



CITY OF
TUCSON

PLANNING AND
DEVELOPMENT
SERVICES
DEPARTMENT

January 9, 2015

Mr. Rory Juneman, Esq.
Lazarus, Silvyn & Bangs, P.C.
4733 East Camp Lowell Drive
Tucson, AZ 85712

Dear Mr. Juneman:

SUBJECT: UMC North Planned Area Development (PAD), Clarification - Banner's Proposed Development of the UMC North Campus Complies with the PAD Illustrative Site Plan, Figure 7, and Phasing Concept Plan, Figure 11

I have reviewed your letter (attached) requesting a clarification that Banner's concept site plan for the Banner-UMC North Campus is in compliance with UMC North Pad Illustrative Site Plan, Figure 7 and Phasing Concept Plan, Figure 11.

The primary focus of the UMC North PAD is to provide outpatient cancer treatment and related medical and residential services. The goal of the PAD is to create an environment which is accessible and welcoming to patients, an environment which is itself, part of the treatment, not simply its locale.

The PAD document recognizes that the exact location of buildings and site improvements may differ from the illustrative site plan as dictated by Banner-UMC needs and resources. The PAD also recognizes that the North Campus will be developed in a number of phases over a period of time, and while a logical description of future development phases is depicted in Figure 11, the actual sequence, and boundaries of a particular phase may change.

Therefore, it is determined that Banner's Proposed Development of the UMC North Campus is in compliance with the PAD, including its Illustrative Site Plan, Phasing Concept Plan, and Landscape Plan, and is a non-substantial change.

This clarification is supported by the following:

1. Proposed Concept Plan is not in conflict with the overall intent as expressed in the UMC North PAD (UMC North PAD, 3.1.3 Illustrative Site Plan, Figure 7, 3.9 Phasing, Figure 11, and Landscape Concept Plan Figure 10);
2. Proposed Concept Plan complies with PAD regulations.

January 9, 2015

It should be noted that as part of this clarification letter a Zoning Administrator's determination (see attached) has been made that allows the proposed Banner development of the UMC North PAD to use the adjacent Mason's Parcel (APN 112-02-003C) as a parking area for permitted principal land use types as outlined in the PAD document. If at any future date the Mason's Parcel is to be brought into the UMC North PAD boundary, that action will trigger a major amendment to the PAD.

A copy of this letter and attached Exhibits must be attached to any development package submittal. Also prior to a development package submittal Banner-UMC is required to hold a neighborhood meeting with representatives of the Campus Farms and Tucson-Prince neighborhood and give a presentation of the proposed development plan and its compliance with the PAD. Documentation of these neighborhood meetings will be provided on each of these meetings along with the development package submittal.

Sincerely,



John Beall
Principal Planner
Planning and Development Services Department

C. Nicole Ewing Gavin, PDS
Russlyn Wells, PDS

Attachments: Applicant's Request, Zoning Administrator's Determination



CITY OF
TUCSON

PLANNING AND
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DEPARTMENT

January 7, 2016

Lazarus, Silvyn & Bangs, P.C.
4733 E. Camp Lowell Dr.
Tucson, AZ 85712
Attn: Rory Juneman, Esq.

SUBJECT: Zoning Determination Request: Banner – University Medical Center Tucson, North Campus Development, 3838 N. Campbell Ave.

Dear Mr. Juneman,

You have asked for a Zoning Administrator's determination for a development known as Banner – University Medical Center. This development is predominantly located in the zoning district, PAD-11. In reviewing your request, I have also consulted the Unified Development Code (UDC).

In your letter of December 22, 2015, you ask for a determination on whether a lot known as the Mason's Parcel (the Parcel) [APN 112-02-003C] can be used as a proposed parking area for the Banner development that is adjacent to a PAD-11 lot. Further, you state that the use of the PAD's source zone was OCR-1 which allows the two land use types, Outpatient and Major Medical Services (UDC Table 4.8-4) that are the principal uses of the entire development. The Parcel is zoned O-3 which also allows the two land use types (UDC Table 4.8-3). You are requesting a determination that could be used as a parking area for the permitted principal land use types of the proposed Banner development.

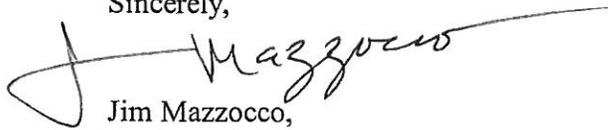
In a previous Zoning Administrator's Determination (February 16, 2012), I stated that the parking area is considered an accessory and supportive use to the permitted use of the development. You show the Parcel which is in your concept plan as a parking area of the proposed development and in support of the principal uses of the proposed development. Therefore, the parking lot on the Parcel is considered an accessory use of the entire development and is permitted.

