

- Fully shielded lighting compliant with the Outdoor Lighting Code
- Automatic shutoff controls tied to event end times
- Limits on the number and timing of evening events
- PA system design that complies with the Excessive Noise Ordinance
- Traffic management directing event access to Speedway Boulevard

These measures ensure that evening athletic activities occur in a manner that protects neighborhood livability while supporting the school's educational mission. The Zoning Examiner finds the request consistent with Plan Tucson.

## **2. Conformance with the Pantano East Area Plan**

The Pantano East Area Plan supports recreational and open-space uses when they are designed to be compatible with adjacent residential development. The Plan emphasizes buffering, lighting control, noise mitigation, and traffic management for institutional uses located near homes.

The conditions address these policy objectives by:

- Limiting lighting to the football field and track
- Prohibiting lighting on the softball field and pickleball courts unless separately approved
- Requiring PA system compliance with the Excessive Noise Ordinance
- Restricting event access to Speedway Boulevard and limiting use of Fremming Avenue
- Preserving and maintaining the existing pedestrian easement

These measures maintain compatibility with the surrounding residential neighborhoods and uphold the Area Plan's intent. The Zoning Examiner finds the request consistent with the Pantano East Area Plan.

### **3. Compatibility with Adjacent Land Uses**

The site is surrounded by residential neighborhoods, making compatibility the central issue. The public hearing record reflects concerns regarding lighting, noise, traffic, and evening activity. The conditions provide enforceable mitigation:

- **Lighting:** Fully shielded fixtures, automatic shutoff, and prohibition of lighting on other fields. If temporary lighting is used prior to installation of the new field lights, it must comply with the City of Tucson's Outdoor Lighting Code.
- **Noise:** PA system will be made to be in compliance with the Excessive Noise Ordinance.
- **Acoustics Condition:**  
The acoustics condition is enforceable because it requires measurable compliance at the nearest residential property line. It allows real-time verification by City staff and ensures that PA system design incorporates directional speakers, controlled dispersion, and automatic level controls. Although athletic event noise is exempt from the Noise Ordinance, PA system noise is not, and this condition provides a clear enforcement mechanism.
- **Traffic:** Event access directed to Speedway Boulevard; Fremming Avenue limited to emergency or secondary use.
- **Operations:** Caps on events, defined end times, and automatic lighting controls. The new field lights must be installed by prior to the first home game of the 2026 football season.

These conditions collectively ensure that athletic activities do not create unreasonable impacts on nearby homes. The Zoning Examiner finds the use compatible with adjacent land uses when conditioned.

### **4. Impact on Public Facilities and Services**

The Special Exception does not expand the campus footprint or introduce new buildings. Public facilities and services are not adversely affected. Traffic impacts are managed through controlled access, lighting complies with the Outdoor Lighting Code, and noise is regulated through enforceable PA system standards. No public infrastructure may be relocated at public expense. The Zoning Examiner finds no adverse impact on public facilities or services.

### **5. Changed Conditions**

High school athletic programming has evolved, and evening events with lighting are now standard throughout Tucson. The Special Exception reflects these contemporary expectations while ensuring that updated activities occur in a manner that respects the surrounding residential context. The conditions provide practical, modern mitigation tools—shielded lighting, controlled PA systems, and traffic management—that were not available when the campus was originally developed. The Zoning Examiner finds that changed conditions support the request.

### **Conclusion**

The Zoning Examiner finds that the Special Exception request for Desert Christian High School meets the findings under UDC Sec. 3.4.5. The request conforms to Plan Tucson and the Pantano East Area Plan, is compatible with adjacent residential uses when conditioned, does not adversely impact public facilities or services, and is supported by changed conditions. The conditions provide practical, enforceable mitigation addressing neighborhood concerns and ensure that evening athletic activities can continue.

### **Decision**

The Zoning Examiner approves the Special Exception subject to the Zoning Examiner conditions.

