



# Zoning Examiner

## ZONING EXAMINER DECISION

**June 11, 2026**

To: Chuck Meyer, Architect  
1900 N. Fremont Ave  
Tucson AZ 85719

**SUBJECT:** SPECIAL EXCEPTION LAND USE TP-ENT-0326-00006 Prime Leaf Dispensary  
– 1525 N Park Av, C-2 (Ward 3)

**PUBLIC HEARINGS:** June 4, 2026

Dear Mr. Meyer,

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-0326-00006 Prime Leaf Dispensary – 1525 N Park Av, C-2 (Ward 3)

### **Applicant's Request - Special Exception for a Nonconforming Land Use**

Chuck Meyer, Architect, requests approval of a Zoning Examiner Special Exception Land Use to allow the expansion of an approved legal nonconforming use. The request seeks to add a drive-through lane and a pre-order pick-up window along the exterior portion of an existing 4,000 square foot ,C-2 zoned, medical marijuana dispensary.

The subject property's address is 1525 N. Park Ave. It consists of 0.75 acres at the southwest corner of North Park Avenue and East Lee Street, about 1,800 feet north of East Speedway Boulevard and 625 feet east of North Euclid Avenue. The Prime Leaf Dispensary has been at this location since March 9, 2018.

The dispensary operates within the single 4,000 square-foot building and is the only land use on the site. The proposed expansion places the drive-through lane and pick-up window along the west and south property boundaries. The project involves minor interior and exterior remodeling related to the drive-through lane and pick-up window operations.

The applicant files this request for an expansion of a nonconforming marijuana dispensary through the Zoning Examiner Special Exception Procedure per Unified Development Code Section 3.4.3 and Section 9.2.2. The Zoning Administrator has determined the application conforms to the regulations for expanding a nonconforming use.

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

#### **Existing Land Use:**

The marijuana dispensary currently operates in a single 4,000 square foot commercial building. No other land uses are present on the site.

#### **Current Zoning:**

C-2: This zone provides for general commercial uses that serve the community and region.

#### **Surrounding Zoning and Land Use:**

Land surrounding the site is zoned R-2 Urban Residence to the north and east, NR-2 Neighborhood Urban Residence to the south and west. NR-3 Neighborhood Urban Residence is to the southwest.

Surrounding land uses consist of single-family dwellings to the north, east, and west. A public alleyway and Multi-family dwellings are located immediately adjacent to the south.

**Previous Cases on the Property:** The existing dispensary business is currently a legal nonconforming land use previously approved and developed under Medical Marijuana Authorization Letter dated March 9, 2018 (T18SA00085) and DP18-0043 in 2019. This project became a nonconforming use following the adoption of amendment [Ord No. 11978] to the UDC. A Zoning Compliance letter [TZ-CMP-0525-00097] dated July 22, 2025 confirms the Prime Leaf Dispensary was lawfully established prior to the requirement for a Special Exception, and it is considered a legal nonconforming use as of January 19, 2023.

**Related Cases:** None

### **Planning Considerations**

Land use policy direction for the subject property and the surrounding area comes from *Plan Tucson* and *the University Area Plan*.

#### *Plan Tucson*

Within *Plan Tucson's Future Growth Scenario Map* the subject property is in the Neighborhoods building block. This designation identifies areas made up of residences, neighborhood commercial development, schools, parks, and places of worship. The policy framework seeks to protect established residential neighborhoods while supporting compatible infill, appropriate nonresidential uses, and the stability of local commercial areas. The proposed expansion is within the general intent of this building block by maintaining a neighborhood business while not expanding the commercial building.

### *University Area Plan*

The property is in the *University Area Plan*, which provides policy for development near the University of Arizona campus. The plan emphasizes the preservation of neighborhood character, identity, and residential quality of life. It also prioritizes cooperation between neighborhoods, private developers, and the City to ensure that new development responds to local concerns.

Because the University Area functions as a compact, pedestrian-oriented regional activity center, policies favor strengthening the pedestrian environment. Under Section 3.C, governing Office and Commercial Development, the plan supports commercial activities that complement the scale and character of local neighborhoods and commercial districts.

The application is evaluated against design policies within Section 3.C:

**Traffic and Visual Impacts-** Private parking and circulation facilities must be designed and located to mitigate traffic and visual impacts on surrounding residential areas. The introduction of a drive-through lane and a pre-order pick-up window along the west and southern boundaries change the circulation pattern on-site and requires a design that does not cause light and noise intrusions on adjacent properties.

**Crime Prevention -** The proposal must support local crime prevention efforts by implementing Defensible Space Guidelines. This includes maintaining clear lines of sight, proper illumination, and secure points of access around the proposed exterior pick-up window.

### **Zoning Examiner's Public Hearing – June 4, 2026**

Planning staff presented their report on the Prime Leaf Dispensary's Special Exception request. The applicant's architect was Chuck Meyer. The staff noted that Special Exception involves the Prime Leaf Dispensary's, which is a legal non-conforming use, desire to add a drive-through lane and pickup window at the 0.75-acre site located at North Park Avenue and East Lee Street.

Prime Leaf Dispensary has operated as a medical marijuana dispensary since March 9, 2018, on a 4,000 square foot building at its location. The proposed expansion involves minor remodeling to add a drive-through lane and pickup window for pre-orders with no new external construction required.

The staff reported that Feldman's Neighborhood Association requested operational restrictions including no loudspeakers, no menu boards, no excess vehicle stacking, and online pre-order signage. All concerns were incorporated into the preliminary development plan and conditions.

Staff said the Special Exception is consistent with *Plan Tucson* and the *University Area Plan* and complies with Unified Development Code (UDC) standards. Further, there were two approvals and four protests received as of the hearing date, with one protest within 150-foot notice.

Prime Leaf Owner Michael Crawford and applicant spoke and clarified that two external protests requested compliance with preliminary conditions including noise restrictions and loudspeaker prohibitions and that he agreed to the conditions.

The applicant confirmed all promises made at the public hearing will be honored, accepted all the proposed preliminary conditions and agreed to plant an additional tree beyond the required minimum.

There was some discussion about where current trees and proposed trees would be located on the site and confirmation that the tree count would exceed current standards.

There was discussion regarding the drive-through layout and building access. The transaction and pickup window will be located on the south wall of the building and the queuing area along the west wall. Vehicle entry begins at Lee Street, creating a larger queuing area allowing up to six cars before turning left onto southern wall and exiting at Park Avenue.

