



MEMORANDUM

DATE: September 24, 2025
For October 9, 2025 Hearing

TO: Jim Mazzocco
Zoning Examiner

FROM: Koren Manning
Planning & Development Services
Interim Director

A handwritten signature in black ink, appearing to read "Koren Manning".

SUBJECT: REZONING – PLANNING & DEVELOPMENT SERVICES REPORT
TP-ENT-0725-00016 - Rezoning – 3954 E Fort Lowell Rd
R-3 to C-1 (Ward 3)

Issue – This is a request by The Planning Center on behalf of Robert B. and Joan M. Cook, to rezone approximately 0.35 acres of property located at 3954 E Fort Lowell Rd (Parcel # 11006014N). The applicant is proposing to rezone this parcel from R-3 Residential to C-1 Commercial for Administrative and Professional Offices and General Merchandise Sales within an existing 2,688 square-foot residential building with on-site parking.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of the rezoning to C-1 Commercial zone, subject to the attached preliminary conditions.

Neighborhood Meetings – On May 17, 2024 and January 6, 2025, the applicant held neighborhood meetings at the subject site located at 3954 E. Ft Lowell Rd. The meetings were noticed by mailers sent out two weeks in advance to property owners, within 400 feet, as well as to all registered neighborhood associations, within one mile of the property. The mailing labels were provided by the Planning and Development Services Department using Pima County Assessor's parcel data. According to the applicant, no property owners or neighborhood association representatives attended the May 17, 2024 neighborhood meeting.

For the January 6, 2025 neighborhood meeting, the applicant indicated that five (5) neighbors attended the meeting expressing the following comments/concerns: Buildings should be constructed closer to the street, increased height of existing building, potential for reduced parking requirements, and future use of the building because of the proposed rezoning. The applicant indicated the property would likely be leased or sold in the future after the rezoning was complete, and while no current development plans are prepared for a specific business at this point, future tenants would need to adhere to the proposed C-1 zoning use specific standards and dimensional standards.

Since the applicant has already held two (2) neighborhood meetings as indicated above, and the project proposal has not changed, staff believes the applicant has complied with Section 3.2.2 of the Unified Development Code. Staff requested the applicant reach out to the neighborhood associations and Ward 3 staff to notify them of the change in engineers to the Planning Center, that the project had not changed, and that they would be happy to meet to discuss if requested. This was completed by the applicant's email dated July 31, 2025 to the Ward 3 office and neighborhood association representatives. No further responses or comments were received.

Background Information

Existing Land Use:

Currently unoccupied building, formally an art studio and residence

Zoning Descriptions:

Existing: R-3 Residential: Provides for urban, high density, residential development and other uses compatible with adjoining residential uses.

Proposed: C-1 Commercial: Provides for low intensity, commercial, and other uses that are compatible with adjacent residential uses.

Surrounding Zones and Land Uses:

North: R-3 Residential, C-1 Commercial, C-2 Commercial, and MH-1 Mobile Home

South: O-2 Office and P Parking

East: C-1 Commercial

West: C-1 Commercial

The following land uses exist around the project location.

North: Commercial/Professional Offices

South: Single-family residential

East: Single-family residential

West: Single family residential and Multifamily residential

Previous Cases on the Property: None

Related Cases: None

Applicant's Request – The applicant proposes a rezoning from R-3 Residential to C-1 Commercial for Administrative and Professional Offices and General Merchandise Sales within an existing 2,688 square-foot building with on-site parking.

Planning Considerations – *Plan Tucson* and the *Grant-Alvernon Area Plan (GAAP)* provide policy direction for the rezoning site.

Plan Tucson - *Plan Tucson* contains a variety of elements in four focus areas, including the Social Environment, the Economic Environment, the Natural Environment and the Built Environment. Each focus contains specific goals, and each element contains specific policies.

Relevant *Plan Tucson* policies include:

- **LT28.1.11** Support the retention and expansion of existing business.
- **LT28.2.4** Support community commercial and office uses located at the intersection of arterial streets, arterial and collector streets, or collector street intersections.