Sincerely,



Jim Mazzocco  
Zoning Examiner

### **ATTACHMENTS:**

Special Conditions  
Case Location Map  
Aerial Map  
Special Exception Case Map

cc: City of Tucson Mayor and Council

## ZONING EXAMINER SPECIAL CONDITIONS

### PROCEDURAL

1. A development package, in substantial compliance with the preliminary development package and required reports dated July 15, 2025, is to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
3. The athletic field lighting will comply with Outdoor Lighting Code prior to the first home football game of 2026. Temporary lighting used prior to the installation of the new field lights must comply with the City of Tucson/Pima County Outdoor Lighting Code.

### LAND USE

4. Any athletic field lighting installed on the site shall be fully shielded and installed in compliance with the City of Tucson/Pima County Outdoor Lighting Code to prevent light spillover beyond the athletic field boundaries.
5. No athletic field lighting shall be installed on the softball field or pickle ball court unless approved through a separate Zoning Examiner Special Exception Use in accordance with City requirements.
6. During school hours, the parking lot adjacent to the athletic fields shall be limited to faculty and staff parking only. Student parking shall be prohibited during those hours.
7. Hours of operation for the site shall be as follows:
  - a. Activities within main school buildings and non-athletic facilities may occur any day of the week and shall conclude by 10:00 p.m.
  - b. Use of outdoor athletic fields shall be subject to the following limitations:
    1. Football games shall be limited to no more than five regular-season games and no more than two playoff games per year and shall conclude by 10:00 p.m.;
    2. All other athletic field events shall conclude by 8:00 p.m.;
    3. No school athletic events shall occur on Sundays; other events may be held on Sundays without lighting (i.e., events end by sundown);
    4. Athletic field lighting shall be turned off when the fields are not in use and shall be controlled by automatic timers set to extinguish lighting at the applicable event end times; and
    5. Parking lot lighting shall be controlled by automatic timers and shall be turned off no later than 10:00 p.m.
8. During athletic events, vehicular and pedestrian access shall be managed to minimize impacts on adjacent neighborhoods, including:

- a. Primary vehicular access and parking from Speedway Boulevard;
- b. Use of the main DCHS parking lot along Speedway Boulevard for event parking; and
- c. Closure of the gate at the end of Fremming Avenue, except for secondary or emergency ingress and egress. DCHS will provide notice to the users of athletic fields, including other schools who use El Camino Baptist Church for overflow parking to access DCHS from Speedway Blvd and to avoid using Helen St. for access to DCHS.

9. The existing approximately 30-foot-wide easement located east of the athletic fields shall remain available for pedestrian access by adjacent property owners. The easement area shall be maintained in a clean and debris-free condition by the property owner. Use of the easement by students shall be limited to supervised school activities.