There was no further public comment, and the Zoning Examiner closed the public hearing .

### **Use-Specific Standards**

Evaluation of UDC Section 4.9.9.E.1 demonstrates compliance with all applicable Use-Specific Standards for a marijuana dispensary:

- **UDC 4.9.9.E.1.a (Maximum Floor Area):** The dispensary occupies an existing 4,000-square-foot building, remaining below the 10,000-square-foot regulatory maximum.
- **UDC 4.9.9.E.1.b (Permanent Structure):** The business operates within a permanent concrete building on a fixed foundation with standard utility connections.
- **UDC 4.9.9.E.1.c (Hours of Operation):** Operating hours will comply with the permitted timeframe of 7:00 am to 10:00 pm.
- **UDC 4.9.9.E.1.d (Interior Waiting Area):** The dispensary provides 1,002 square feet of interior waiting area, exceeding the minimum requirement of 999.5 square feet. Full delineation of the waiting area and sales floor must be verified during future development package and building permit reviews.
- **UDC 4.9.9.E.1.e (Outdoor Seating):** No outdoor seating exists on-site, and none is proposed.
- **UDC 4.9.9.E.1.f (Delivery Services):** The facility will comply with all AZDHS regulations regarding delivery services if initiated.
- **UDC 4.9.9.E.1.g (Dispensary Setback):** The building complies with the 2,000-foot separation requirement from other dispensaries.
- **UDC 4.9.9.E.1.h & j (School and Childcare Setbacks):** The site complies with the 500-foot setback from K-12 public, private, or charter schools and licensed childcare centers. The closest educational facility is approximately 1,000 feet away.
- **UDC 4.9.9.E.1.i (Park, Library, and Rehab Setbacks):** The property complies with the 500-foot setback requirement from public parks, libraries, and residential substance abuse treatment facilities.
- **UDC 4.9.9.E.1.k (Health Regulations):** The operation will maintain compliance with all Arizona Department of Health Services health regulations.

- **UDC 4.9.9.E.1.1 (Odor Mitigation):** An approved odor mitigation plan must be submitted with the future development package or building permit applications to ensure mechanical compliance.

### **Special Exception Findings**

Pursuant to UDC Section 3.4.5.A, the Zoning Examiner may approve a Special Exception when the proposal satisfies five specific findings:

1. **Compliance with Adopted Codes:** The application materials, Preliminary Development Plan, and staff analysis confirm the project satisfies all development standards and use-specific standards governing medical marijuana dispensaries within the UDC.
2. **Impact on Adjacent Land Uses:** The expansion will not adversely affect the surrounding neighborhood. Potential impacts are mitigated by the absence of outdoor speakers or menu boards, the retention of perimeter block walls, and enhanced landscaping buffers. The comprehensive state-mandated security plan, regular AZDHS inspections, and a mandatory odor mitigation plan protect adjacent residential properties.
3. **Access, Circulation, and Parking:** The site provides safe and efficient traffic flow. The drive-through lane isolates ingress to East Lee Street and directs exiting traffic toward North Park Avenue, preventing commercial cut-through traffic into residential areas. The existing 24 parking spaces exceed the minimum UDC requirement of 13 spaces. The Department of Transportation and Mobility (DTM) Traffic Engineering review confirms that on-site vehicle stacking capacity is adequate and no off-site street improvements are required.
4. **Public Facilities and Services:** The project requires no expansion of public infrastructure. The site is adequately served by existing public services.
5. **Conformity with the General Plan:** The project conforms to *Plan Tucson* and the *University Area Plan*. The site is zoned C-2 commercial. The expansion optimizes the layout of an established neighborhood business within the Neighborhoods Building Block of the *Future Growth Scenario Map*, supporting local commercial stability without expanding the structural footprint of the building.

### **CONCLUSION**

The proposed Special Exception is consistent with *Plan Tucson 2025 and the University Area Plan*. It complies with UDC Section 4.99.E.1 Use Specific Standards and Section 3.4.5.A Special Exception Findings. The addition of a drive-through feature to the existing medical marijuana dispensary in the C-2 zone is appropriate.

### **DECISION**

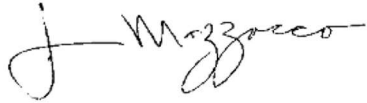
The Zoning Examiner approves the Special Exception subject to the Zoning Examiner's Conditions.

### **APPEAL**

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 PDS and reviewed by PDS. The complete appeal materials must be filed with the City Clerk within 30 of the effective date of the decision.

Sincerely,

A handwritten signature in black ink that reads "Jim Mazzocco". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Jim Mazzocco  
Zoning Examiner

**ATTACHMENTS:**

Case Location Map

Aerial Map

Special Exception Case Map

Recommended Conditions

Public Hearing Minutes

cc: City of Tucson Mayor and Council

## ZONING EXAMINER'S CONDITIONS

### PROCEDURAL

1. A development package in substantial compliance with the revised preliminary development plan, and required reports, dated March 27, 2026, is 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 (PDSD) before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during 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.

