

Attachment I – Public Contact

To: City of Tucson Planning Commission

From: Ruth Beeker, Past President of Miramonte Neighborhood Association Board

Re: Opposition to Miramonte Neighborhood Plan amendment: Policy 2.4 Preservation and Reuse of Benedictine Monastery Site, Strategies 2.4.1 and 2.4.3

I oppose amending Miramonte Neighborhood Plan (MNP) with addition of the *entire* Policy 2.4 text.

I believe that any plan amendment initiated by a developer for a specific site is needed only when the existing plan wording is in conflict with the proposed development. *ONLY Strategy 2.4.2 is needed.*

In this case, the developer will be obtaining three City permits: Plan Amendment, Historic Landmark, and Planned Area Development Re-zoning. Each has its own procedures with its own public process. In Policy 2.4, each of the Strategies aligns with a specific permit. To address each permit here, when there is no plan conflict, can divert the individual public processes from getting the attention each merit.

Strategy 2.4.1-Encourage preservation of the Monastery building through an Historic Landmark designation or other preservation mechanism.

There is nothing in MNP which prevents the developer from obtaining Historic Landmark designation. In fact, MNP text on pages 7 and 14 clearly supports preservation of the site.

Conclusion: No amendment needed

Strategy 2.4.2-Promote appropriate adaptive reuse opportunities for the Monastery buildings, including neighborhood-level commercial, office or high density residential uses.

MNP text does not address zoning uses at specific sites; when written in 2007, the document was restricted to vision and values. 2 Exhibits, p. 10 and p. 16, were taken from the Alvernon-Broadway Area Plan. The Concept Map (MPN p.16) does need to be amended to show the proposed uses.

Conclusion: Add a new category to the map legend and add shading on the map

Strategy 2.4.3-Develop residential heights based on the careful design of the project, allowing heights to 55' (as defined by Section 6.4.4 of the Unified Development Code) but with step downs towards Country Club Road. Architectural style of the new development shall be compatible with the Monastery and the overall design character of the neighborhoods. An advisory committee with neighborhood representation shall be formed through the PAD process. The total number of new construction residential units shall be limited to the allowable calculated unit count for the gross area of the site (250 new construction units).

Clearly this strategy addresses the Planned Area Development (PAD) rezoning. In his August 20, 2018 newsletter, p. 16, Councilman Kozacik acknowledged that is usually the case.

"The steps this project will take include amending the neighborhood and area plan, followed by the actual rezoning of the property. Generally, it's during the rezoning that specifics such as height, uses and architectural conditions are addressed. I advised the project team that in my opinion, it'd be better if they "front-loaded" their plan

amendment package with more-rather than fewer-specific things they are committed to. The project has plenty of controversy. Telling people where you're headed may answer some of the lingering concerns."

At the bottom of p. 16, he adds, "*The process so far has been very public.*"

The official MNP Amendment Public Meeting was held March 28, 2018. At that time, the public saw a project which was to have 3 buildings, those to the north and south to be 66', that to the east 45'. In his weekly newsletters at that time, Councilman Kozacik was adamant that no building was to exceed 44' height. There have been no announced public meetings since March 28, 2018.

On July 28, 2018, the Arizona Daily Star's front page headline read: **Monastery developer agrees to drop height, won't pursue student housing.** The article goes on to report what Councilman Kozacik and the developer had agreed to: "The agreed-upon height is 55 feet for three structures around the monastery. . . and a fourth structure of up to that height on the north-adjacent residential parcel." "He'll still have to go through the plan amendment," Kozacik said. "But he won't face my opposition."

Clearly conditions had changed between March 28 and July 28. An additional parcel had been added to the site (which resulted in a fourth structure and in a unit increase from 222 to 250) and, most significantly, buildings would be reconfigured to accommodate the new height restriction. There has been no public discussion of the impact of the 55' restriction on the project. The only apparent rationale for that specific number is that it comes half way between 44' and 64'.