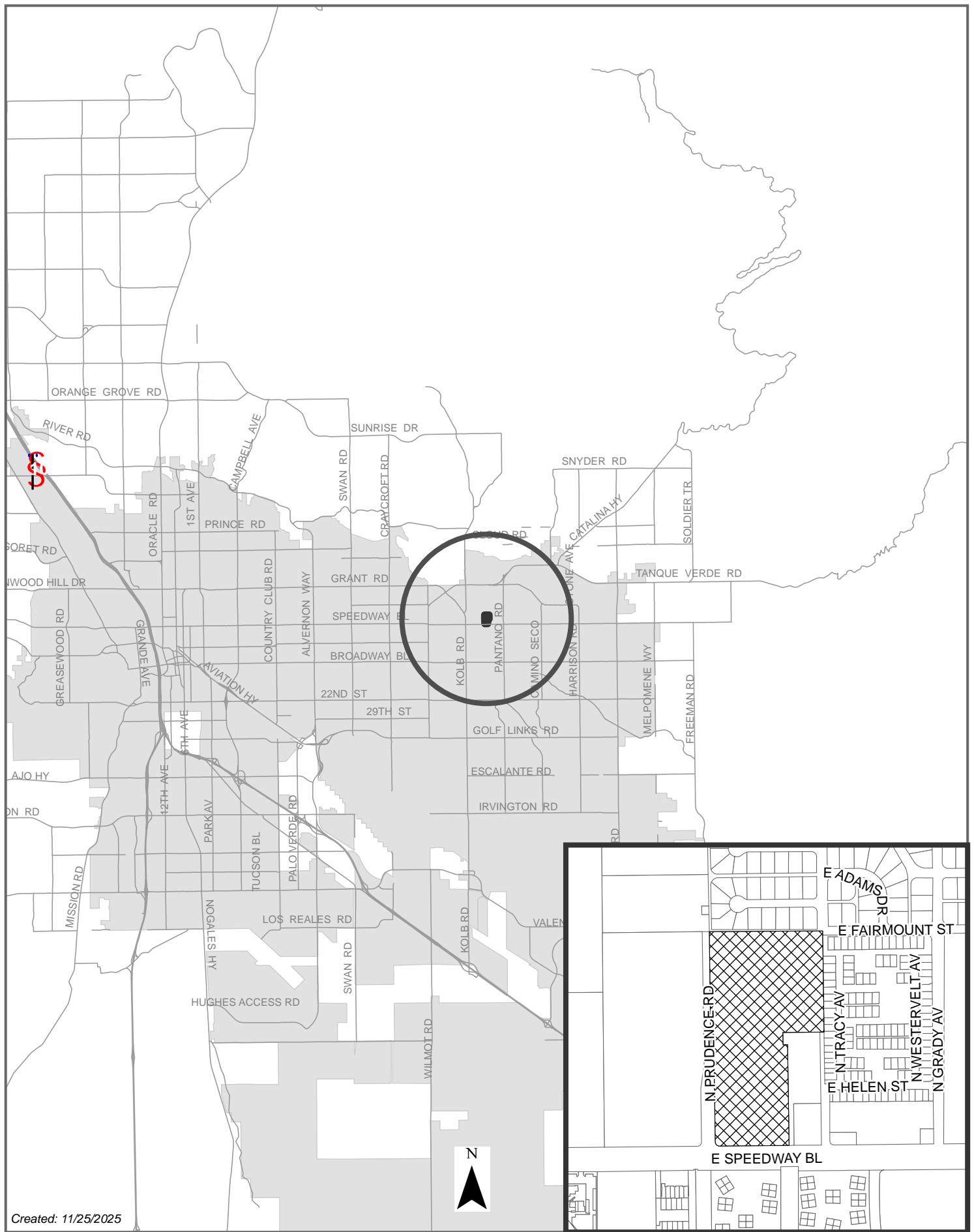
10. If a public address (PA) system is installed or used on the athletic fields, it shall be designed, installed, and operated so that audio associated with the event is clearly heard within the athletic field and spectator areas while minimizing noise impacts to nearby residential properties.

The PA system shall comply with the City of Tucson Excessive Noise Ordinance (Tucson City Code §16-31(a) and (b)), as measured at the nearest residential property line.

Noise mitigation may include, but is not limited to, directional or controlled-dispersion speakers, speaker orientation toward the field and spectator areas, distributed speaker systems, and automatic sound-level controls, or other comparable sound system design features.

- 11. No fireworks displays are allowed at the athletic fields.
- 12. Except for those days on which school events are held on athletic fields, public access to the athletic fields is prohibited between dusk and dawn.