### LAND USE COMPATIBILITY

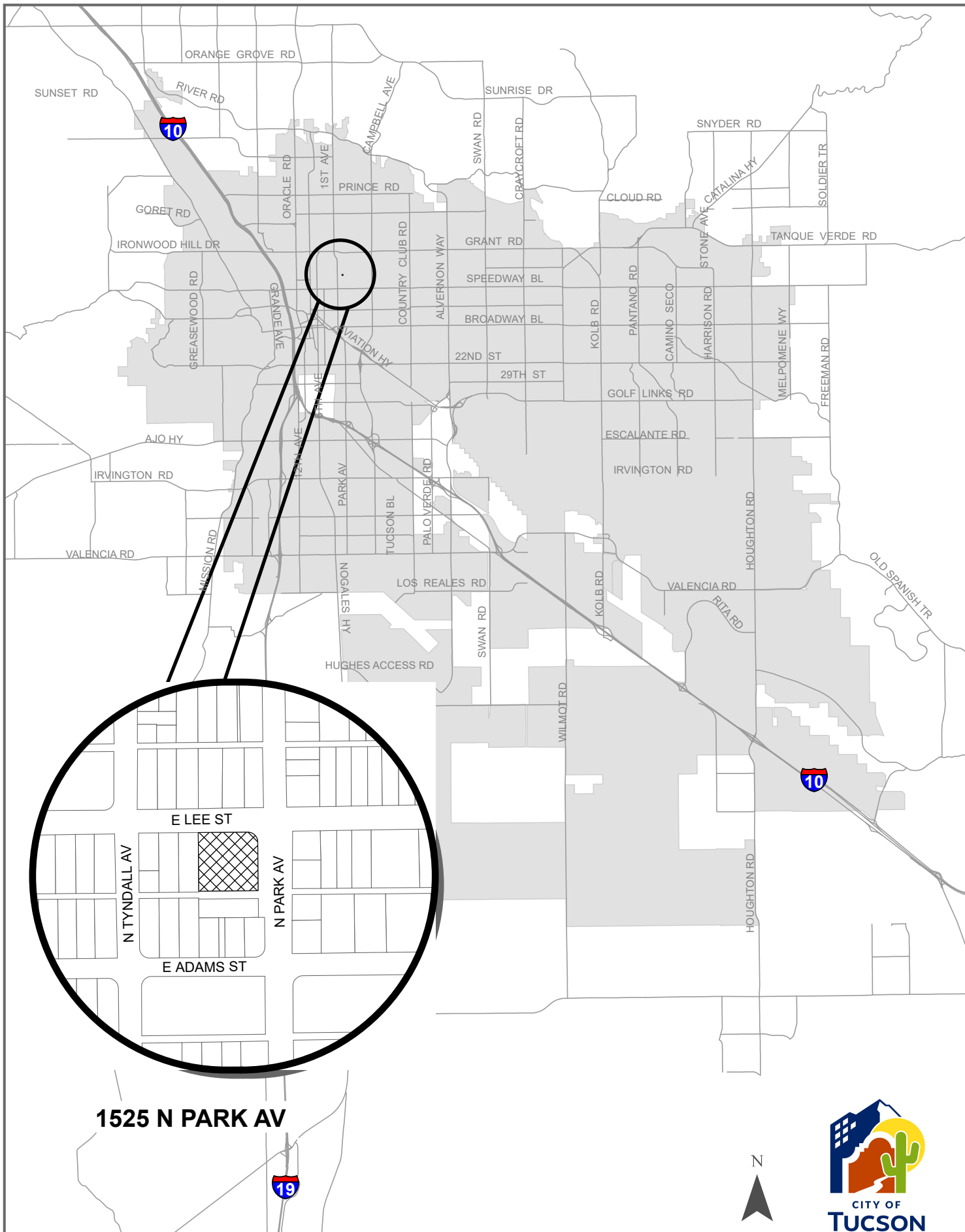
5. An interior customer waiting area of at least 25 percent of the sales floor area shall be provided.
6. No order board or menu display shall be installed along the drive-thru/pick-up window lane.
7. No loudspeaker or intercom system shall be placed along the drive-thru/pick-up window lane.
8. Install 36"x30" freestanding sign west of driveway at E Lee St indicating "Online Orders Only" and install five (5) foot high pylon sign indicating "Online Pick-Up" on either side of drive-thru entry as indicated on the PDP.
9. Any excess stacking of vehicles shall be limited to prevent traffic back-ups onto E Lee St subject to DTM review for vehicle stacking requirements.
10. Graffiti on walls or on any other location on site shall be removed within seventy-two (72) hours of discovery.
11. The Property site shall utilize reasonable passive rainwater harvesting techniques, such as water harvesting basins and desert-adapted vegetation, to enhance the proposed landscape and preserve water resources.
12. A new tree (suggested Blue Palo Verde) for shade and to meet UDC Landscape Border requirements is required. Show the new Blue Palo Verde in the northwest of the dispensary sign along N Park Av near the ROW line on the updated PDP along with language that this

new tree will bring the canopy tree requirement back into compliance with UDC landscape borders and screening.

#### RECLAMATION DISTRICT

13. 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 special exception 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.

