



Zoning Examiner

Preliminary Report

June 27, 2024

Keri Silvyn, Esq.
Lazarus & Silvyn, LLC
5983 E. Grant Road, Suite 290
Tucson, AZ 85712

**SUBJECT: TP-MOD-0424-000006 (C9-16-16) – Pima Medical Institute – Craycroft Rd.
Major Changes to Preliminary Development Plan to OCR-1 (Ward 6)**

Public Hearing: June 20, 2024

Dear Ms. Silvyn:

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case TP-MOD-0424-000006 (C9-16-16) – Pima Medical Institute – Craycroft Rd. Major Changes to Preliminary Development Plan to OCR-1 (Ward 6).

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor

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and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This is a request by Lazarus & Silvyn to modify the last approved preliminary development plan and rezoning conditions of (C9-16-16). The initial rezoning request to rezone 19.9 acres from R-1 to OCR-1 was effectuated by ordinance in 2017 (Ordinance No.11505). The initial rezoning site was the former Townsend Middle School located at 2120 North Beverly Avenue, which included the larger parcel connecting North Beverly Avenue and North Craycroft Road. The proposed major changes to the preliminary development plan and rezoning conditions include removal of a portion of a previous condition related to drive-thru uses. The subject parcel is located at the northwest corner of the North Craycroft and East Hampton Street intersection (see Case Location Map). The revised Preliminary Development Plan proposes constructing a 2,262 square foot food service and drive-thru building. The PDP also indicates a 400 square foot outdoor patio, water harvesting, landscape area and a drive-thru queuing area for 13 cars. The proposed building height is 20 feet. Additionally, the PDP also indicates sidewalk connectivity along and within the development area.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of the major change to the preliminary development plan and revised zoning conditions subject to revised preliminary conditions.

Background Information

Existing Land Use: Former Site of Townsend Middle School

Zoning Descriptions:

Existing: OCR-1 – The purpose of this zone is to provide for high-rise development that serves the community and region and is located in major activity centers or at transit centers. Principal land uses include office, commercial and high-density residential, and including agriculture, civic, commercial, industrial, retail, storage, utility, and wholesaling uses may also be permitted provided design and development standards apply. A mixture of development types is encouraged, including office, commercial, and high-density residential uses.



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Surrounding Zones and Land Uses:

North: OCR-2; Vacant Medical Offices/Outpatient and Multi-family Residential

South: OCR-2; Medical Dental Office

East: O-3; Medical Outpatient, Emergency

West: OCR-2; Vacant

Previous Cases on the Property: (C9-16-16)

Related Cases:

Numerous minor changes to the Preliminary Development Plan have occurred from 2018 to 2023. Minor changes are modifications and/or refinements to the Preliminary Development Plan which are less than a 10 percent increase of project square footage, do not alter landscaping requirements and do not alter traffic circulations or drainage flow patterns. Additionally, minor changes may not alter zoning conditions. Minor changes are reviewed by PDSD staff and approved by the PDSD director through an administrative review process.

Applicant's Request – The Applicant proposes to revise the Preliminary Development Plan and conditions to develop a food and drive-thru use on a 0.86-acre parcel within the greater 20-acre OCR-1 development. This proposal specifically removes the portion of condition #15 of the initial zoning conditions specifically related to drive-thru features only. Additionally, the Applicant is seeking to update the larger development as part of this major change of conditions.

Neighborhood Meeting – The Applicant team held an in-person neighborhood meeting at 6:00 pm on April 16, 2024.

Planning Considerations – Land use policy direction for this area is provided by *Plan Tucson*, and the *Arcadia-Alamo Area Plan*.

Plan Tucson

The Plan Tucson Future Growth Scenario Map illustrates different building blocks within the city that have specific policies to promote future growth opportunities. The proposed development lies within the Neighborhood Centers building block of the Future Growth Scenario Map. Neighborhood Centers feature a mix of small businesses surrounded by housing and accessed internally and from nearby neighborhoods by pedestrian and bike friendly streets and by transit.



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The following policies support commercial infill:

- **LT28.2.4** Support community commercial and office uses located at the intersections of arterial streets, taking into consideration traffic safety and congestion issues.
- **LT28.2.13** Support residentially-scaled neighborhood commercial and office uses along collector streets if the building is residentially scaled; the site design is pedestrian-oriented; and the use will not generate significant automobile traffic.