The Grant-Alvernon Area Plan (GAAP) is intended to guide future development, while protecting and enhancing existing uses.

Within the *GAAP* boundaries, the predominant land use is medium-density, single-family residential, which is located within the interior of neighborhoods and along many of the major streets. Office, commercial, and high-density residential land uses are primarily located along the major streets.

The *GAAP* provides goals and policies for non-residential land use, office/commercial and mixed used development:

Office and Commercial land use policies:

Policy 1. Consider office/commercial development only when:

- a. The site is designated on the Conceptual Land Use Map for the specific type of nonresidential use being requested, or is in compliance with the consolidation policy (see Office and Commercial Land Use Policy 3 and Consolidation Diagram);
- b. Primary access will be provided to an arterial street or to a collector street within 300 feet of an arterial;
- c. Access to any street other than an arterial is directed away from the residential neighborhood; and
- d. The proposal is in compliance with other applicable Plan policies.

Policy 2. Encourage incorporation of appropriate design elements and buffering techniques during the zoning application and associated development plan review processes, to ensure sensitive design of nonresidential developments adjacent to established neighborhoods. These elements must be shown on rezoning concept plans and related development plans.

Policy 3. Consider consolidation of abutting residential parcels with nonresidential uses to allow for adequate buffering of adjacent residential development when: 1) proposal is in compliance with other applicable Plan policies and design guidelines; 2) parcels to be consolidated are appropriate (see Consolidation Diagram); and 3) the following conditions are met:

- a. Residential parcel to be consolidated is bounded on at least two sides by non-residential zoning.
- b. At least fifty percent of the residential parcel will be used for parking, maneuvering, and landscaping. Landscaping adjacent to existing residential uses should include a minimum 10-foot-wide buffer including a 6-foot-high masonry wall and a mix of canopy trees, shrubs, and groundcover.
- c. The use of the main parcel (with which the residential parcel is to be consolidated) must be in conformance with the Conceptual Land Use Map designation for that parcel.

Policy 4. Encourage owners of non-conforming office and commercial uses that provide goods or services to residents of the immediate area and are located within walking distance of residential areas to remain in the area, and to maintain structures and facilities through the rezoning, special exception, or substitution of non-conforming use processes.

- Policy 5. Consider uses that are open for extended business hours (earlier than 7:00 AM and/or later than 9:00 PM) on arterial streets only. Hours of operation for other businesses should be limited on a case-by-case basis, when appropriate, to provide compatibility with adjacent uses. Reconsideration of limitation of business hours should be given if there is a change of use, such as from office to commercial, after the initial rezoning.
- Policy 6. Discourage wireless communication antenna arrays unless concealed, disguised, or collocated on existing buildings or structures.
- Policy 7. Support the bringing into conformance or removal of non-conforming signs, the upgrading of building facades, and landscape improvements through incentive-based and similar programs, including business improvement districts and special design districts.

Project Background

The rezoning site is located on E Fort Lowell Rd, a major arterial street, located approximately 500-feet east of N Alvernon Way. The 0.35-acre site is currently zoned R-3 with an existing unoccupied residential building. The applicant is proposing to rezone to C-1 for Administrative and Professional Offices and General Merchandise Sales in the existing 2,688 square foot building.

The applicant has indicated the prevailing market conditions and the development pattern along this portion of E Fort Lowell is conducive to a commercial designation that would more effectively support the property's long-term viability.

The project was originally proposed under TP-ENT-0724-00016 in 2024 and was subsequently re-filed under TP-ENT-0725-00016 in 2025 due to change in the consultant/applicant at the land-owner's request.

Design Considerations

Land Use Compatibility – The subject site of 0.35 acres is currently zoned R-3 Residential, whereas the prevalent zoning pattern along E Fort Lowell Rd in the immediate vicinity is zoned C-1 Commercial. Other zones in the vicinity include C-1 and C-2 Commercial to the north, east, west, MH-1 Mobile Home to the northeast, O-2 Office and P Parking to the south. The land in the immediate vicinity of the project is occupied by existing commercial land uses.