# TP-ENT-0326-00006 - 1525 N PARK AV



**1525 N PARK AV**

TP-ENT-0326-00006 - 1525 N PARK AV

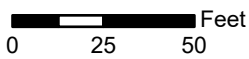


LEE ST

PARK AV

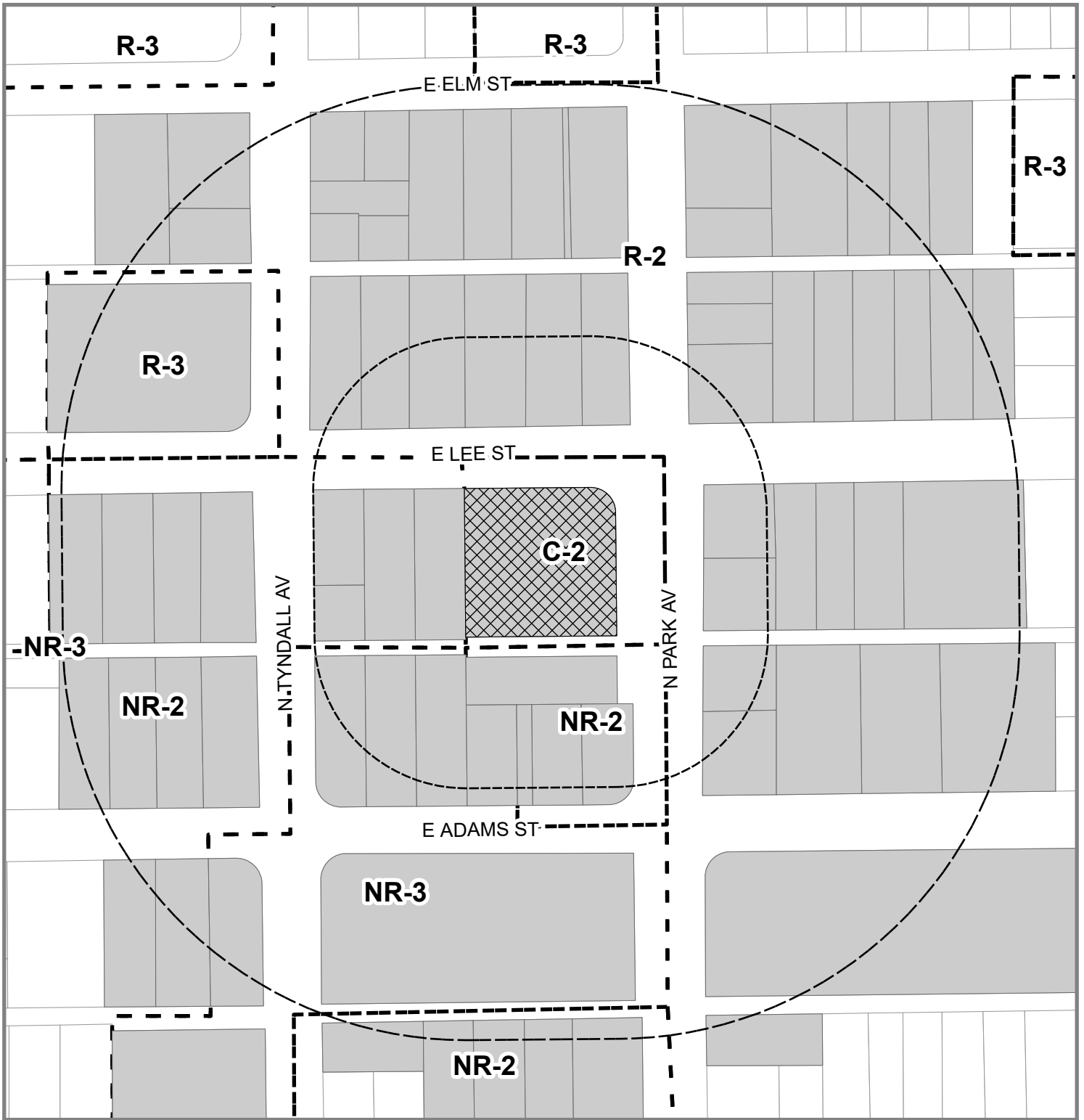
 Area of Special Exception

Address: 1525 N PARK AV  
Base Maps: Twp. 14S R. 14E Sec. 06  
Ward: 3



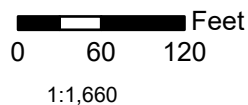
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TP-ENT-0326-00006 - 1525 N PARK AV



- Zone Boundaries
- Subject Property
- Notification Area (400 ft. Radius)
- Protest Area (150 ft. Radius)
- Properties Notified

Address: 1525 N PARK AV  
Base Maps: Twp. 14S R. 14E Sec. 06  
Ward: 3



CITY OF TUCSON ZONING EXAMINER  
PUBLIC HEARING

JUNE 4, 2026

Monsoon Land Holdings  
1170 North Pantano Road (Ward 2)  
Case No. TP-ENT-0326-00005

Prime Leaf Dispensary  
1525 North Park Avenue (Ward 3)  
Case No. TP-ENT-0326-00006

The Well Properties  
1641 East Prince Road (Ward 3)  
Case No. TP-ENT-0426-00007

**ZONING EXAMINER:**

- Jim Mazzocco

**STAFF PRESENT:**

- Gabriel Sleighter  
City of Tucson  
Planning and Development Services Department
- John Beall, Section Manager  
City of Tucson  
Planning and Development Services Department

**APPLICANT/AGENT PRESENT:**

- Keri Silvyn  
Lazarus & Silvyn, P.C.  
5983 East Grant Road, Suite 290  
Tucson, Arizona 85712
- Mr. Crawford  
1900 North Fremont Avenue  
Tucson, Arizona 85719
- Brian Underwood  
The Planning Center  
2 East Congress, Suite 600  
Tucson, Arizona 85701

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1           ZONING EXAMINER: I think we can start. Good  
2 evening, everyone. It's 6:00 p.m., and today is June 4th, 2026.  
3 Welcome to tonight's Public Hearing. My name is Jim Mazzocco.  
4 I'm the Zoning Examiner for the City of Tucson. We have three  
5 cases scheduled for the Public Hearing tonight. We'll take the  
6 cases as listed on the agenda.

7           As the Zoning Examiner, I conduct rezoning hearings and  
8 special exception hearings on behalf of the Mayor and Council,  
9 and make findings of fact which I put into a written report,  
10 along with my recommendation, which I send to Mayor and Council  
11 for their consideration and final decision. My reports for  
12 Zoning Examiner special exceptions, which require my decision,  
13 will be based on the information submitted to me, which include  
14 the application, the Staff Report, all written approvals and  
15 protests, all correspondence, and testimony given at tonight's  
16 Public Hearing. I'll also include in the record all documents  
17 submitted to me up to the close of the Public Hearing. Tonight's  
18 proceedings are being recorded. So, these apply to both special  
19 exceptions and rezonings.

20           For the rezoning cases, I will complete a Preliminary  
21 Report within five working days after the Public Hearing is  
22 closed. I will then prepare a Final Report which will be issued  
23 14 days after the Public Hearing is closed. Anyone may request  
24 that the application be heard at a Public Hearing before the  
25 Mayor and Council if the request is filed with the City Clerk

1 within 14 days after the date of the Zoning Examiner's Public  
2 Hearing or reconsideration Public Hearing. The Mayor and Council  
3 may also decide to conduct a Public Hearing without a specific  
4 request. If a Public Hearing is requested, notice must be  
5 provided in the same manner as the notice is provided for the  
6 original Public Hearing for the case.

7 For special exceptions cases, there are two types.  
8 Tonight we have the Zoning Examiner special exception which  
9 requires the Zoning Examiner to make a decision in five days. It  
10 can be appealed if one submits an intent to appeal to the City  
11 Clerk within 14 days of the Public Hearing, and provides  
12 materials for the appeal within 30 days.

13 If you'd like to receive a copy of any of my decisions,  
14 recommendations or reports, and you're not listed as a party of  
15 record, you can send an email to [Tucsonrezoning@tucsonaz.gov](mailto:Tucsonrezoning@tucsonaz.gov), or  
16 call the City of Tucson's Planning and Development Services  
17 Department. Copies will also be available from the Planning and  
18 Development Services Department's website. The Mayor and Council  
19 will then vote on the matter of an appeal or recommendation,  
20 based on my recommendation, along with other factors they take  
21 into consideration.

22 So, here's how each of the -- tonight's Public Hearings  
23 are going to proceed: First, the Planning and Development  
24 Services Staff will give their report. The Applicant may give  
25 their presentation. The public may then be called to testify.

