



# MEMORANDUM

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DATE: October 30, 2019  
For November 14, 2019 Hearing

TO: John Iurino  
Zoning Examiner

FROM: Scott Clark  
Planning & Development Services  
Director

SUBJECT: REZONING  
PLANNING & DEVELOPMENT SERVICES REPORT  
C9-19-20 Hariri – Craycroft Road  
R-1 to O-1 (Ward 2)

**Issue** – This is a request by Frank Rendon of 3D Architectural Designs, on behalf of the property owners, Sonya and Salim Hariri, to rezone approximately 0.31 acres from R-1 to O-1 zoning. The rezoning site is located on the east side of Craycroft Road, approximately 600 feet north of Pima Street (see Case Location Map). The preliminary development plan (PDP) proposes the conversion of an existing one-story vacant residential structure, with a height of 14 feet and 1,148 square feet of floor area, into an office building for administrative and professional office uses. A new parking area, pedestrian circulation, landscaping, and screening are proposed, as required by the *Unified Development Code*.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of O-1 zoning, subject to the attached preliminary conditions.

## **Background Information**

Existing Land Use: Vacant single-story, single-family residence

### Zoning Descriptions:

R-1: This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment. Certain other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

O-1: This zone provides for administrative, medical outpatient, and professional office uses that will complement the residential environment. Development within this zone typically consists of office conversions from existing residential uses fronting on major streets and new construction of small-scale office projects. Consolidation of lots is encouraged in order to reduce curb cuts on arterial streets and to ensure compliance with the design and development standards of this zone.

Surrounding Zones and Land Uses:

North: Zoned R-1 and O-1; Single-family residential and office use  
South: Zoned O-1; Office use  
East: Zoned R-1; Single-family residential use  
West: Zoned R-1; Single-family residential use

Previous Cases on the Property: None

Related Cases:

C9-04-21 Western Financial – Craycroft Road, R-2 to O-1 This was a rezoning request located on the northeast corner of Craycroft Road and Lester Street to allow the development of one-story, 2,500 square foot office.. On January 17, 2007 Mayor and Council adopted Ordinance No. 10368 and on October 12, 2005 building permit T05CM05178 was issued, effectuating the rezoning.

C9-99-20 Savage – Craycroft Road, R-1 to O-1 This was a rezoning request located on the east side of Craycroft Road, 500 feet north of Pima Street to allow the development of an office use on 12,912 square feet of lot area. On September 14, 1998, Mayor and Council adopted Ordinance No. 9119 and on June 15, 2000, a site inspection was conducted, effectuating the rezoning.

C9-93-17 Morris – Craycroft Road, R-1 to O-1 This was a rezoning request located at the northeast corner of Craycroft Road and Waverly Avenue to allow the development of an office use on 9,324 square feet of lot area. On August 5, 1996, Mayor and Council adopted Ordinance No. 8739 and on May 31, 1996, a site inspection was conducted, effectuating the rezoning.

**Applicant’s Request** – Rezoning to O-1 to allow conversion of existing 1,148 square-foot vacant one-story single-family residence to office use, with associated parking, pedestrian circulation, and landscaping.

**Planning Considerations** – Land use policy direction for this area is provided by the *Arcadia-Alamo Area Plan (AAAP)* and *Plan Tucson (PT)*. *PT* policy supports neighborhood commercial and office uses along arterial and collector streets, taking into consideration traffic safety and congestion issues. *PT* also supports residentially-scaled office uses as a possible alternative to residential uses along major streets when the project stabilizes and enhances the transition edge adjacent to residential uses, provides safe and appropriate access from a major street, parking and maneuvering are accommodated on site, screening and buffering of adjacent residential properties is provided, and consideration is given to the consolidation of design elements, such as access, parking, landscaping, and screening.

The proposed site is within an area identified in *PT* as a “Neighborhood Center”, which are described as featuring a mix of small businesses surrounded by housing and accessed internally and from nearby neighborhoods by pedestrian and bike-friendly streets, and by transit. Along

with the Future Growth Scenario Map guidance, there are several policies that should be taken into consideration in the design of the proposed professional office. The goals include encouraging increased energy efficiency in new private building construction and facilitating the transition of new private construction toward net-zero buildings, reducing the urban heat island effect by minimizing heat generation and retention from the built environment using a range of strategies. *PT* also encourages context-sensitive community design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of adjacent streets.