Arcadia-Alamo Area Plan

On September 7, 2016, Mayor and Council approved Resolution 22627 which amended the *Arcadia-Alamo Area Plan* (AAP) Conceptual Land Use Map to allow Office, Commercial, and High Density Residential. *Plan* policies are intended to encourage office and commercial development at locations within the plan area that are most suited to handle the intensity of such uses in terms of traffic generated and potential impacts on adjacent residential uses. AAP policies for nonresidential development state that 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.

Major Amendment Considerations

Land Use Compatibility: *Plan Tucson* emphasizes design compatibility of new projects with adjacent land uses. The PDP indicates a site design that reduces the initial building from 8,500 square feet to 2,262 square feet, with a 400 square foot patio and a wraparound drive-thru. The proposed building height remains at 20-feet as initially approved. The PDP further identifies refuse receptacle and loading zones along the northeast corner of the site.

Drainage/Vegetation – 5-year storm retention is required within the larger development and the subject parcel will integrate water harvesting on site. Onsite runoff should be discharged to a water harvesting basin prior to discharge to the street. Along the eastern property boundary is a ten-foot landscape border with a 30-inch screen wall. Refuse receptacles are also screened by the landscape border and screen wall requirements.

Road Improvements/Vehicular Access/Pedestrian Circulation – Vehicle queuing within the subject parcel should meet the capacity for the proposed drive-thru land use based on the Institute of Traffic Engineers (ITE) trip generation manuals and queuing analysis. It is also anticipated that patronage from the greater development will frequent the proposed Starbucks and utilize the existing pedestrian sidewalks and crossings between Craycroft Road and through the site to Beverly Avenue.



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June 20, 2024 Zoning Examiner Hearing

The Applicant spoke in support of the requested major change to the development plan at the June 20, 2024, Zoning Examiner hearing. The Applicant explained that 35% of the project is an adaptive re-use of a former, decommissioned TUSD middle school (Townsend Middle School); the PDP proposed a large buffer between the proposed drive-thru use and the neighboring property line; the design of the proposed use would mitigate noise and traffic concerns; that the density of the project had decreased over time, including a 6,000 square foot reduction of the proposed new building compared with the currently approved use; approximately 70% of the traffic that would travel to the proposed drive-thru consists of automobiles that are already passing by the site; and that queuing and kiosk ordering noise concerns have been addressed by the proposed site layout.

Six other persons spoke, all in support of the requested major change to the development plan.

As of the date of the Zoning Examiner hearing, there were eleven (11) written approvals and six (6) written protests. Two (2) additional written approvals and three (3) written protests were received after the PDSD deadline.

Conclusion – The proposed major change to the development plan with revised conditions is in substantial conformance with the initial Preliminary Development Plan and acknowledges and mitigates neighbor concerns. The proposed major change is appropriate for this location, is compatible with existing surrounding land uses, and complies with *Plan Tucson* and the *Arcadia-Alamo Area Plan*. Subject to compliance with the PDSD preliminary conditions, approval of the modified preliminary development plan within OCR-1 is recommended.