1 Then the Applicant may respond to issues raised during the Public  
2 Hearing. There are speaker cards at the podium or nearby. You  
3 fill out the cards as requested. When I call you to testify,  
4 please speak clearly into the microphone and begin your testimony  
5 by stating your name and address.

6 After all parties have spoken, at that point, I will  
7 close the hearing unless I see reason to continue the case or  
8 hear further testimony. For those who plan to speak, I request  
9 you stand and/or sit and respond to the following: Do you swear  
10 to tell the truth, the whole truth and nothing but the truth?  
11 Okay. Thank you.

12 With that, let's begin. So, the first case is Case TP-  
13 ENT-0326-00005, Monsoon Landing -- Land Holdings, 1170 North  
14 Pantano Road. Staff Report.

15 MR. SLEIGHTER: Thank you. So, this is a request  
16 by Lazarus & Silvyn on behalf of the property owner Monsoon Land  
17 Holdings to rezone an approximately 1.1-acre parcel from C-1 to  
18 C-2 for the expanded development of an existing legal  
19 nonconforming automotive major service and repair facility. The  
20 site plan for expansion is currently a self-service car wash.  
21 The automotive facility is attached to that on the west side. It  
22 was established as a legally nonconforming use with a letter by  
23 the Zoning Administrator. It complies with policy guidance in  
24 Plan Tucson and the Pantano East Area Plan. All technical and  
25 Code requirements are established to be met onsite through the

1 Preliminary Development Plan.

2 We received zero approvals and zero protests for this  
3 case over the notification period. Subject to compliance with  
4 the included Preliminary Conditions, Staff recommends approval of  
5 the C-2 zoning as -- as requested.

6 ZONING EXAMINER: Okay. Thank you. The  
7 Applicant.

8 MS. SILVYN: Good evening. Keri Silvyn with  
9 Lazarus & Silvyn, 5983 East Grant Road, representing the property  
10 owner. With me tonight are Rick and Lisa Becker, the property  
11 owners; Jason Morse from Grenier Engineering, who's the engineer  
12 on the project; and Robin Large from my office.

13 I do have a presentation. It pretty much reiterates a  
14 lot of what's in the Staff Report. I'm happy to step through it,  
15 give some highlights on the slides, and give you some more detail  
16 on the neighborhood meeting, or just answer any questions you  
17 might have, whatever your pleasure.

18 ZONING EXAMINER: Okay. Thank you. Could I ask  
19 you are you okay with the conditions that are recommended?

20 MS. SILVYN: We are fine with the conditions --

21 ZONING EXAMINER: Okay.

22 MS. SILVYN: -- yes.

23 ZONING EXAMINER: Could you speak a little bit  
24 about what happened at the neighborhood meeting?

25 MS. SILVYN: Absolutely. So, we had our

1 neighborhood meeting on February 17th at the Ward offices.  
2 Notice went out to all property owners within 400 feet based on  
3 the Assessor's records. There were some residential neighbors --  
4 we're pretty much all surrounded by -- by commercial businesses,  
5 including the residence directly to our north is actually owned  
6 by the -- by the nursery that's on our east. There are some  
7 neighbors kind of to our northeast.

8 Our closest neighbor showed up -- it was a husband and  
9 wife -- and asked some really good questions. We were able to  
10 respond to all of them. They're excited to see the car wash go  
11 away, which has been pretty much hands-down the sentiment of  
12 everyone who we've talked to. It's an outdoor car wash and it's  
13 hard to secure. It's -- there's a lot of -- there's a lot of  
14 issues with it. So, the fact that's going away and this is  
15 getting consolidated to a completely indoor facility for auto  
16 repair was something that they had not understood -- when they  
17 came into the meeting and understood it. So, their questions  
18 were, again, pointing out the vagrancy and vandalism that exists  
19 at the 24-hour car wash and saw this as a solution. They wanted  
20 to make sure the trees and the wall on our north were going to  
21 remain; and that is the plan. They had -- just had questions  
22 about the building heights and setbacks to understand it.

23 Asked -- They did ask about potential expansion in the  
24 future. We pointed out that this is a tight site, and when you  
25 have the parking that's required as well, there's really not an

1 ability to -- to expand, and that it would be tied to the -- the  
2 conditions so only -- it can't change significantly from the --  
3 from the approved plan.

4 They did ask about contamination and waste disposal,  
5 and the Beckers do operate the current auto use that's on there  
6 in compliance with all of the regulatory -- not zoning, but the  
7 environmental regulations for waste disposal and they will  
8 continue to do that. And, frankly, at the end, they indicated  
9 they hoped everything worked out and they really had no problems;  
10 and, apparently, they decided not to revisit that conclusion  
11 because they're not here and they didn't send in anything.

12 ZONING EXAMINER: And what are the hours of  
13 operation?

14 MS. SILVYN: So, the planned hours of operation  
15 are Monday through Friday, 7:00 a.m. to 7:00 p.m. They do not  
16 intend to operate over the weekend. Periodically, some of the  
17 mechanics will come in on a Saturday if they've gotten behind.  
18 It's not open to the public on Saturdays, but they'll come in and  
19 kind of get ahead of their -- of their work. Again, this is  
20 entirely indoors, very different than a lot of the lube and oil  
21 places that you're -- we're seeing nowadays that have the bays  
22 open. This will be completely indoors. So, open to the public  
23 Monday through Friday, 7:00 a.m. to 7:00 p.m. Would like it not  
24 restricted so that mechanics can come in and catch up on some  
25 work periodically on Saturdays.

1           ZONING EXAMINER: So, one of the things that the  
2 neighborhood is excited about is that the vacuum cleaners at the  
3 car wash won't be there any longer and with a full building in  
4 their place. All the noise, if there's any noise, will be  
5 generated toward the street; is that pretty much what you're  
6 doing?

7           MS. SILVYN: Yeah, and actually most of the noise  
8 will be contained in the building, because unlike a traditional  
9 -- where the bay -- there will be bay doors, but they will be  
10 closed. The idea here is to give the -- the mechanics the  
11 ability to be in an air-conditioned space versus the other -- the  
12 other types of uses.

13           ZONING EXAMINER: Okay. Well, thank you very  
14 much.

15           MS. SILVYN: Thank you.

16           ZONING EXAMINER: Is there anyone in the audience  
17 that would like to come forward and speak? I'll take that as a  
18 no.