The rezoning site is designated for “Residentially-Scaled Office” uses on the *AAAP* Office/Commercial Concept Map, consistent with the proposed O-1 zone requested. The Plan includes General Design Guidelines that should be taken into consideration for new development or redevelopment. In general, the goals of the *AAAP* are to preserve and protect the integrity of established low-density neighborhoods, enhance the visual continuity of the area by planting drought tolerant, native or adaptive vegetation of similar form and scale to that existing in the area, and provide safe and efficient circulation systems for all modes of transportation, including pedestrian. The *AAAP* calls for limiting the number of access points from new development, providing for internal circulation, parking, and maneuvering to be met on site, and restricting vehicle traffic generated by new arterial street development from entering the interior residential portions of existing neighborhoods.

The rezoning site is located along the east side of Craycroft Road, which is identified as an arterial street with a 120-foot cross section on the *Major Streets and Routes Plan* map. Current zoning to the west across Craycroft Road is R-1 single-family residential, to the south is an office use, zoned O-1, to the east is R-1 single-family residential, and to the north are R-1 single-family residential and O-1 office uses.

Field inspection by staff indicates there are currently no billboards on the rezoning site.

### **Design Considerations**

Land Use Compatibility – The rezoning site is currently developed as a single-family residence, along a corridor that has been transitioning over the years to include office uses. There have been several rezonings over the last few decades from R-1 to O-1 for office conversions within a block of the rezoning site. Vehicular access to the rezoning site is from Craycroft Road. The converted 1,148 square foot office building will maintain its residentially scaled one-story height of 14 feet, consistent with most other structures along this part of Craycroft Road.

Drainage/Grading/Vegetation – The preliminary development plan shows landscaping in the form of canopy trees to enhance the overall visual impact of the proposed office use and the parking area.

Road Improvements/Vehicular Access/Circulation – The PDP shows one direct access point along Craycroft Road, with one-way vehicle circulation around the existing structure with vehicle parking in the eastern portion of the site.

**Conclusion** – The proposed development is in compliance with the *Arcadia-Alamo Area Plan*, and *Plan Tucson* and is consistent with existing development along Craycroft Road. Subject to compliance with the attached preliminary conditions, approval of the requested O-1 zoning is appropriate.

### PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan, dated September 16, 2019, 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 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.

### LAND USE COMPATIBILITY

6. Hours of operations shall be between 7:00 a.m. and 7:00 p.m. on Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday and Sunday.
7. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
8. Six (6) inch wide masonry block or greater shall be used for perimeter walls.

AGREEMENT TO WAIVE ANY CLAIMS  
AGAINST THE CITY FOR ZONING AMENDMENT

This agreement ( "**Agreement**") is entered into between \_\_\_\_\_, as the owner of the property described herein ("**Owner**") and the City of Tucson ("**City**") to waive any and all claims for diminution of value that may be based upon action by the City in response to a request from the Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(I).

The Owner is the holder of fee title to the property located at \_\_\_\_\_, Tucson, Arizona, (the "**Property**") which is more fully described in the Owner's application to the City in Case C9-19-20 and incorporated herein. The Owner, or the authorized agent of the Owner, has submitted an application to the City requesting that the City rezone the Property. The Owner has requested this action because the Owner has plans for the development of the Property that require the rezoning. The Owner believes that the rezoning of the Property will increase the value and development potential of the Property, and that this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134 et. seq.

By signing this Agreement, the Owner waives any right or claim that may arise under A.R.S. §12-1134, including any claim for the reduction in the value of the Property, as a result of the enactment of the zoning amendment in Case C9-19-20.

The Owner understands that City staff may propose, the Zoning Examiner may recommend and the Mayor and Council may adopt conditions to the requested zoning that limit the potential development of the Property. The Owner acknowledges that the rezoning and conditions are a single, integrated legislative approval. The Owner agrees and consents to all conditions that may be imposed. The Owner retains the right to withdraw the rezoning application prior to a vote by the Mayor and Council or to decline to implement the necessary requirements to effectuate the zoning if the Owner disagrees with any conditions that are proposed or approved. If the Owner does not withdraw the application, the Owner shall be deemed to have accepted all adopted conditions to the requested zoning. If the Owner withdraws the application or does not effectuate the new zoning, this Agreement is null and void.

This Agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona. The Owner has agreed to the form of this Agreement provided and approved by the City Attorney. The Owner has had the opportunity to consult with an attorney of the Owner's choice prior to entering this Agreement and enters it fully understanding that the Owner is waiving the rights and remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pima County Recorder.