Rezoning the subject site from R-3 to C-1 will accommodate the applicant's proposal to convert the use of the existing 2,688 square foot vacant residential building to Administrative and Professional Offices and General Merchandise Sales. The proposed C-1 zone will allow land uses that are compatible with the land uses in the immediate vicinity including C-1 zoning to the north, east, and west of the project site.

The proposed rezoning facilitates the adaptive reuse of an underutilized parcel along a key corridor with existing infrastructure and strong commercial activity. The site's location along E Fort Lowell Road, a corridor characterized by established commercial businesses, office uses, and supporting infrastructure, makes it a logical candidate for rezoning to C-1. Rezoning the property to C-1 enables the development of neighborhood-serving commercial or office uses adjacent to nearby residential areas and will help reinforce the corridor's established commercial character. The subject site if rezoned would be limited to land uses allowed in the C-1 zone such as low intensity commercial.

Land use compatibility can be further demonstrated with the existing approximate 4 to 6-foot-tall concrete masonry wall located along the south, east, and west boundaries which will provide partial screening and buffering for the adjoining properties. Existing and future landscaping will also buffer surrounding properties. The existing access onto E Fort Lowell Rd will limit commercial vehicular traffic to a single access point with no interior access between adjoining properties.

Design Compatibility – The proposed Preliminary Development Plan (PDP) depicts an existing 2,688 square foot, 24-foot-high building that is fully constructed with partially improved on-site parking. The existing building's height of 24-feet is less than non-residential maximum building height limit of 30-feet maximum allowed by the proposed C-1 zone's dimensional standards (Unified Development Code's Table 6.3-4. A) and is compatible with other existing buildings in the immediate vicinity including an office building to the west, self-storage complex to the east, and commercial center to the north.

The existing building is setback approximately 80-feet from E Fort Lowell Rd, 17-feet from the east property line, 12-feet from the south boundary, and 19-feet from the west property line. The existing building setbacks exceed required setbacks of 0-feet and 10-feet per UDC's dimensional standards (Table 6.3-4. A) based on adjoining zones (C-1, O-2, P-1, and R-3). Existing buildings have varied setbacks along this portion of E Fort Lowell Rd., with certain buildings closer to the street frontage and other setbacks further from street. With the varying setbacks, varying on-site parking locations, the existing building site is compatible with the area.

The proposed parking area in the front portion of the 0.35-acre lot in front of the existing building will be fully improved including required paving and landscape borders as depicted on the PDP. Fifteen (15) off-street parking spaces including 5-foot interior sidewalk for pedestrian access and ADA path within the central portion of the parking lot will be provided along with bicycle parking. These parking-related improvements will improve design compatibility of the project to the area.

Although the rezoning proposal indicates potential Administrative and Professional Offices and General Merchandise Sales land uses, this parcel would be eligible to be utilized for greater intensity uses like food service, alcoholic beverage service, or entertainment, each which would require more intense parking calculations than those for professional office or retail use.

Any future trash compacting, loading and unloading areas will be screened by a masonry wall and/or decorative fencing within the interior portions of the project.

Landscape planters intended for shrubs, cactus and trees as depicted on the PDP will also mitigate negative visual impacts to the surrounding area. Water harvesting techniques will also be integrated into the landscaping as required by code.

Defensible Space and Lighting – The site configuration and proposed building orientation align with defensible space techniques with lighting per code standards and separation between the commercial buildings. Additionally, adequate lighting and surveillance within commercial development will ensure intermediate areas between and behind buildings are safe.

Signage – Any existing or proposed signage on the property will be subject to the sign standards of the Unified Development Code.

Drainage/Grading/Vegetation – The property is relatively flat with existing drainage flowing northward and eastward. The property is developed and located in an urbanized area and will be subject to site

preparation and further drainage improvements. The project site is not located within a regulated floodplain and is not subject to a floodplain use permit. No riparian habitat or significant vegetation exists on the property.