By putting the 55' height restriction on the property prior to a Planned Area Development public process, the City will be restricting vital considerations of the MNP's Goal# 1: Neighborhood Infill Compatibility; Goal #2: Neighborhood Preservation and Rehabilitation; and Goal #3: Neighborhood Transitions.

"Front-loading" specific project details to the Neighborhood Plan Amendment process appears to deliberately preempt discussion of their impact. To understand how 55' would impact the project and the neighborhood is a legitimate topic for discussion during the PAD Rezoning process. To have that condition, one made between councilman and developer with no announced public process, finalized through an amendment to the MNP is totally unacceptable. That far exceeds the purpose of the plan amendment process.

Conclusion: Eliminate as part of Plan Amendment; address as part of PAD process

Closing Statement:

Steve Kozacik is right: the Benedictine Monastery has plenty of controversy. His conditional advice to the applicant has added an additional element: What is the proper role of the Planning Commission versus the Zoning Examiner in processing a developer's application? The Planning Commission makes recommendations to Mayor/Council on plan amendments; the Zoning Examiner makes recommendations to Mayor/Council on rezonings. When a project is complex as this one is, it is even more imperative that all parties—staff, applicant, and decision makers—strictly adhere to that separation of role. The submission of Policy 2.4 Preservation and Reuse of Benedictine Monastery Site

as a Miramonte Neighborhood Plan amendment has clearly failed to respect that distinction.

Miramonte Neighborhood Association
Neighbors for Reasonable Monastery Development

COMMENTS TO THE CITY OF TUCSON PLANNING COMMISSION

August 30, 2018

Dear Commissioners:

We are a group of neighbors living in the neighborhoods adjacent to the monastery. We oppose the current version of the developer's requested plan amendment dated August 15, 2018, because the scale of the buildings is drastically too large and fails to respect both our low-rise neighborhoods and the historic monastery itself. We believe the developer's fallback option of student housing is an even worse possibility. We call on the developer and the city to consider other options such as owner-occupied town houses, which could be both profitable and respectful of the site and the adjoining neighborhoods.

Our reasons for opposing the current version of the plan amendment are outlined below.

Opposition to the Development Itself: The plan amendment makes way for five-story apartment buildings that are incompatible with the one and two-story homes surrounding the site. These buildings will:

- Diminish and mask the monastery building itself, thereby defeating the purpose of the preservation of the structure
- Dwarf the surrounding historic neighborhoods, casting whole blocks of homes in shadow and cutting off open vistas
- Threaten the privacy of neighbors by exposing homes and yards to views from above
- Create light pollution in otherwise dark neighborhoods
- Set a dangerous precedent for construction of massive, high-rise buildings away from arterial streets in otherwise healthy and stable neighborhoods
- Lower property values of neighboring homes in Miramonte and Sam Hughes, a process that has already begun
- Destabilize surrounding neighborhoods as owner-occupied homes become rentals, a process that has already begun
- Increase traffic congestion on Country Club Road
- Increase cut-through traffic and parking problems on surrounding residential streets

Lack of Specificity: The proposed plan amendment has nothing to do with a vision for the broader neighborhood, but rather has a single, specific purpose: to pave the way for a rezoning to raise the height limits and other limitations imposed by the current zoning. In light of that fact, the plan amendment process is the appropriate place to provide some specific guidelines for the future rezoning process. The neighborhood deserves to know that the accommodation afforded to the developer by the plan amendment will be subject to reasonable constraints.

Given these concerns, we ask you to consider the following modifications to the proposed amendment.