Regarding your request for verification of the concept plans being in substantial compliance with the PAD -11 document, John Beall, the Rezoning Section supervisor will respond.

Rory Juneman, Esq.
January 5, 2016
Page Two

Should you require further zoning information regarding this matter, please contact me via my email address Jim.Mazzocco@tucsonaz.gov or my telephone number 520-837-6964 or John Beall, John.Beall@tucsonaz.gov telephone number 520-837-6966.

Sincerely,

A handwritten signature in black ink that reads "Mazzocco". The signature is written in a cursive style with a large, sweeping initial "J" that loops around the start of the name.

Jim Mazzocco,
Zoning Administrator

C. Nicole Ewing Gavin,
John Beall
Russlyn Wells



LAW OFFICES OF

Lazarus, Silvyn & Bangs, P.C.

A PROFESSIONAL CORPORATION

December 22, 2015

VIA EMAIL and HAND-DELIVERY

Jim Mazzocco, Interim Director and
Zoning Administrator
c/o John Beall, Principal Planner
Planning and Development Services Department
City of Tucson
201 North Stone Avenue
P.O. Box 27210
Tucson, AZ 85726-7210

**Re: Zoning Determination Request: Banner – University Medical Center Tucson,
North Campus Development, 3838 N. Campbell Ave.**

Dear Jim:

As you are aware, our firm represents Banner Health (“Banner”). As part of its redevelopment of Banner – University Medical Center Tucson, Banner will construct a new outpatient clinic at its north campus, located at 3838 N. Campbell Ave. (“Campbell”), Assessor’s Parcel Nos. (“APN”) 112-02-034D, -003D, and -003C (the “Property”). Doing so allows Banner to more fully utilize the Property’s existing entitlements under PAD-11, the North Campus Planned Area Development (the “PAD”). On October 6, 2015, we met with Planning and Development Services staff (“Staff”) to discuss this proposed development (the “Meeting”), where Staff confirmed that this proposed development complies with the PAD. Since the Meeting, Banner has adjusted its development plans for the Property by reducing some of the heights of the proposed structures, as described in detail below.

Pursuant to the Unified Development Code (“UDC”) § 1.5.1(B), this letter is a request to the Zoning Administrator (the “Administrator”) for a formal determination that Banner’s proposed development of the Property complies with the PAD. As part of this determination, we ask the Administrator to confirm Banner’s ability to provide clinic parking on the former Masonic Lodge property located directly east of the South Lot, APN 112-02-003C (the “Mason’s Parcel”). Enclosed with this request is the required fee of \$236.50.

A. The Current PAD and Property Conditions.

1. PAD Permitted Uses and Current Uses.

The PAD states that the Property’s primary focus is to provide outpatient medical services in an accessible and welcoming environment. PAD § 1.0. The base zoning for the PAD is Office/Commercial/Residential Zone 1 (“OCR-1”), and the PAD permits the OCR-1 uses including Outpatient and Major Medical Services. PAD § 3.3; UDC §4.8.6. The PAD also

permits residential facilities associated with patient care, parking structures, and permanent cellular antennas. PAD § 3.3. The Mason's Parcel, located adjacent to the South Lot, is outside of the PAD boundary and is zoned O-3, which permits an Outpatient Medical Services use.

2. Building Layout and Allowed Area.

The PAD, adopted in 2005, includes an illustrative Phasing Concept Plan (the "Concept Plan") that provides an overview of the Property's development and phasing. See **Enclosure 1**. The PAD stresses that this plan is conceptual and that the timing and exact locations of the future buildings and site improvements likely will change based on future needs and resources. PAD § 3.1.3.

The Concept Plan places the majority of clinic buildings on the Property's southern boundary along Allen, and the bulk of the Property's parking in garages on its north side. South of Allen the plan shows one clinic office building and a parking garage. The Concept Plan contemplates the Property's total buildout at 441,400 sq. ft. This total building area can be increased by 10 percent as a minor PAD amendment pursuant to UDC § 3.5.5(J)(2)(c)(5). An increase of 10 percent to the total building area would allow an additional 44,140 sq. ft., for a total of 485,540 sq. ft.

Two buildings have been developed on the Property since the PAD's adoption. In 2007, the former Tucson General Hospital was redeveloped into the existing Arizona Cancer Center ("Cancer Center"), which is approximately 81,912 sq. ft. Later in 2007, the Ronald McDonald House was completed at approximately 24,032 sq. ft.¹ Together, these structures equal 105,944 sq. ft., leaving 335,456 sq. ft. of building area available pursuant to the PAD (or up to 379,596 sq. ft. if the building area were increased by 10 percent, as described above).