# TP-ENT-0725-00012





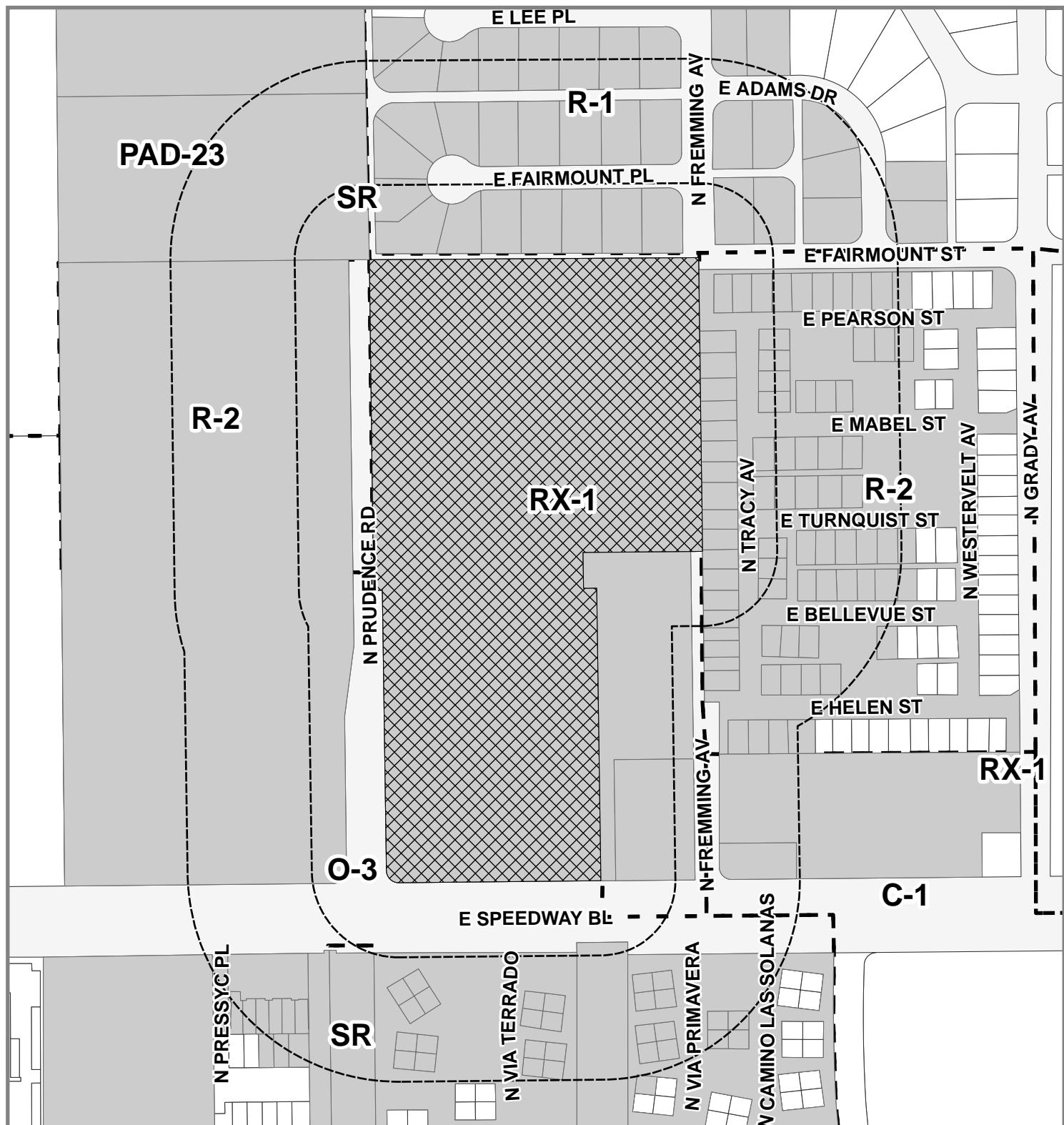
Area of Special Exception Request



Address: 7525 E SPEEDWAY BL  
 Base Maps: Twp. 1403 Range 1502 Sec. 05  
 Ward(s): 2

0 130 260 Feet  
 1:3,232





Area of Special Exception Request

Properties Notified

Zone Boundaries

400' Notification Area

Protest Area (150 ft. Radius)

Address: 7525 E SPEEDWAY BL  
Base Maps: Twp. 1403 Range 1502 Sec. 05  
Ward(s): 2

0 130 260 Feet

1:3,311