Road Improvements/Vehicular Access/Circulation – E Fort Lowell Rd, located along the northern edge of the project parcel, is a divided four-lane major arterial with a planned right-of-way (“ROW”) width of 100-feet per the City’s *Major Streets and Routes (MS&R) Plan* map. The existing Fort Lowell Rd’s ROW width is 95 feet. Any future development will be required to be shown outside the future right-of-way line. The existing 20-foot curb cut on Fort Lowell Rd will be improved to a minimum of 24-feet in accordance with the UDC. The existing driveway will be conditioned to meet City standards. Additional ROW dedication will be required. There are existing sidewalks along both sides of E Fort Lowell Rd.

The project requires a minimum of 9 parking spaces, while the PDP includes 15 parking spaces (1 space per 300 SF of gross floor area). The minimum required number of bicycle parking spaces for general commercial services use is two short-term parking spaces and two long-term parking spaces, which are also shown in the proposed PDP.

Landscaping and Screening – There is little or no mature landscaping within the perimeters of the site. Additional landscaping will be required as part of the proposed on-site parking lot with landscape planters in accordance with Section 4 of the City of Tucson Technical Standards Manual. Existing mature tree branches overhang the east and west property lines from adjoining properties. An existing wall structure of approximately 6 feet in height is located along the south property line, and an approximate 4-foot-high wall exists along the east and west property lines which will remain in place. An existing 6-foot-high chain-link fence that exists along the northern boundary will be removed and replaced with enhanced landscaping.

Furthermore, a 10-foot landscape border will be installed along the northern boundary of the subject property in compliance with UDC Section 7.6.4. A minimum 30-inch-high screen will be provided along the northern edge of the parking area to ensure vehicle headlights do not trespass into the roadway.

A 10-foot-wide landscape border and a 5-foot-high screen would also be provided along the southeastern boundary adjacent to the O-2 zoned portion of the property. However, given that a 10-foot-wide landscape border and 5-foot-high wall already exist, relief from this requirement will likely be sought at the time of development by processing a Design Development Option (DDO). Landscape borders and screening are not required on the remaining property boundaries as they are adjacent to C-1- or P-zoned parcels. Landscape borders will be planted in accordance with the applicable City standards and will feature on canopy trees every 33 linear feet, shrubs, and groundcovers.

Existing Utilities – The subject property is currently served by the Pima County Regional Wastewater Reclamation Department (RWRD). The site is within Tucson Water’s obligated service area and is currently receiving service. Tucson Electric Power (TEP) is the electric utility provider for the area and supplies power to the subject property.

Cultural Resources – The property has been completely graded. It is not located within any historic district, and it is surrounded by existing development. If any cultural remains are discovered during ground-disturbing activities, the City Historic Preservation Officer will be consulted.

Conclusion – The proposed rezoning is consistent with, and supported by, the policy direction provided in *Plan Tucson* and the *Grant-Alvernon Area Plan*. Subject to compliance with the attached preliminary conditions, approval of the requested C-1 zoning is appropriate.

PROCEDURAL

1. A development package in substantial compliance with the Preliminary Development Plan, dated August 14, 2025, and required reports, are 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 any 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. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

EXISTING ROAD/VEHICULAR ACCESS/CIRCULATION

6. The site will be accessed from E Fort Lowell Road by one (1) existing driveway. The existing driveway shall be improved to current standards.

DRAINAGE

7. Balanced basin detention and first flush retention requirements would apply for the proposed development as directed by Site Engineering.

RECLAMATION DISTRICT

8. Pima County Wastewater Reclamation provides the condition that 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.

PRELIMINARY DEVELOPMENT PLAN

LEGEND

- Property Boundary
- 10' Landscape Borders
- Common Area
- Access Lanes
- Sidewalk