19           So, with that, the Public Hearing is closed on -- I  
20 won't read the entire case, but the Monsoon Land Holding  
21 rezoning. Thank you for coming. And I'll have a report within  
22 five working days, okay? Thank you.

23           Move to the next case. This case is TP-ENT-0326-00006,  
24 Prime Leaf Dispensary, 1525 North Park Avenue. Staff Report,  
25 please.

1 MR. BEALL: This is a request by Chuck Meyer for  
2 approval of a Zoning Examiner Special Exception Land Use to allow  
3 the expansion of an approved legal nonconforming use by adding a  
4 drive-thru lane and pick-up window for pre-orders along the  
5 exterior portion of an existing 4,000-square-foot retail medical  
6 marijuana building. The project site is 0.75 acres located at  
7 the southwest corner of North Park Avenue and East Lee Street,  
8 approximately 1,800 feet north of East Speedway Boulevard, and  
9 625 feet east of North Euclid Avenue. The Prime Leaf Dispensary  
10 has operated as a dispensary on the property since March 9th,  
11 2018. No new construction is proposed other than the minor  
12 remodeling related to the proposed drive-thru lane and pick-up  
13 window.

14 The project team held a virtual neighborhood meeting on  
15 January 23rd, 2026. The Applicant gave a presentation regarding  
16 the details of the proposed development and the process for the  
17 special exception. Representatives from the Feldman's  
18 Neighborhood Association were present. Comments were received at  
19 the neighborhood meeting from the Feldman's Neighborhood  
20 Association representative. While no opposition was expressed,  
21 it was requested that there be no loud speakers, no order menu  
22 boards, no excess vehicle stacking, and a request for  
23 installation of informational signage for online pre-orders only.  
24 To address these concerns, these measures have been incorporated  
25 into the Preliminary Development Plan and have been added to the

1 Preliminary Conditions.

2 The proposed special exception is consistent with Plan  
3 Tucson and the University Area Plan, and is in compliance with  
4 performance criteria of the UDC. Subject to compliance with the  
5 attached Preliminary Conditions, approval of the Special  
6 Exception Land Use in the C-2 zone is appropriate.

7 As of today's date, there have been two approvals and  
8 four protests. Two of the protests are outside the 150-foot  
9 notice, and one is within the 150-foot notice. That concludes  
10 Staff's Report.

11 ZONING EXAMINER: Okay. Thank you. The  
12 Applicant.

13 MR. CRAWFORD: -- Crawford. I am -- 1900 North  
14 Fremont Avenue. I'm one of the owners of the property and also  
15 one of the operators of the dispensary.

16 ZONING EXAMINER: Okay.

17 MR. CRAWFORD: Thank you. With regard to the  
18 protests, I think that -- I don't -- two of the protests -- I  
19 think that we can call protests -- were outside of the area, are  
20 not really protests, per se, if you look at what they say. They  
21 basically say we want you to comply with the -- the Preliminary  
22 Conditions, land use compatibility, the no -- no order boards, no  
23 loud speakers, and those kinds of things that we all agreed to.  
24 We've agreed to both at the Public Hearing and now.

25 There was a comment from the Feldman Neighborhood

1 Association, but I'm not sure I know what -- they seem to imply  
2 that we were renegeing on a promise that we made, and we have  
3 never gone back on any of the things that we said at the Public  
4 Hearing. So, I'm not sure where that came from, but the -- the  
5 requirements that you had -- the only one I would push back on  
6 and I will accept is the new tree. We have more trees than  
7 required, but -- and I'm not exactly sure where they want the  
8 tree. We did lose a tree, but it was -- it was in the right-of-  
9 way. It wasn't one of the requirements of the original  
10 development plan. But we have at least one or two more trees  
11 than we're required to. If you want me to put up another tree  
12 up, I like trees, so we'll -- we'll put another tree up. But,  
13 other than that, we're -- we're agreeable to what's been proposed  
14 in the communication.

15 ZONING EXAMINER: Okay. So -- so one question I  
16 usually ask is: You -- you accept the conditions and you're  
17 saying yes. Although, I would like to ask Staff: Mr. Crawford  
18 talked about this one tree, do you know why? Because it seemed a  
19 little odd to me, the condition where it was specifying a  
20 specific species of tree. I was just wondering where that came  
21 from?

22 MR. BEALL: That condition came from the landscape  
23 reviewer when they were looking at that and was looking at the --  
24 the site, and he felt with the -- with some of the policies, that  
25 that tree could've been added. As you mentioned -- Mr. Crawford

1 mentioned, maybe losing a tree, but --

2 MR. CRAWFORD: I think if you go to the third  
3 slide I think -- I'm not sure who was doing 'em -- the fourth  
4 slide? I can show you where the trees are. Do we have that or  
5 -- there you go. So, the -- if you look at the northern border,  
6 there's two existing trees. We added two more along that  
7 pathway. The one I think that they're asking about is -- is up  
8 more near the -- the -- on the eastern portion of the property.  
9 We have a tall bush -- I don't know if it's a tree or what you  
10 would call it, but it seems to be there.

11 When we were discussing this at the hearing, I had  
12 indicated we lost a tree because the wind blew it over and we  
13 ended up having to take it out, but it was out on the right-of-  
14 way near Park Avenue. The stump's still there. We couldn't get  
15 the stump out. But the -- so we have more trees than we're  
16 required to, but if you guys -- I have no problem putting another  
17 tree up if you -- if it's deemed appropriate. So --

18 ZONING EXAMINER: Mr. Crawford, the window, the  
19 pick-up window is on the southern wall of the building?

20 MR. CRAWFORD: Correct. If you go back up to the  
21 -- I think it's the second -- yeah, there you go. Do you see the  
22 little arrows that are going --

23 ZONING EXAMINER: Yeah.

24 MR. CRAWFORD: -- around the building?

25 ZONING EXAMINER: Yeah.

1 MR. CRAWFORD: It's approximately where that red

2 --

3 ZONING EXAMINER: Okay.

4 MR. CRAWFORD: -- mark is on the building,  
5 correct. And there's a wall that blocks the view of the alley,  
6 so it's more -- it's really enclosed.

7 ZONING EXAMINER: So -- so a customer will come in  
8 driving westward; they'll -- they'll make a transaction at the  
9 southern wall. And will anything happen on the western wall or  
10 is everything covered by the southern wall?