The Owner warrants and represents that the person or persons listed herein as the Owner is/are the owner in fee title of the Property. The Owner further agrees to indemnify and hold the City of Tucson, its officers, employees and agents harmless from any and all claims, causes of action, demands, losses, costs and expenses based upon an alleged reduction of value of the Property as a result of the City's action in Case C9-19-20 .

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Owner:  
\_\_\_\_\_  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

Owner:  
\_\_\_\_\_  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

State of Arizona )  
 )  
County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

\_\_\_\_\_  
Notary Public

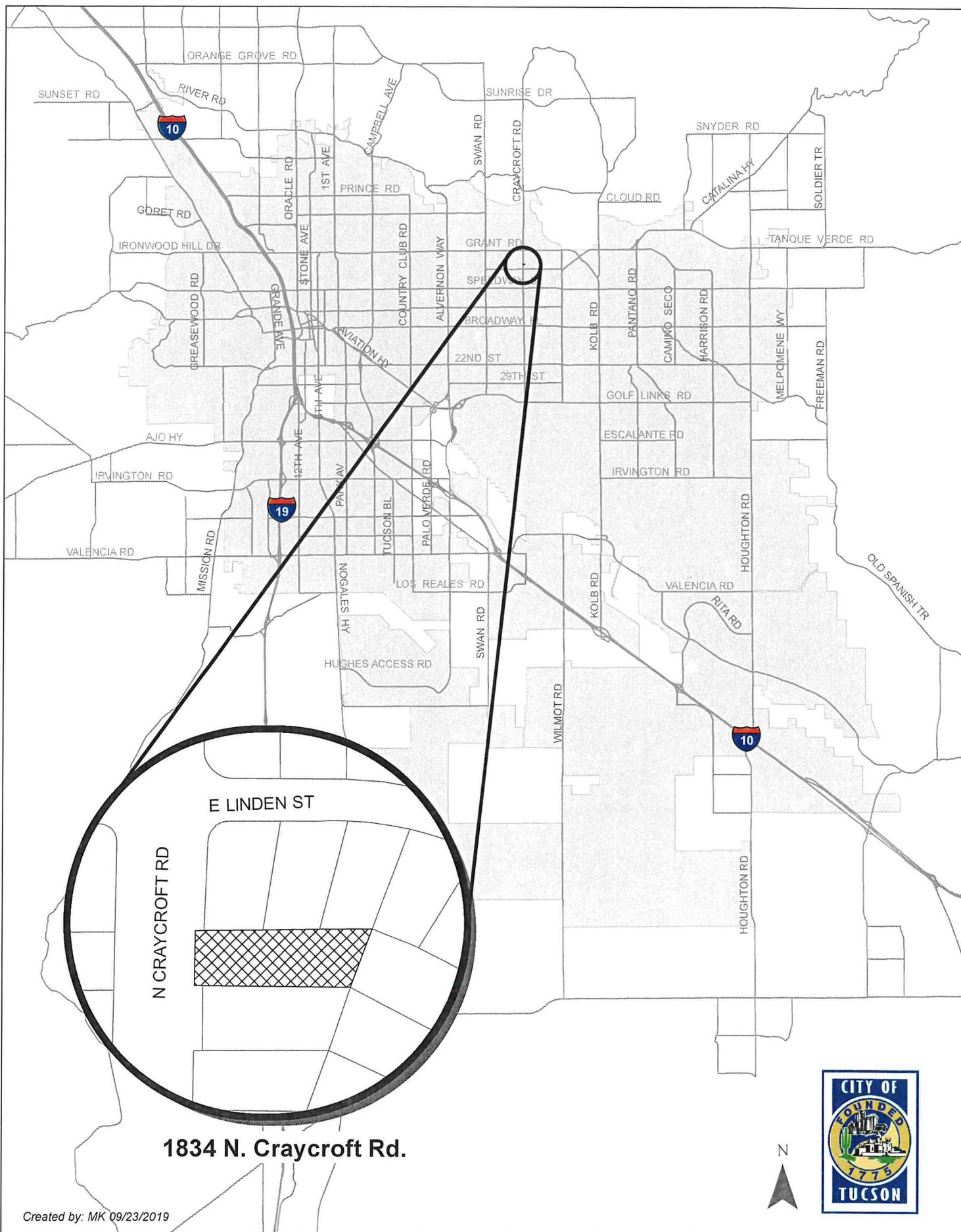
My Commission expires:  
\_\_\_\_\_

City of Tucson, an Arizona municipal Corporation:

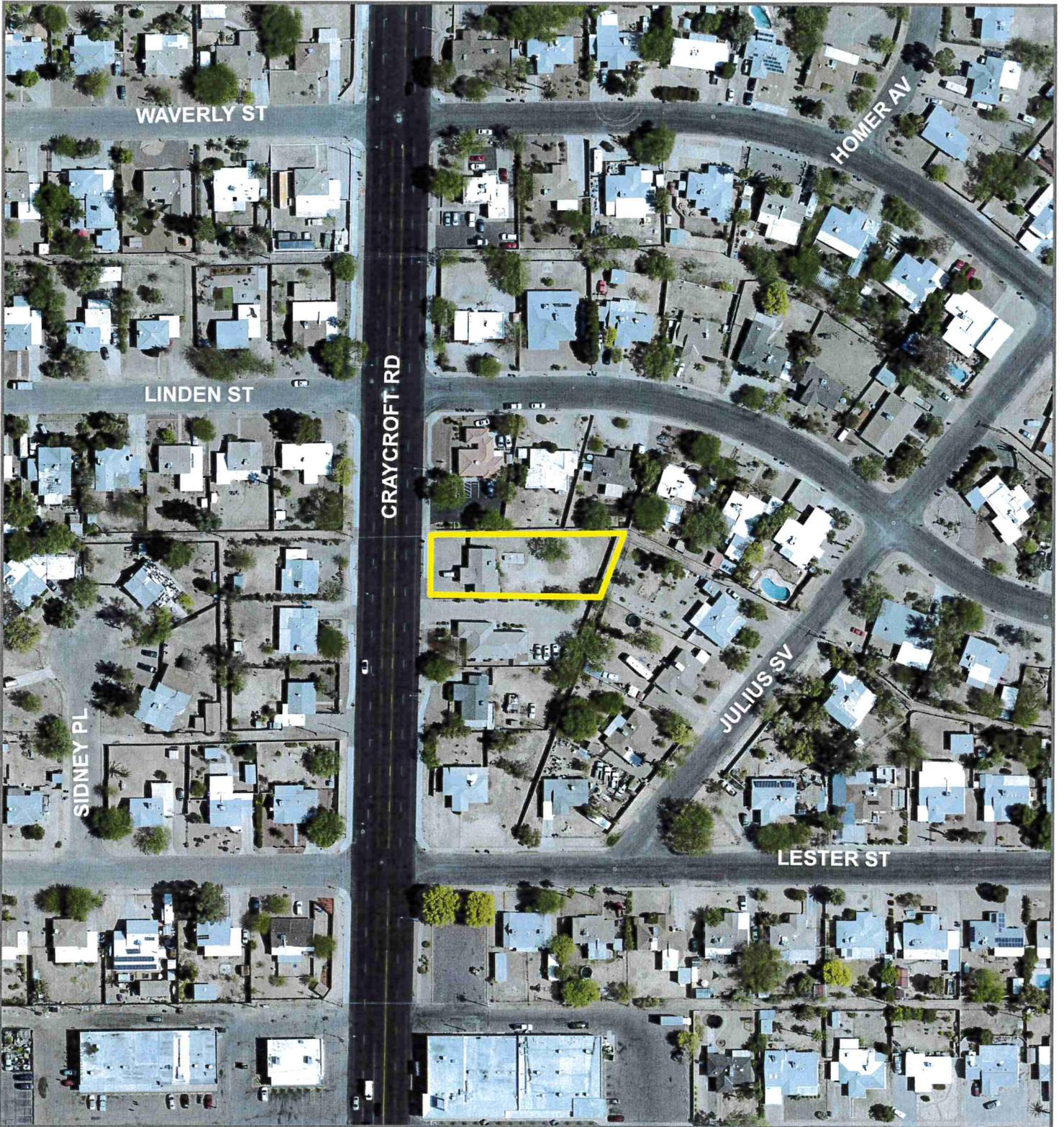
By: \_\_\_\_\_  
Planning & Development Services Department

This form has been approved by the City Attorney.