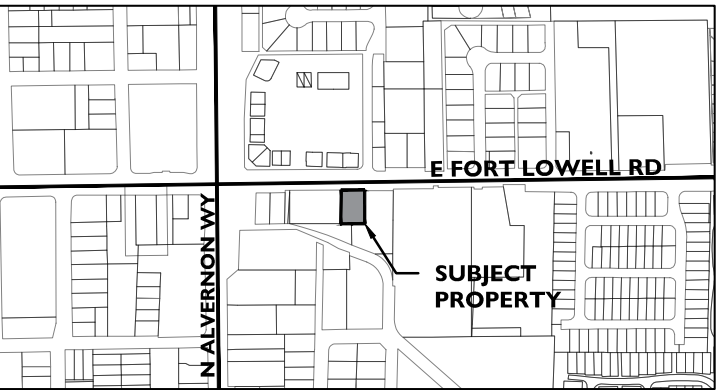
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REZONING

Preliminary Development Plan

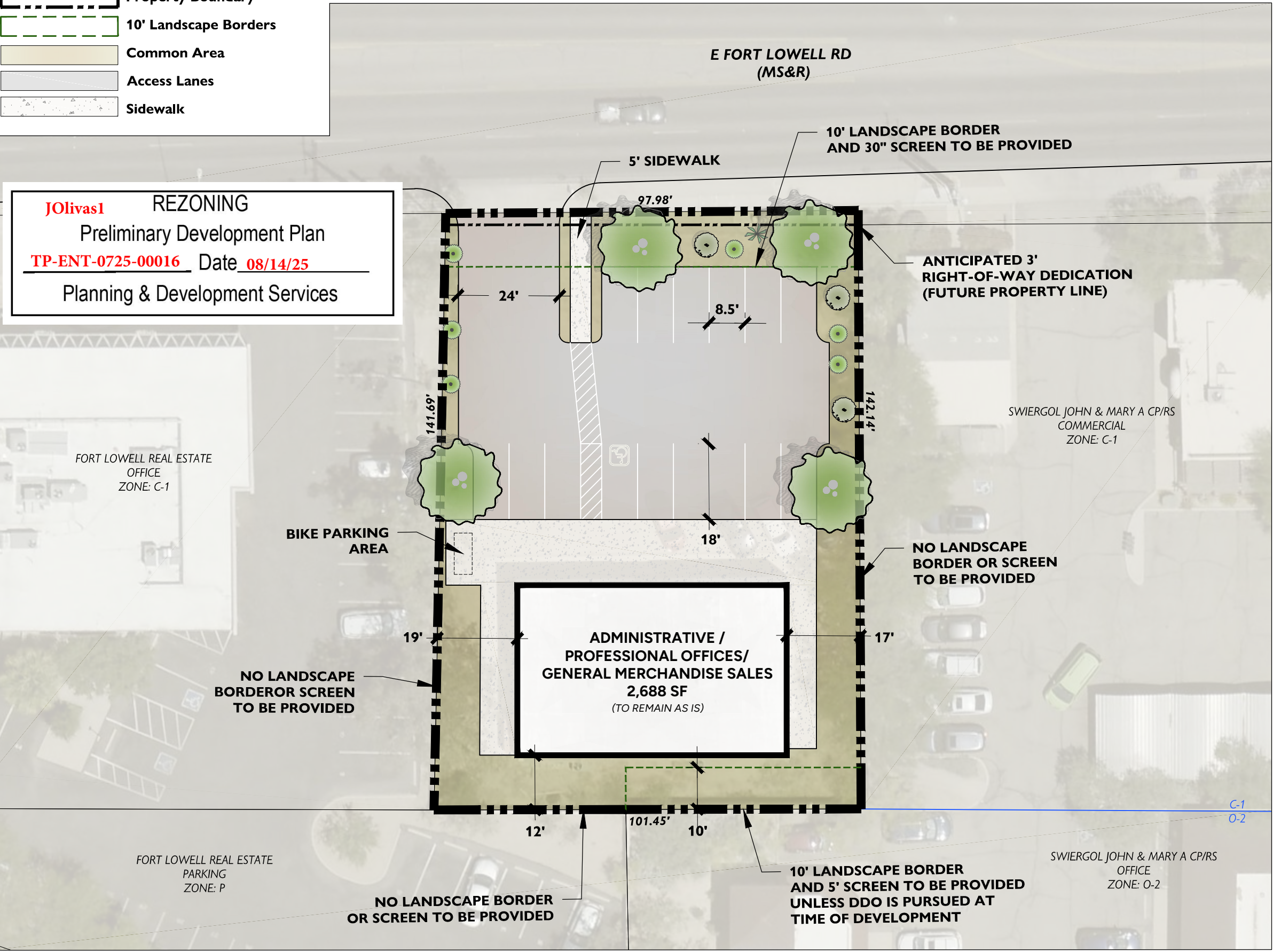
TP-ENT-0725-00016 Date 08/14/25

Planning & Development Services



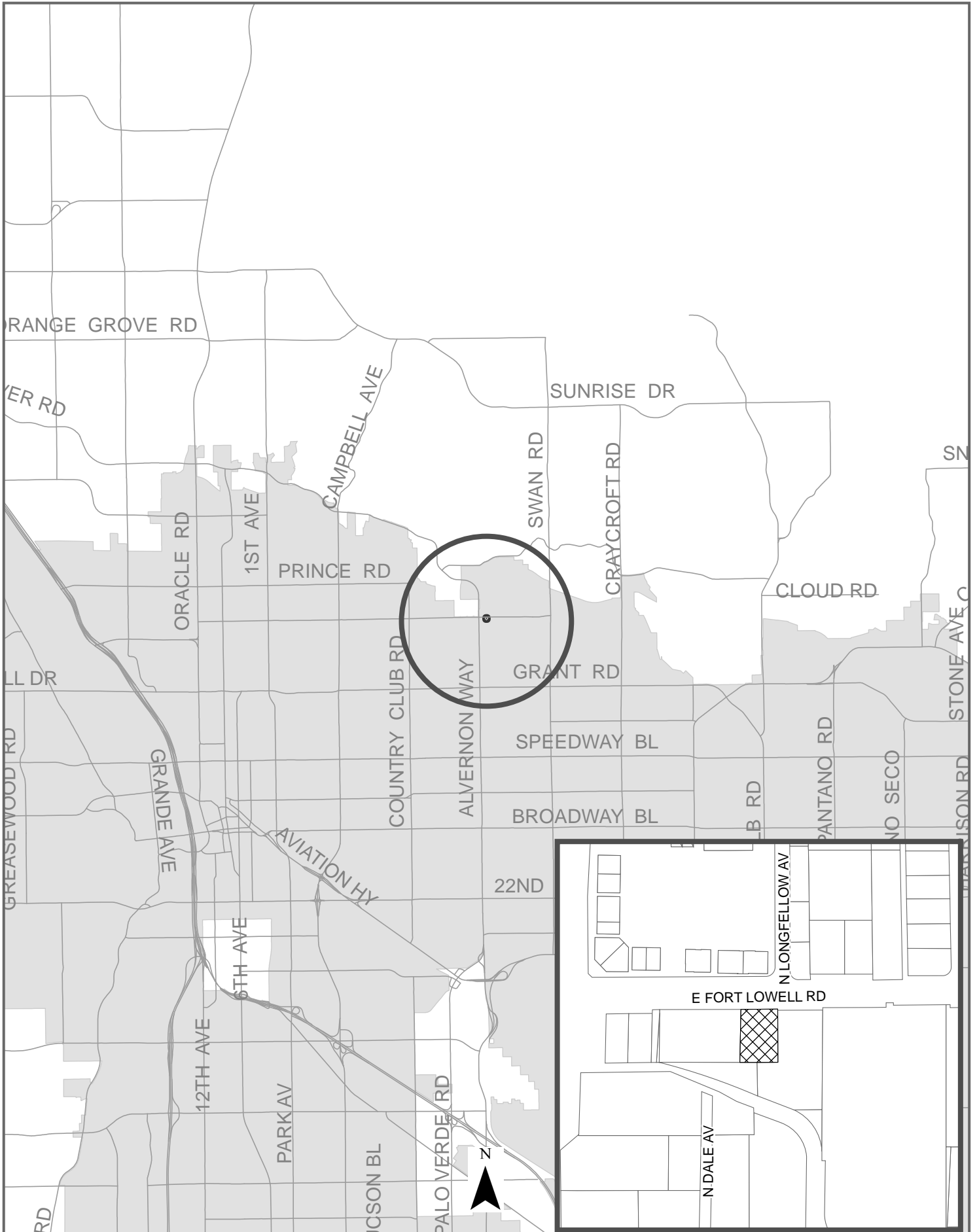
LOCATION MAP
SCALE: 1" = 0.25 MILE

- NOTES:**
- Project Acreage: 0.35 Acres
Parcels: 110-06-014N
Owner: Cook Robert B & Joan M JT/RS
Addresses: 3954 E Fort Lowell Road
Jurisdiction: City of Tucson (Ward 3)
Applicable Area Plan: Grant-Alvernon Area Plan
Existing Zoning: R-3 (Residential)
Existing Use: Vacant
- Proposed Zoning: C-1 (Commercial)
Proposed Use: Administrative and Professional Offices /
General Merchandise Sales
Applicable Use-Specific Standards: 4.9.13.O and 4.9.9.B.3
Proposed Building Area: 2,688 SF (Existing)
Maximum Building Height: 30 feet
- Required Building Setbacks:
- North: Residential Zone = MS&R (Non-Residential Use) = 10 feet
 - South: Non-Residential Zone = 0 feet
 - East: Non-Residential Zone = 0 feet
 - West: Non-Residential Zone = 0 feet
- Required Landscape Borders:
- North: Adjacent to MS&R = 10 feet
 - South: Adjacent to P Zone = None
Adjacent to O-2 Zone = 10 feet*
 - East: Adjacent to C-1 Zone = None
 - West: Adjacent to C-1 Zone = None
- Required Screening:
- North: Adjacent to MS&R = 30-inch screen
 - South: Adjacent to P Zone = None
Adjacent to O-2 Zone = 5-foot screen*
 - East: Adjacent to C-1 Zone = None
 - West: Adjacent to P Zone = None