1. **Ban on Group Dwelling:** The developer has said that absent a plan amendment, the site will be developed as student housing. If the existing height limit in the neighborhood plan is relaxed to accommodate the developer, group dwelling should be eliminated as a development option. Should the Mayor and Council elect to support the plan amendment, we hope they will couple that support with a change in the existing zoning to eliminate group dwelling.
2. **Include Specifics:** While we believe the scale of the development is too vast for the site, if the development does go forward, we believe the plan amendment should contain specific provisions to guide the future rezoning process.
 - a. **Height:** An absolute height limit (i.e., the highest element of any part of any building or structure) of 55 feet above current street grade (not 55 feet as calculated under the UDC Section 6.4.4 definition of height, which allows items such as mechanical units to exceed the stated height limit). This is consistent with what the developer told Council Member Kozachik he was comfortable with. Similarly, specify (i) that any building east of the monastery would have an absolute height limit of 40 feet, and (ii) a step-down to Country Club Road such that the portion of any building within 100 feet of Country Club Road have an absolute height limit of 30 feet.
 - b. **Density:** Limit the number of total residential units to 250 or fewer, whether new construction or redevelopment of existing structures. The developer's proposed plan amendment seeks up to 250 *new* construction units, which, together with potential future additional units inside the monastery, exceeds the applicable R-3 zoning density for the site. Again, 250 total units is consistent with what the developer told Council Member Kozachik he was comfortable with.
 - c. **Buffer:** Specify a minimum buffer (consisting of a combination of parking, landscaping or other open space) on the east side of the site to promote a gradual transition to the neighborhood. For example, some of the developer's latest renderings include surface parking on the east side.
 - d. **Parking:** Sufficient parking for the residences and any future uses of the monastery to be provided on-site.

We thank the commissioners for this opportunity to provide comments on this proposed plan amendment. We are open to discussing potential compromises, and remain hopeful that the interested parties can come together to explore creative solutions to resolve this situation to the satisfaction of the neighborhoods and the developer.

Comments
City of Tucson Planning And Development Services
PO Box 27210
Tucson, AZ 85726

8/9/18

Re: Proposed Amendment for the Alvernon-Broadway Cenceptual Land Use Map. Pg. 21,
exhibit 2 of Miramonte Neighborhood Plan.

To whom it may concern at the Planning Commission,

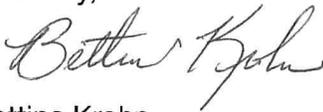
Comments have been solicited by the Poster, Frost, Mirto Architecture Firm to increase the residential density zoning of the Benedictine Monastery Property.

I strongly OPPOSE any attempt by the owner and architects of the Monastery property to INCREASE the RESIDENTIAL DENSITY of any part of the property.

I also OPPOSE any attempt to RAISE the HEIGHT LIMIT of any new buildings on the property because preserving the sight lines of the Monastery is extremely important in maintaining its regal presence in the area.

Thank you!

Sincerely,

A handwritten signature in cursive script that reads "Bettina Krohn".

Bettina Krohn

Owner
3217 E. Hawthorne
Tucson, AZ 85716

John Beall - Re: Benedictine Monastery proposed PAD

From: Mayor1
To: Furnier, Glenn
Date: 04/10/2018 4:50 PM
Subject: Re: Benedictine Monastery proposed PAD
Cc: Randolph, Roger

Glenn, I am forwarding your note to the City Clerk to make it part of the official record. Thanks for communicating.

>>> Glenn Furnier <drfurnier@yahoo.com> 4/10/2018 3:26 PM >>>

Dear Members of the City Council:

I am writing in support of the proposed Planned Area Development (PAD) on the site of the Benedictine Monastery at Country Club Road and 3rd Street. Tucson continues to experience a high rate of growth. We can either blade our surrounding desert and fill it with houses, resulting in more urban sprawl. This will negatively impact the native fauna and flora and natural areas that are a big attraction of Tucson. Sprawl also increases the urban heat island effect, making our city even hotter in the summer, something that few people would consider desirable. Finally, sprawl costs us all in increased road building and maintenance costs.

The development proposal for the monastery site helps prevent sprawl by creating a large number of housing units on a very small footprint in the middle of the city. I appreciate the developer's willingness to seek historic designation for the monastery building and feel that should be one of the conditions of granting a rezoning for higher density. It would also be appropriate to place conditions on the types of material that can be used on the façades of the new buildings to make them compatible with the monastery building. Having seen previous projects by the architects Poster, Frost, and Mirto, I am confident they can produce a project that will be a real asset to our city.

Thank you for considering my opinion.

Sincerely,
Glenn Furnier

841 S 4th Avenue
Tucson, AZ 85701
