



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

DATE: November 15, 2018

TO: Planning Commission

FROM: Scott Clark
Executive Secretary

SUBJECT: *Miramonte Neighborhood Plan Amendment PA-18-04, Amendment to Allow for Adaptive Re-use of the Benedictine Monastery, Located on Eastside of Country Club Road between 2nd and 3rd Streets*
Public Hearing (Ward 6)

Issue – This is a public hearing on a plan amendment request submitted by Corky Poster of Poster Frost Mirto on behalf of Mr. Ross Rulney, Tucson Monastery, LLC, to amend both the *Miramonte Neighborhood Plan* and the *Alvernon-Broadway Area Plan*. The applicant is proposing an adaptive re-use of the former Benedictine Monastery site with potential retail/commercial, office, and residential uses; and new construction of a high-density, multi-family residential complex with a maximum building height of 55-feet. The amendment site is approximately 7.58 acres and includes an adjacent 31,363 square foot property immediately to the north of the Monastery site that is currently zoned O-3 and includes a dilapidated structure. (See Attachments A, B, and C)

The western portion of the site is zoned O-3, allowing office and high-density residential and a maximum building height of 40-feet, while the eastern portion of the site is zoned R-3, allowing high-density residential and a maximum height of 40-feet. The conceptual land use maps for both the *Miramonte Neighborhood Plan* and the *Alvernon-Broadway Area Plan* only allow for future uses of office/high density residential along the western portion of the site and low density residential along the eastern portion of the site. The existing zoning for the amendment site is split.

The amendment site requires a rezoning, which the applicant intends to pursue through a PAD, to allow for the proposed land uses and building height. A rezoning must be in conformance with adopted plan policies before a rezoning application may be accepted for processing. Because the project proposal is not in conformance with the future land uses identified in the *Miramonte Neighborhood Plan* and *Alvernon-Broadway Area Plan*, amendments to both plans are required.

Recommendation: Staff recommends that the Planning Commission forward the proposed plan amendment to the Mayor and Council with a recommendation to amend:

- *Miramonte Neighborhood Plan*, Conceptual Land Use Map to designate the amendment site for Commercial-Neighborhood Level, and/or Office, and/or High Density Residential;
- *Miramonte Neighborhood Plan*, Goal #2 Neighborhood Preservation and Rehabilitation, add new policy titled “Policy 2.4 Preservation and Reuse of Benedictine Monastery Site,” and related new strategies;
- *Alvernon-Broadway Area Plan* conceptual land use map to designate the amendment site for Commercial-Neighborhood Level, and/or Office, and/or High Density Residential. (See Attachments F and G)

Planning Commission Action: On September 12, 2018, the Planning Commission held a study session on the plan amendment request. Following discussion, the Planning Commission voted 9-0 to continue the study session at the following Planning Commission meeting. The Planning Commission suggested that the applicant and neighborhoods work together to draft more specific amendment language.

At the continued study session on October 10, 2018, the Planning Commission heard presentations from the applicant representative Corky Poster; Sam Hughes Neighborhood representative Josie Wilson; and Miramonte Neighborhood representative Sam Behrend which outlined the agreement that had been reached regarding the plan amendment language. Planning Commission voted 8-0 to set the public hearing date for November 14, 2018.

Amendment Overview: An agreement has been reached between Neighbors for Reasonable Monastery Development (representatives of Miramonte Neighborhood and Sam Hughes Neighborhood) and Tucson Monastery LLC (applicant/developer) recommending that the Planning Commission approve the plan amendment language as submitted by the applicant, including map revisions to both the *Miramonte Neighborhood Plan* and the *Alvernon-Broadway Area Plan* (See Attachment H). The agreement also presented a list of items for incorporation “as binding conditions in the PAD document during the rezoning process”. The question raised at the study session and in the agreement letter was how to move forward with the plan amendment and implement this agreement.

In response to this question, staff is proposing amendment language that adheres to the plan amendment language submitted by the applicant and referenced in the agreement dated October 5, 2018 between the neighborhood and applicant/developer. However, staff edited the amendment language to reconcile several inconsistencies between the amendment language and the agreement language, and has added more specific language to address topics raised during the two Planning Commission study sessions. The following paragraphs detail the language changes and additions to proposed Policy 2.4 Preservation and Reuse of Benedictine Monastery Site.