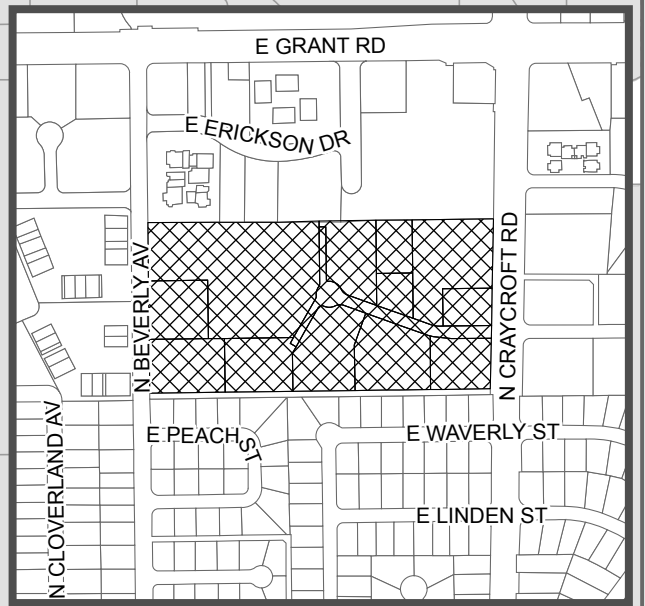
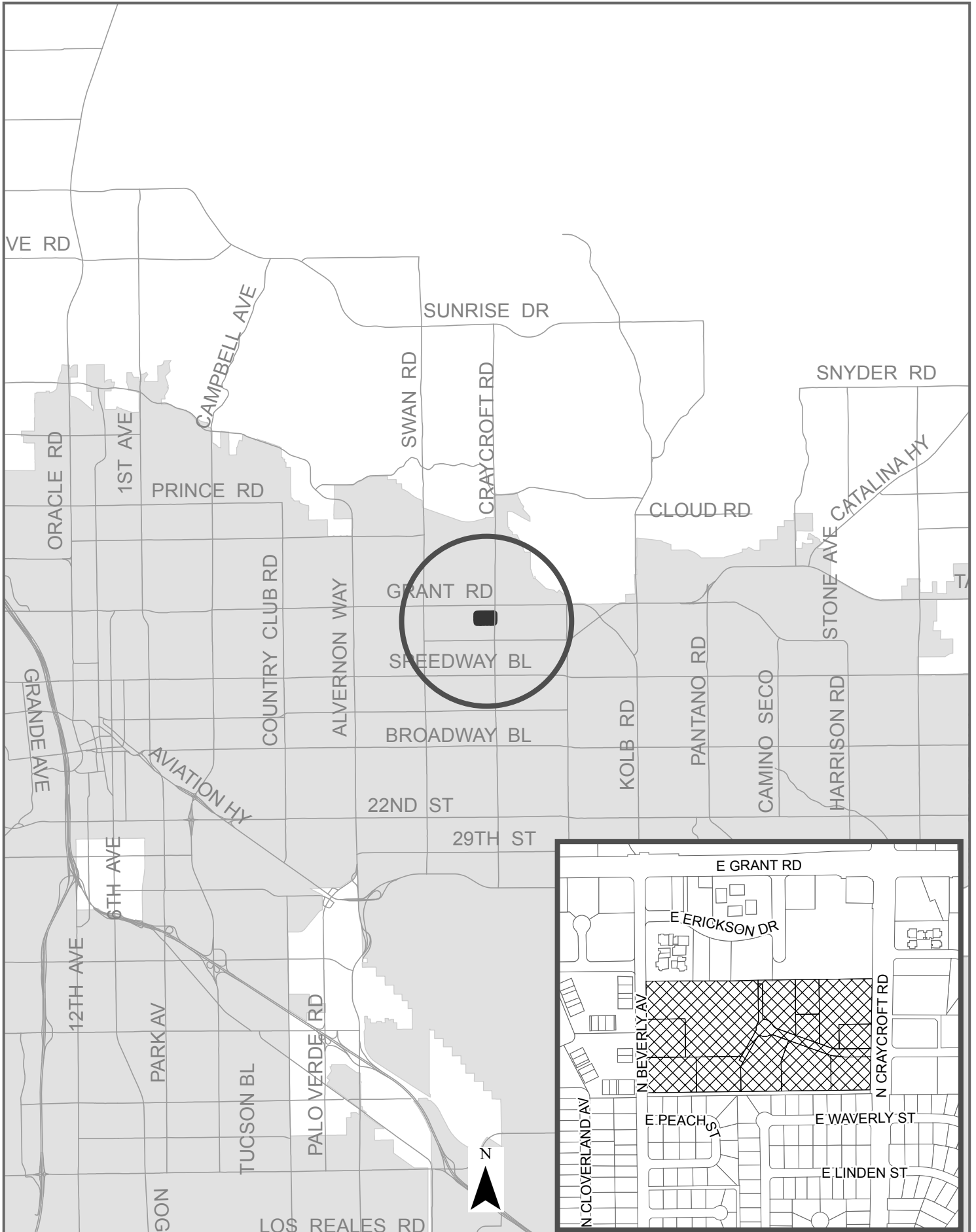
Sincerely,