11 MR. CRAWFORD: The southern -- the southern wall  
12 is covered. There's a wall on the -- on the western side; most  
13 of it is a six-foot masonry wall. There is a wood part that  
14 wraps around the --

15 ZONING EXAMINER: What I'm asking is: Is there a  
16 window on the western wall that -- or is everything done on the  
17 southern wall?

18 MR. CRAWFORD: Everything's done on the southern  
19 wall.

20 ZONING EXAMINER: Okay. So, they make their  
21 transaction -- they come in, I want this. The person says, okay,  
22 here it is, and you pay, and all that -- and all that --

23 MR. CRAWFORD: Right.

24 ZONING EXAMINER: -- happened on -- on the western  
25 (sic) wall. Then the --

1 MR. CRAWFORD: Southern.

2 ZONING EXAMINER: -- the customer then goes around  
3 -- around the building and goes northward toward Lee?

4 MR. CRAWFORD: They will come -- they will enter  
5 off of Lee, come south --

6 ZONING EXAMINER: Oh.

7 MR. CRAWFORD: -- down -- down the western wall.  
8 They will then go -- go along the southern wall, that's where the  
9 window is.

10 ZONING EXAMINER: Oh, okay. So -- so, okay, I got  
11 it backwards. They're starting at Lee, that gives you a larger  
12 queuing area --

13 MR. CRAWFORD: Yes.

14 ZONING EXAMINER: -- then you turn onto -- turn  
15 left to the southern wall and then you exit onto Park?

16 MR. CRAWFORD: Correct.

17 ZONING EXAMINER: Okay, okay. Now, I understand.

18 MR. CRAWFORD: It follows the arrows. And if you  
19 go to the one that we -- we showed where we can get six cars  
20 queued up before you even get past the building so --

21 ZONING EXAMINER: Okay. That makes more sense.  
22 'Cause I was thinking, well, do you really want to queue into  
23 Park? That would be --

24 MR. CRAWFORD: No, we don't want that. Exactly.

25 ZONING EXAMINER: Okay.

1 MR. CRAWFORD: We don't want to become the  
2 Starbucks on Campbell and --

3 ZONING EXAMINER: Yeah, yeah.

4 MR. CRAWFORD: -- Campbell and Glenn.

5 ZONING EXAMINER: Okay. I'll see if there's  
6 anything else here. So, I think if you're okay with the  
7 conditions -- we can see if there's anyone in the audience. I  
8 gather there's no one in the audience to speak?

9 MR. CRAWFORD: Anything I forgot?

10 ZONING EXAMINER: Does your architect want to say  
11 anything or --

12 MR. CRAWFORD: No, I'm just asking if we forgot --

13 ZONING EXAMINER: Okay.

14 MR. CRAWFORD: -- anything.

15 ZONING EXAMINER: Okay. So --

16 MR. CRAWFORD: Appreciate it.

17 ZONING EXAMINER: -- with that, thank you. And we  
18 will close the Public Hearing. And I will have a Zoning Examiner  
19 decision within five working days.

20 MR. CRAWFORD: Just -- just briefly, I just want  
21 to --

22 ZONING EXAMINER: Sure.

23 MR. CRAWFORD: -- say something. There was a  
24 requirement for a specific size sign. I just want to make sure  
25 if the sign code -- we have to pull a sign permit for that, it

1 would be subject to whatever they --

2 ZONING EXAMINER: Yes.

3 MR. CRAWFORD: Okay.

4 ZONING EXAMINER: Yeah.

5 MR. CRAWFORD: It seemed -- it seemed bigger than  
6 we were allowed so --

7 ZONING EXAMINER: I'm sure they won't allow that.

8 MR. CRAWFORD: We'll let them figure it out.

9 Thank you.

10 ZONING EXAMINER: Okay. Thank you for coming.

11 Okay. Next case, TP-ENT-0426-00007, The Well  
12 Properties, 1641 East Prince Road, rezoning. Staff Report.

13 MR. SLEIGHTER: Thank you. This is a request by  
14 The Planning Center on behalf of the property owners to rezone  
15 one half-acre parcel at approximately 1637 East Prince Road from  
16 the Office O-3 zone to the Commercial C-1 zone, in order to bring  
17 some existing personal services uses into Zoning Code compliance,  
18 as well as create opportunities for additional personal services  
19 uses to locate in some of the suites -- existing suites in the  
20 building. It's being requested for direct ordinance adoption,  
21 and the Applicant has submitted a minor development package with  
22 some minor improvements to the site: landscaping, parking flow,  
23 and ADA accessibility.

24 The proposal is aligned with Plan Tucson and the  
25 Northside Area Plan policies. It is compatible with existing

1 land uses. It's also got a letter of support from the Campus  
2 Farms Neighborhood Association; it's the only approval or protest  
3 that was received for this case. Subject to compliance with the  
4 proposed Preliminary Conditions, the proposed rezoning is  
5 consistent and supported by policy direction in Plan Tucson and  
6 the Northside Area Plan, and Staff finds the requested C-1 zoning  
7 is appropriate in this case.

8 ZONING EXAMINER: Could I ask you a question?  
9 Condition 8 seems to be fairly long and involved. Again, I was  
10 just wondering about the canopy trees, where that came from and  
11 what's -- what's the point of that condition?

12 MR. BEALL: The condition that came -- again came  
13 from the landscape review staff. They're looking at the site is  
14 already existing and had already had some improvements on the  
15 site, and so the conditions we're trying to add -- get close to  
16 full Code compliance as possible using some of these other trees  
17 for shading that meet the Code, but still recognizing that it  
18 already has some improvements on there for that site.

19 ZONING EXAMINER: So, just bring it up to UDC --

20 MR. BEALL: Bring it up to UDC as -- yeah, for  
21 that shading in there.

22 ZONING EXAMINER: Okay, okay. Applicant, please.

23 MR. UNDERWOOD: Do you have the presentation  
24 available? Oh, okay.

25 MR. SLEIGHTER: Yeah.

1 MR. UNDERWOOD: There we go. Good evening, Mr.  
2 Mazzocco, Mr. Beall, Mr. Sleighter. Thanks for having me this  
3 evening. Brian Underwood with The Planning Center at 2 East  
4 Congress.