Strategies 2.4.1 and 2.4.2 remain unchanged. Strategy 2.4.3 still provides policy direction for maximum building height, but the number of allowed new construction residential units and the advisory committee requirement have been developed as two separate strategies (2.4.4 and 2.4.5) for clarity.

Strategy 2.4.4 limits the total number of new construction residential units to 250 units. The agreement letter dated October 5, 2018 allows an increase in the total allowable units on the site to 255 new construction residential units should the east-west width of the three-story step-down to Country Club be equal to or greater than the width of two residential units. In order to avoid triggering any future plan amendment if this design requirement the increase to 255 new construction residential units has been added only if it meets terms of the agreement referenced in Strategy 2.4.6. This strategy makes it clear that additional residential units may be allowed inside the existing monastery above the allowed 255 new construction residential units.

Strategy 2.4.5 responds to questions raised during the study session by Commission members about the role and function of the proposed advisory committee. This language is similar to a recent amendment to the *University Area Plan* regarding the role and function of a neighborhood liaison group to be involved in the PAD / rezoning process.

Strategy 2.4.6 provides policy direction regarding the specific items included in the agreement dated October 5, 2018, between the neighborhoods and applicant/developer representatives, which are to be incorporated as binding conditions during the PAD / Rezoning process when the project design will be developed in greater detail.

Public Contact: The applicant held the required neighborhood meeting on June 28, 2018 at the Benedictine Monastery Chapel. The applicant reported that 92 people attended the meeting. Questions raised included parking, sustainability, group dwelling and student housing, and preservation of the Benedictine Monastery. Additionally, some attendees raised concerns about the scale and heights of the proposed new construction. Some that height should be addressed during; others supported revised height restrictions being addressed in the plan amendment; while others opposed any increase in density and height. There were also issues raised about possible increases in traffic on Country Club Road, and about possible conflict with bicyclists, with one resident suggesting that there be entrances to the site other than from just Country Club.

PDSD staff received letters from:

- A neighbor in opposition to the proposed amendment language stating the plan already addresses the proposed development;
- the Miramonte and Sam Hughes neighborhoods finding that the proposed plan amendment language lacks specificity and that the plan amendment process is the appropriate place to provide some specific details;
- as previously referenced, representatives of the Miramonte and Sam Hughes neighborhoods and the applicant/developer in an agreement dated October 5, 2018 laying out agreed upon language, including items for incorporation in the PAD/rezoning process, such as height and step-downs, buffer and setbacks, density, location of entrances, prohibition on student housing, historic preservation, reuse of the monastery, design, planning and working together. (See Attachments H and I)

Discussion: The Benedictine Monastery is a significant architectural and historic landmark not only for the City of Tucson as a whole, but for the adjacent Miramonte Neighborhood and Sam Hughes Neighborhood. The Benedictine Monastery site is located in the registered Miramonte Neighborhood Association and is a contributor in the Sam Hughes Historic District, being listed on the National Register (1994). After the Benedictine Sisters of Perpetual Adoration exhausted all avenues for selling the monastery site to a religious user, they finally sold the property to the applicant who has a plan for adaptive re-use of the Benedictine Monastery as well as infill on the site. The Sisters sold the site “not having any illusions that the extensive open spaces would be preserved in a ‘park-like’ atmosphere under his use. We understood that anyone who paid market cost for the 6+ acre property plus the cost for planning renovations, basic modernization [sorely needed], and required Code upgrades to the interior [not required of us; our occupancy pre-dated modern Codes], would need to generate significant income using the vacant three acres” (See Attachment B – Support Letter from Benedictine Sisters of Perpetual Adoration dated July 6, 2018).