# C9-19-20 Hariri - Craycroft Road Rezoning Request: R-1 to O-1

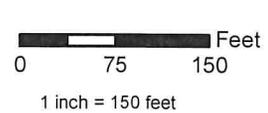


C9-19-20 Hariri - Craycroft Road  
Rezoning Request: R-1 to O-1



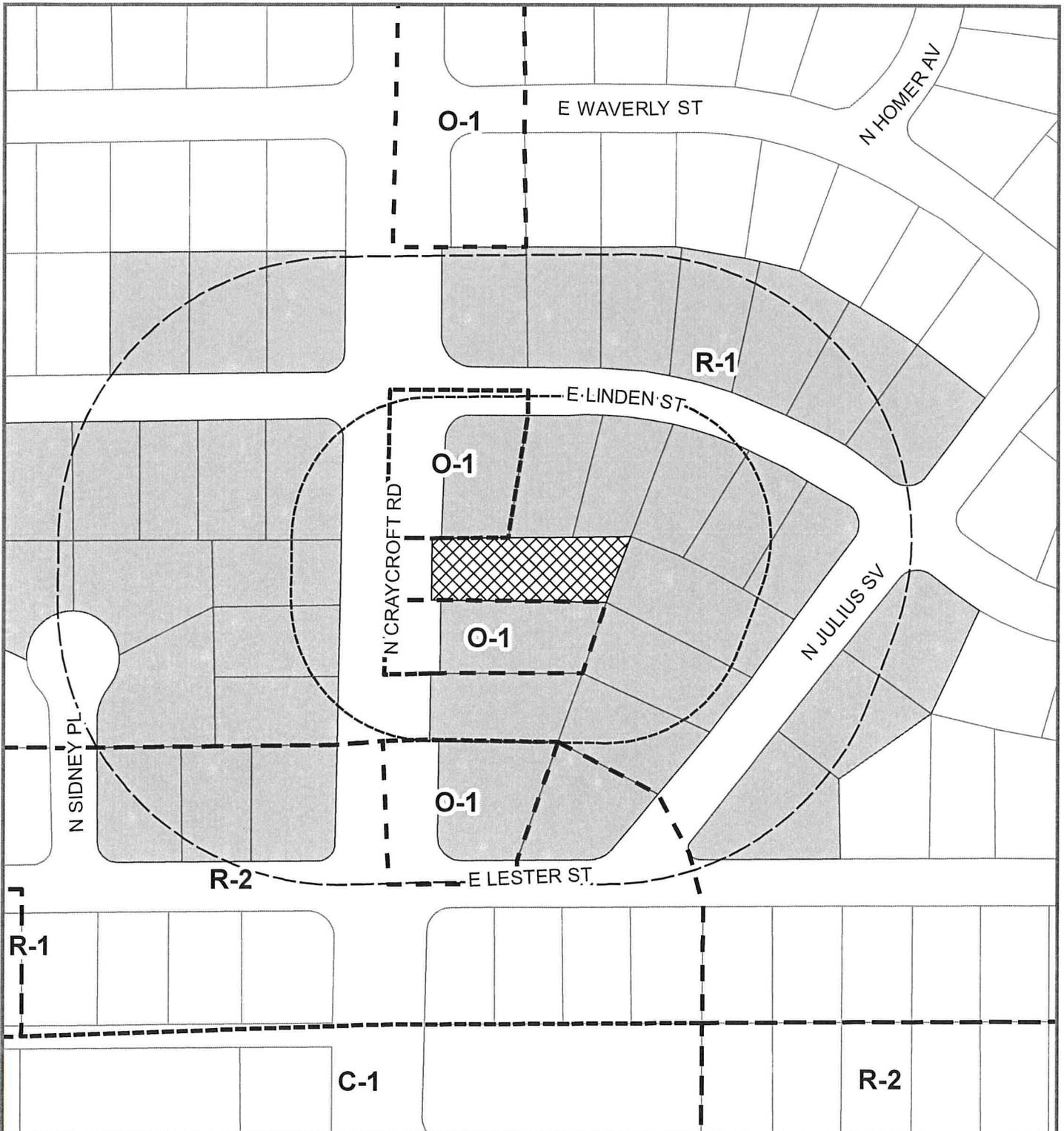
 Area of Rezoning: R-1 to O-1

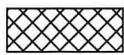
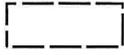
Address: 1834 N. Craycroft Rd.  
Base Maps: Twp.14S Range 14E Sec. 1  
Ward: 2



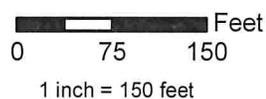
# C9-19-20 Hariri - Craftcroft Road

Rezoning Request: R-1 to O-1



-  Area of Rezoning: R-1 to O-1
-  Protest Area (150 ft. Radius)
-  Notification Area (300 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: 1834 N. Craycroft Rd.  
Base Maps: Twp. 14S Range 14E Sec. 1  
Ward: 2





Place  
Stamp  
Here

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

C9-19-20 PMc

Expose this flap - Affix stamp and return

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

C9-19-20 PMc

**IMPORTANT LAND USE CHANGE NOTICE ENCLOSED**