5 And what you have here before you tonight is -- as  
6 Staff has -- has explained, is a pretty straightforward request  
7 from the -- the O-3 zone to the C-1 zone, and it's really to  
8 clean up, you know, just -- I really wouldn't call it a  
9 nonconformity, but over time the uses that -- that have been  
10 occupying the four tenant spaces in that existing building there  
11 have -- have ebbed and flowed from, you know, kind of medical  
12 service, very, very clearly in that -- in that realm, to kind of  
13 straddling the line on that definition in the -- in the city.

14 And so, as we understand it, there are some changes  
15 that are being proposed with the Code update to kind of expand  
16 those medical services that are allowed in the residential and  
17 office zones. But we're proposing to take it a step further and  
18 eliminate any kind of ambiguity, because even with those new  
19 standards, it says that holistic health practitioners are -- are  
20 an approved use in that office zone, but does that include things  
21 like a massage therapist. And so currently there's an  
22 acupuncture and massage therapy business in one of those spaces,  
23 and the owners had interest from another massage therapist that  
24 actually couldn't get a C of O because of the zoning, and so  
25 that's why we're proposing that -- that change from O-3 to C-1.

1           And just to give a little bit of context of where we  
2 are. We're on that southern edge of the Campus Farm Neighborhood  
3 Associa- -- or the Campus Farm Neighborhood. As Mr. Sleighter  
4 mentioned, we did receive a letter of support from the President  
5 of the neighborhood association which was -- which was great to  
6 see. And -- and, as you can see there, we're on the western edge  
7 of the North on Campbell shopping center, where Safeway anchors  
8 that space and you've got a number of other, you know, commercial  
9 businesses there, so -- so definitely compatible with surrounding  
10 uses. Have some apartments to the west of us, duplexes on the  
11 north side, and then obviously Prince Road to the south.

12           Again, taking a closer look at the site, you can see  
13 it's all completely developed. The only changes that we're  
14 proposing are, as Mr. Sleighter alluded to, some additional  
15 landscaping that's picked up there in the conditions, and then  
16 also some one-way directional signage and arrows. And that's due  
17 to -- you can see there between the parking and the building,  
18 that is actually a bit of a pinch point on that two-way  
19 circulation that needs to be a minimum of 24 feet. This  
20 development was -- was built with 15 feet between that parking  
21 island and -- and the -- the raised kind of -- or the curb  
22 planters there in front of the building. And so, because of that  
23 and in order to bring this into UDC standards, we are proposing  
24 that one-way directional signage and arrows. So, we'll have an  
25 entrance on the east, exit on the -- on the west side there, and

1 -- and that is shown here on the plan. You can see those arrows,  
2 you know, pointing north and then pointing south over on the  
3 lefthand side of the drive aisle there.

4 And the three trees that are mentioned in the  
5 conditions, the Texas Live Oak over on the west side, that's to  
6 replace a tree that used to be there in that island. It's --  
7 it's currently -- it had died and so we're going to put that back  
8 so that that row of parking is compliant with the UDC. And then  
9 the two trees that you see there in the middle, those are also to  
10 shade some of those parking stalls that are in the middle there,  
11 and they're also pushed back north of the -- the existing  
12 monument sign there because we don't want to have any kind of  
13 coverage of that sign from -- from the canopy tree itself. And  
14 so those are proposed as two Desert Willow trees, which are  
15 slightly smaller than that Texas Live Oak, so that we hopefully  
16 don't have any conflicts with the signage.

17 And other than that, there -- there's only one other  
18 change that's -- that's being proposed, and that is some  
19 additional striping so that we can connect those two accessible  
20 parking spaces that you see there on the north end of the parking  
21 lot, connect those to the opening there that you see in front of  
22 the building. And so there's actually four openings that you can  
23 see there, they're only three feet wide, and so it needs to be a  
24 minimum of four feet or five feet wide, and so we -- we have  
25 already -- the property owners have already gone in and cut that

1 curbing out from that raised -- raised planter in front of the  
2 building, and they've expanded that from three feet to five feet  
3 so that they have an accessible route to the front of the -- to  
4 the sidewalk in front of the building. And so all we're doing  
5 now is just striping 16 feet in front of the building there so  
6 that we connect both of those spaces to that accessible route  
7 that connects to the building. And, beyond that, those are the  
8 only changes, so very straightforward.

9 As -- as Mr. Sleighter mentioned in his Staff Report,  
10 there was one neighbor that reached out to us -- they're a duplex  
11 owner to the north there -- and they have some gang-style  
12 mailboxes that are located on the -- on the southeast corner of  
13 this property, and they currently come in and they park there in  
14 the parking lot and they access those spaces and so -- or those  
15 -- those mailboxes. And so they reached out to make sure that  
16 they'd still have access to that; and we confirmed that  
17 absolutely they still will.

18 So, beyond that, there's -- there's no other changes.  
19 And we -- we are in agreement with all the conditions, including  
20 No. 8 there. And -- and, with that, we would just request your  
21 recommendation of approval to the Council. Thank you.

22 ZONING EXAMINER: Okay. I don't have a  
23 recommendation for approval. I make the decision. This is a --  
24 no, this is a rezoning. Sorry about that, you're right. Sorry,  
25 jumping ahead. Okay. That was the last case and I make the

1 decision. This one I make a recommendation. Okay. Got that  
2 clear. Okay.

3 Well, you've made your statement and you said you agree  
4 with the conditions, and you gave a good summary of the issues on  
5 the property. It seems like you have support from the  
6 neighborhood and that's important.

7 So, with that, does anyone else want to speak? We  
8 okay? Okay.

9 Well, with that, we'll close the Public Hearing. And  
10 within --

11 MR. UNDERWOOD: Thank you.

12 ZONING EXAMINER: -- five working days, I'll have  
13 the Preliminary Report on your rezoning, which is a  
14 recommendation to the Mayor and Council. Thank you.

15 And, with that, our Public Hearing for this evening is  
16 closed. It's 6:30 p.m. Thank you all for coming.

17 (Conclusion of the hearing.)

18 \* \* \* \* \*

**CERTIFICATE**

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the digitally-recorded City of Tucson Zoning Examiner Public Hearing held on June 4, 2026.

Transcription completed: June 9, 2026.

/S/ Danielle L. Krassow  
DANIELLE L. KRASSOW  
Legal Transcriptionist