The proposed amendment is supported by *Plan Tucson, the City of Tucson General and Sustainability Plan*, the *Miramonte Neighborhood Plan*, and the *Alvernon-Broadway Area Plan*. *Plan Tucson and Miramonte Neighborhood Plan* both call for adaptive reuse of historic landmarks and the preservation of Tucson’s historic architecture. Plan policy supports nonresidential uses including commercial and high density residential along arterial roadways. The proposed plan amendment allows for commercial-neighborhood level, office and high density residential uses, which are appropriate land

uses along an arterial roadway, such as Country Club Road. The amendment site location on Country Club Road between Speedway Boulevard and 5th Street allows multi-modal opportunities given its close proximity to bus lines; the 3rd Street Bike Route which crosses at Country Club Road just south of the monastery site; pedestrian and automobile facilities; and the streetcar line approximately 1.25 miles to the west. The amendment site is also well served by a variety of services and employment opportunities within one mile (grocery, pharmacy, restaurants, Broadway Village, Himmel Park, Himmel Park Library, Loft movie theatre); within two miles (shopping centers, Banner University Medical Center facility, Reid Park); and within three miles (University of Arizona and downtown Tucson). Additionally, the center block location on an arterial is a good location for neighborhood commercial uses, which the developer is considering.

Mayor and Council at the May 22, 2018 meeting voted to begin the process to designate the Benedictine Monastery as a historic landmark. The proposed plan amendment will require any future rezoning to preserve the Monastery building through the City's Historic Landmark designation or other preservation mechanism. The proposed amendment restricts maximum building height for any new construction to 55-feet. The amendment proposes appropriate adaptive re-use opportunities for the Monastery building and site, including neighborhood-level commercial, office or high density residential. The Alvernon-Broadway Area Plan defines neighborhood-level commercial as commercial uses intended primarily to serve a local neighborhood market, for example those uses allowed in the City's C-1 zone. The amendment language through policy *strategies* limits the number of new construction residential units and requires that an advisory committee with neighborhood representation be formed through the PAD / rezoning process. It requires that the advisory committee, the neighborhood, and the developer recognize specific items identified in the agreement letter between the Miramonte and Sam Hughes representatives and applicant/developer, dated October 5, 2018, as conditions to be incorporated into the PAD rezoning process.

The plan amendment process provides an opportunity for the community and city as a whole and affected neighborhoods to consider future growth and development scenarios. The plan amendment process generally focuses on future land use patterns, zoning, transportation and community life issues. The outcome of the process is intended to provide neighbors and future developers a greater degree of certainty regarding a particular area or site whether a current proposal is implemented or not.

The rezoning process which is generally pursued if a plan amendment is approved, sets development standards for a site such as building elevation and materials, setbacks, landscaping and screening. The PAD rezoning would allow for a further refinement of appropriate and compatible land uses by prohibiting incompatible uses such as group dwelling which is used for student housing projects. The PAD rezoning, which the applicant intends to seek for the Benedictine Monastery project, can address architectural guidelines and design review, including establishing a design review committee that includes architects and adjacent neighborhood representative (s). It can also address minimizing traffic impact on surrounding neighborhoods and enhancing the visual streetscape along Country Club Road. During the PAD rezoning process and development package review a traffic statement and/or a traffic impact analysis is provided to address transportation issues such as redirecting traffic from high intensity uses onto major streets, the number of access points for the project and any required traffic mitigation or infrastructure improvements.

Conclusion: It is recommended that the Planning Commission forward the proposed plan amendment to the Mayor and Council with a recommendation to amend the *Miramonte Neighborhood Plan* and

the *Alvernon-Broadway Area Plan* to allow for the adaptive reuse of the Benedictine Monastery site. Based on the findings below:

Findings

- Is consistent with *Plan Tucson, Miramonte Neighborhood Plan, and Alvernon-Broadway Area Plan*.
- Supports preservation and adaptive reuse of a historic landmark.
- Directs higher-density mixed-use infill development to an arterial corridor.
- Fosters greater use of multi-modal transportation networks.
- Supports adjacent businesses, services, and residential neighborhoods.
- Allows for continued neighborhood input through the rezoning process.

Attachments:

- A: Context Map
- B: Plan Amendment Application
- C: Background: Historic Status, Zoning and Land Use Policy
- D: Existing *Miramonte Neighborhood Plan* Conceptual Land Use Map
- E: Existing *Alvernon-Broadway Area Plan* Conceptual Land Use Map
- F: Proposed *Miramonte Neighborhood Plan* Conceptual Land Use Map and Policies
- G: Proposed Change to *Alvernon-Broadway Area Plan* Conceptual Land Use Map
- H: Agreement Letter dated October 5, 2018
- I: Public Contact