The Property currently contains two surface parking areas, one north of Allen located directly east of the Cancer Center, and one south of Allen (the "South Lot"). There are no structures on the Property south of Allen. Outside of the Property, Banner is currently not using the Mason's Parcel's structure or its parking area.

3. Building Setbacks and Heights.

The PAD establishes the required building setbacks and heights for the Property. The PAD's building setback requirements vary based on street frontage. PAD § 3.4.2.6. For Campbell north of Allen there is a general 50-foot setback, and a 20-foot setback for buildings within the transition zone. There is also a 20-foot setback for buildings fronting Campbell south of Allen. Along Allen, the setback is one-half the building height on the north side of Allen, and a 10-foot setback south of Allen. For Wilson, there is a one-half building height setback. For areas not fronting a street, there is a 30-foot setback along the northern site boundary, and a 10-foot setback for the eastern and southern boundaries south of Allen. There are no setbacks for interior property lines.

¹ The Ronald MacDonald House is not a part of or affiliated with Banner, and it operates on the Property as a tenant.

The PAD also provides the maximum building heights for the Property. PAD § 3.4.2.7. Buildings fronting Campbell north of Allen cannot exceed 45 feet. Buildings fronting the north side of Allen within 80 feet east of Campbell cannot exceed 55 feet; buildings fronting Allen that are beyond 80 feet from Campbell may be 75 feet tall.² Buildings fronting the south side of Allen are limited to a height of 55 feet.³ Parking structures, including elevator penthouses, are limited to 45 feet.

4. Vehicle Circulation and Parking.

The Concept Plan shows the Property's primary entrance point at the Campbell/Allen intersection, with vehicle traffic circulating from Allen into the parking garages. An access road runs along the northern boundary, allowing vehicles to access the Property's northwest corner at the right-in, right-out access point.

The Concept Plan contemplates parking to occur within the garages on the north of the Property and south of Allen. Vehicle parking requirements for residential uses is one space per two beds, and for all other uses is one space per 200 sq. ft. of gross floor area ("GFA"). The Concept Plan estimates the total parking at full buildout at 2080 spaces.

5. Pedestrian Circulation, Healing Garden, and Landscaping.

Internal pedestrian circulation will occur within a "Healing Garden" that runs through the Property north of Allen. PAD § 3.5.2. The Healing Garden is an internal landscaped area containing a variety of outdoor spaces including several shaded seating areas. Throughout this area are pedestrian paths to allow patients, visitors, and employees to walk between structures in a pleasant environment. In addition to the pedestrian circulation provided by the Healing Garden, circulation will extend to the parking area south of Allen via clearly marked paths.

The Healing Garden is shown on both the Concept Plan and the Landscape Concept Plan (the "Landscape Concept"). See **Enclosure 2**. The Landscape Concept not only describes the general location of the Healing Garden, but also the Property's overall landscaping elements, including vegetation screens and pedestrian paths.

B. Banner's Proposed Development complies with the PAD.

1. Proposed Uses.

Banner will develop the Property in compliance with the policies and regulatory requirements of the PAD, as illustrated in the enclosed "Site Plan." See **Enclosure 3**. Banner's proposed use of the Property is outpatient and diagnostic services, with no residential services. The only residential service provided on the Property is the Ronald McDonald House, which is not affiliated with Banner.

² This section allows for heights up to 80 feet if functional floor requirements necessitate floor-to-floor heights of 20 feet, or architectural elements require additional height. PAD § 3.4.2.7(c).

³ Heights can be extended to 65 feet, as described above. PAD § 3.4.2.7(d).

2. Building Layout, Phasing, and Total Area.

Banner's Site Plan is in substantial conformance with the Concept Plan. Banner's construction on the Property will occur in two phases, each potentially with sub-phases.

a. Initial Phase

In the initial phase, Banner's new single-building outpatient clinic and diagnostic services will be adjacent to Allen just east of existing buildings. This new building provides easier patient access to all services. A portion of the new building may be built as shell space, allowing Banner to phase in new clinic space as the need arises. The current total square footage estimate for the initial phase clinic (including shell space) is 208,000 square feet, although this area potentially will be reduced as the design is finalized.

As in the Concept Plan, the initial phase includes a consolidated three-level parking garage on the Property's north boundary. This parking garage will supply a majority of the initial required parking. This garage is positioned toward the Cancer Center and new clinic building to facilitate easier access for patients and visitors. When the shell-portion of the new building is incorporated into usable space, the surface parking area in the Property's northeast corner will be built.