John Iurino
Zoning Examiner

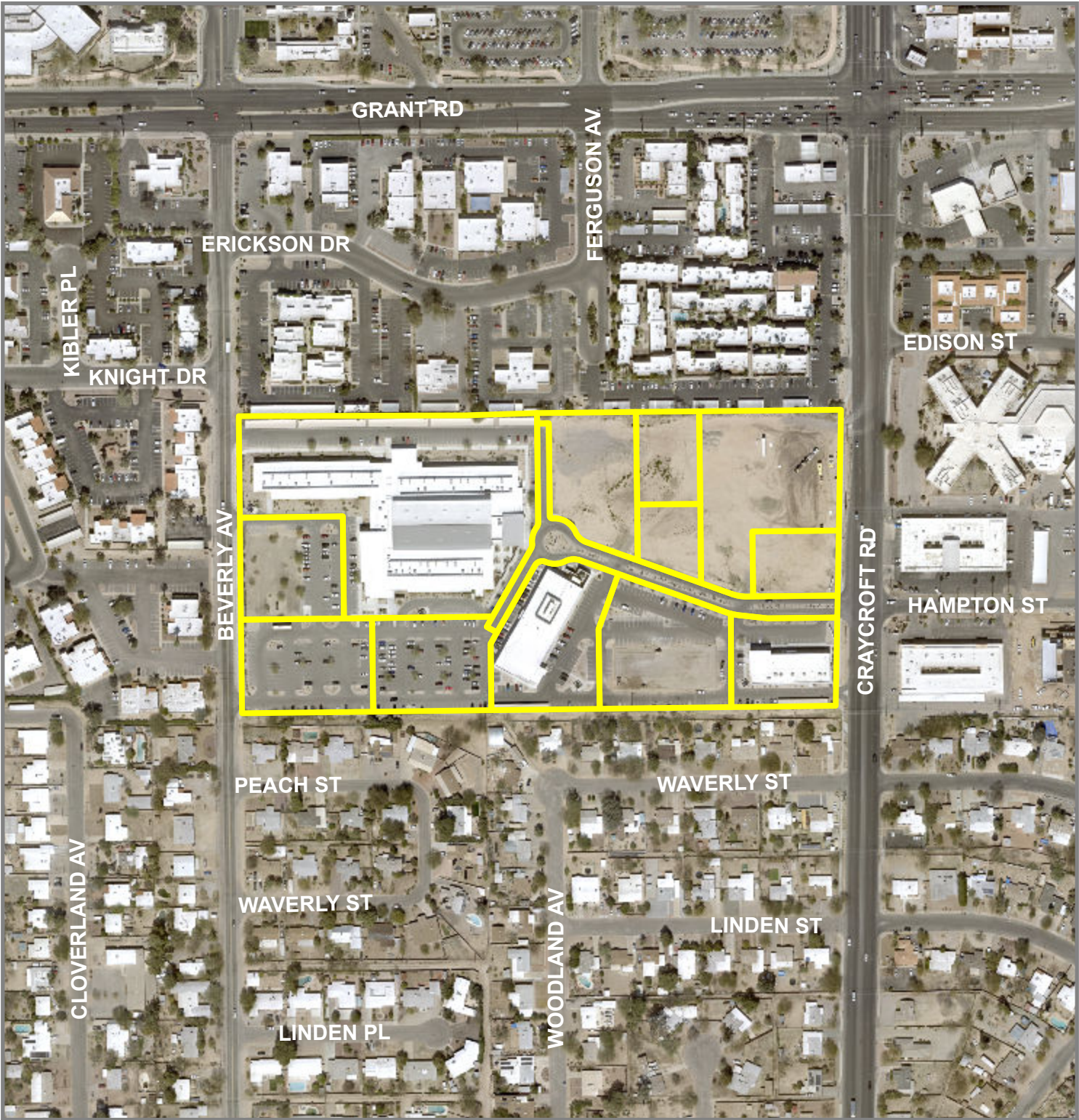
ATTACHMENTS:


Case Location Map
Rezoning Case Map
Cc: Mayor and Council

TP-MOD-0424-000006 - 2121 N CRAYCROFT RD

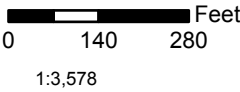


TP-MOD-0424-000006 - 2121 N CRAYCROFT RD

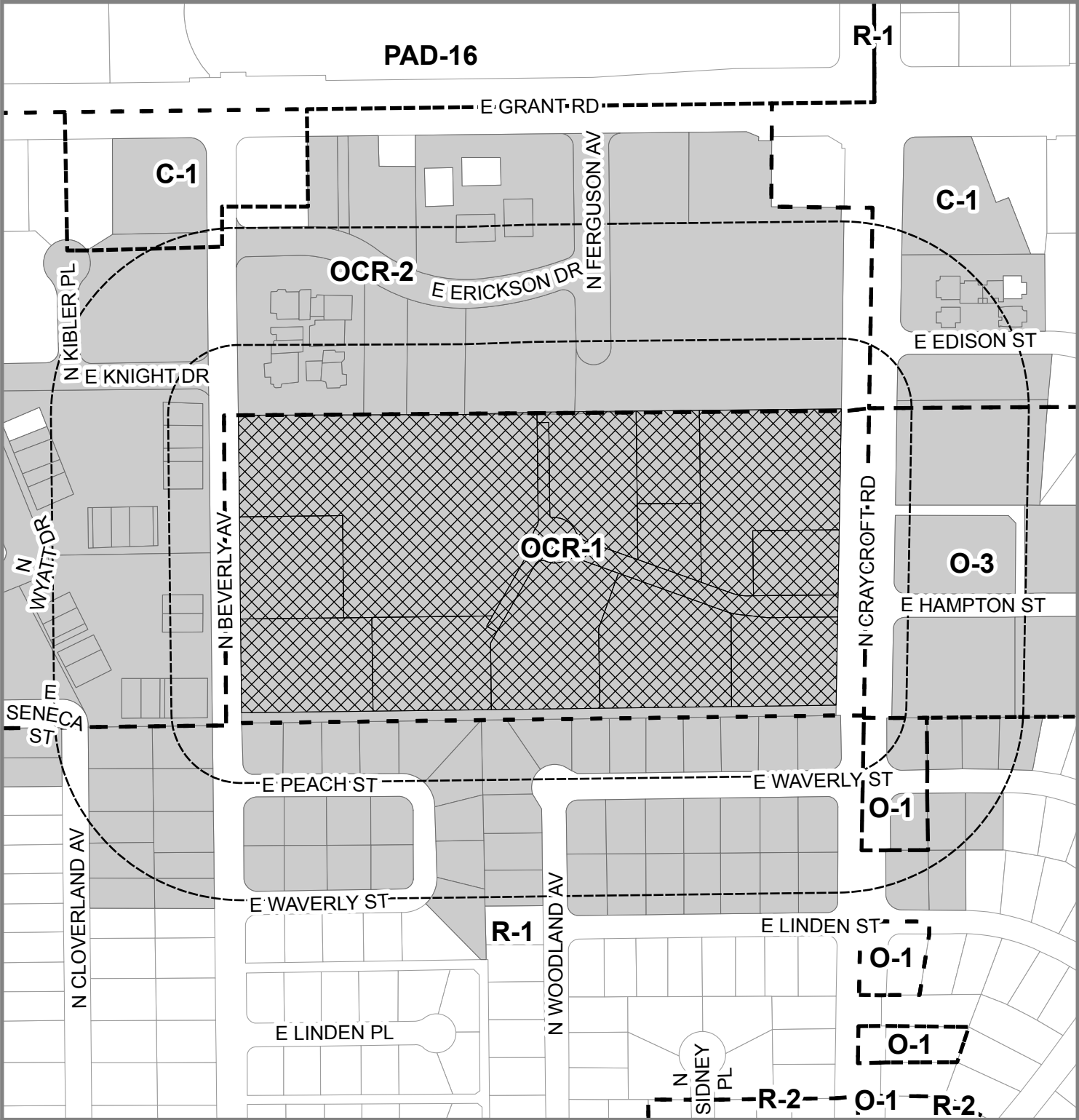


 Area of Rezoning

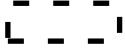
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Base Maps: Twp. 1403 Range 1402 Sec. 02
Ward(s): 6



TP-MOD-0424-000006 - 2121 N CRAYCROFT RD



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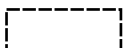
Zone Boundaries



Properties Notified

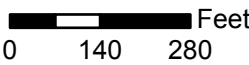


400' Notification Area



Protest Area (150 ft. Radius)

Address: 2121 N CRAYCROFT RD
Base Maps: Twp. 1403 Range 1402 Sec. 02
Ward(s): 6



1:3,578