3954 E FORT LOWELL

TP-ENT-0725-00016 3954 E. Ft. Lowell Rd

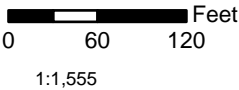


TP-ENT-0725-00016 3954 E. Ft. Lowell Rd

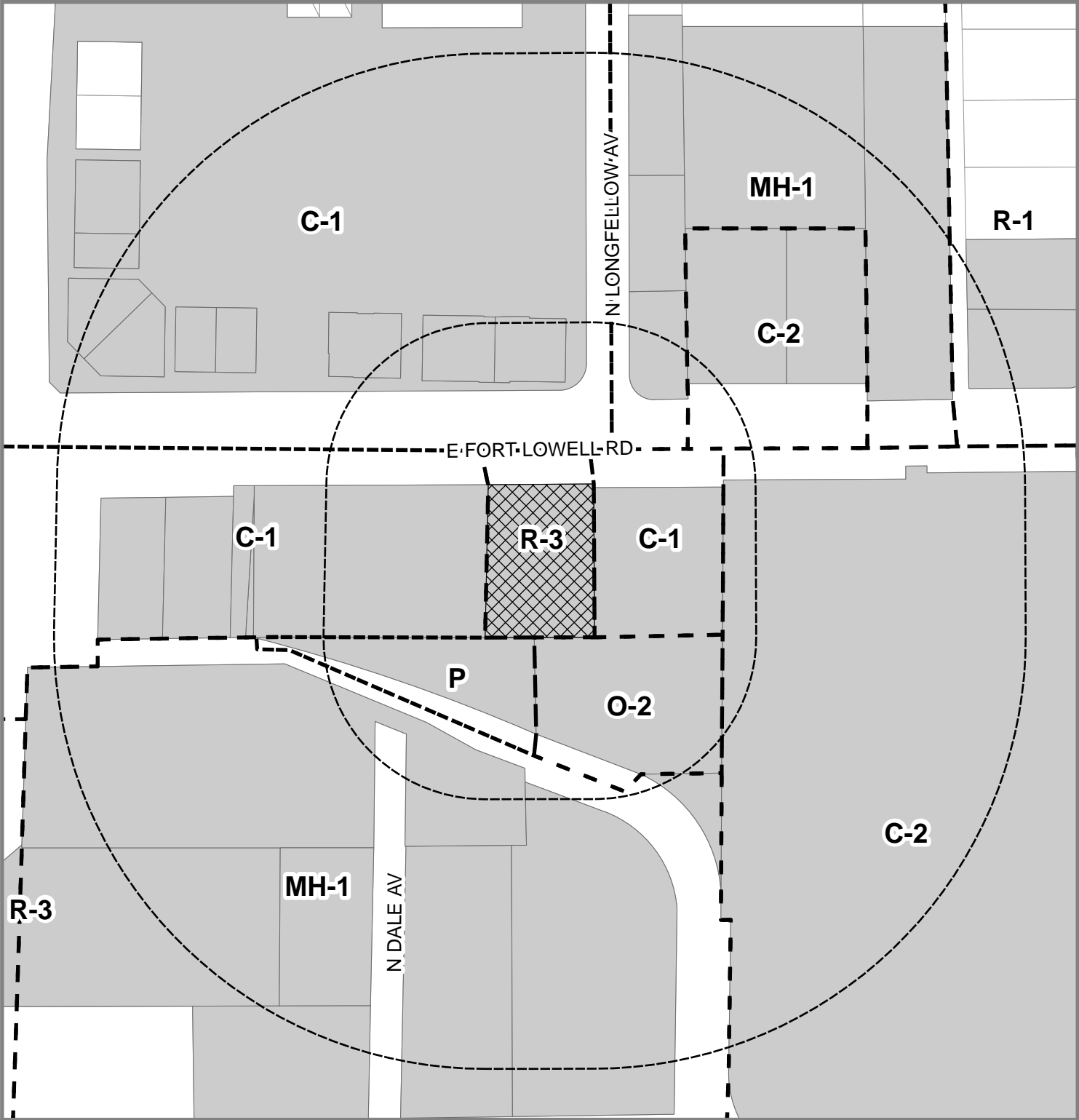


Area of Rezoning

Address: 3954 E FORT LOWELL RD
Base Maps: Twp. 1303 Range 1402 Sec. 34
Ward(s): 3



TP-ENT-0725-00016 3954 E. Ft. Lowell Rd



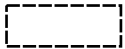
Area of Rezoning



Zone Boundaries



Properties Notified



400' Notification Area



Protest Area (150 ft. Radius)

Address: 3954 E FORT LOWELL RD
Base Maps: Twp. 1303 Range 1402 Sec. 34
Ward(s): 3

0 60 120 Feet

1:1,555



Approval – Protest Form



If you wish to submit a written protest or approval, this form is provided for your convenience. Print your comments below, sign your name, and mail to the City of Tucson Planning and Development Services Department, Entitlements Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, Arizona 85726-7210. The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing. This form is not the City of Tucson Public Hearing Notice.

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’, require an affirmative vote of $\frac{3}{4}$ of the Mayor and Council (5 of 7 council members) to approve the Original City Zoning translation. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations. Calculations will be provided to the Mayor and Council.

Case: TP-ENT-0725-00016/Rezoning from R-3 to C-1/Administrative Professional Offices & General Merchandise Sales Building, 3954 E. Fort Lowell Road (Ward 3)

Property Owner(s) (PLEASE PRINT)

- ☐ APPROVE the proposed rezoning/special exception
- ☐ PROTEST the proposed rezoning/special exception

Reason:

OWNER(S) SIGNATURES	PLEASE PRINT PROPERTY ADDRESS	PLEASE PRINT YOUR MAILING ADDRESS

Date _____

Place
Stamp
Here

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

TP-ENT-0725-00016 JO

Expose this flap - Affix stamp and return



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

TP-ENT-0725-00016 JO
IMPORTANT REZONING NOTICE ENCLOSED