The South Lot remains a surface parking lot as it is today. At some point during the initial phase, Banner will add a lot on the Mason's Parcel to provide additional parking for the Property's medical office use. At that time, the South Lot will be reconfigured to provide vehicle and pedestrian cohesiveness with Mason's Parcel lot. In the Meeting, Staff confirmed that Banner can use the Mason's Parcel to meet the Property's parking requirements, pursuant to the February 16, 2012 Zoning Information Letter, No. T12SA00026. *See Enclosure 4, Interpretation.* Specifically, as both the PAD and O-3 allow medical office use as a permitted principal use, parking on the Mason's Parcel is considered an accessory and supportive use to the medical office use.

b. Future Phase

The Property's future phase intends to add clinic space and associated parking through development of a four-level outpatient clinic in compliance with the PAD's height requirements. The new clinic space will be located on the southeast corner of Campbell and Allen. To meet the parking requirements of this new clinic, parking structures will replace the surface lots on the Property's northeast corner and the Mason's Parcel. If in the future Banner decides to incorporate the Mason's Parcel into the PAD boundary, it will do so through a major amendment to the PAD, pursuant to UDC § 3.5.3, Zoning Examiner Legislative Procedure.

c. Total Area Calculation

The Site Plan's proposed building square footage is well under the PAD's total allowed square footage. In its initial phase, Banner is proposing 208,000 sq. ft. of clinic and diagnostic space. The future phase may add up to 120,000 sq. ft. of clinic space, for a total additional area

of 328,000 sq. ft.⁴ When added to the existing building area, the proposed new square footage brings the Property's total to 433,944 sq. ft., which is 7,456 sq. ft. less than the Concept Plan's total of 441,400 sq. ft.⁵ As described above, Banner will phase this development over time based on future needs and resources.

3. Proposed Building Setbacks and Heights.

Banner's proposed development complies with the PAD's building setback and height requirements, as illustrated on the Site Plan. In the Meeting, our initial proposal indicated a potential need to increase the parking garage height above the 45-feet allowed by the PAD. Since then, Banner has determined that a three-level parking structure will sufficiently meet its parking requirements while complying with the PAD's maximum height requirement.

4. Vehicle Circulation and Parking.

This proposed development maintains the vehicle and pedestrian circulation described in the Concept Plan. As shown on the Site Plan, the main vehicle entry remains at Campbell and Allen, and vehicle access to the garage and patient drop-off remains from Allen. Access to the Property's northwest corner right-in, right-out turn lane also remains.

Banner's proposed parking areas allow it to meet or exceed the "other uses" parking requirement of one space per 200 sq. ft. GFA.⁶ Parking will be phased with the corresponding clinic spaces, and by full buildout the Property will contain at least the minimum required parking spaces based on GFA (currently estimated at 2060 spaces).

6. Pedestrian Circulation, Healing Garden, and Landscaping.

As in the Concept Plan, the Property's internal pedestrian circulation occurs within the Healing Garden and stretches from the existing Cancer Center to the eastern edge of the Property. This unifying feature includes a series of internal garden areas connected by landscaped pedestrian paths. The landscaped paths provide partially shaded access between the Property's buildings and various internal garden areas. Shaded sitting areas provide patients, visitors, and employees areas to sit, relax and reflect.

The proposed landscaping complies with the Landscape Concept. *See Enclosure 5, Landscape Plan.* The Landscape Plan shows the Healing Garden and pedestrian paths generally in the areas described on the Landscape Concept Plan. The landscape design will also maintain the high and low vegetative screening as contemplated in the PAD.

⁴ These figures are preliminary estimates and may change based on future need and resources.

⁵ If the total allowed area was increased by 10 percent through a PAD minor amendment, the proposed square footage would be 51,596 less than the total allowed square footage.

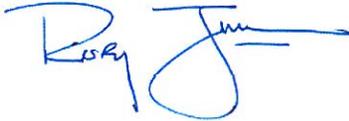
⁶ Outside of the existing Ronald MacDonald House, the Property will only be used for outpatient services and therefore all parking will be calculated based on the 1 space per 200 sq. ft. GFA parking requirement.

5. Zoning Determination Request.

Based on the above, Banner requests that the Administrator determine that the proposed development complies with the PAD, including its Concept Plan and Landscape Concept. We also ask that this determination letter specifically confirm that Banner can use the Mason's Parcel to meet the Property's parking requirements, as described above.

Thank you for your time and attention to this request. If you have any questions about Banner's development, or require any additional information, do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rory Juneman". The signature is stylized with a large "R" and "J".

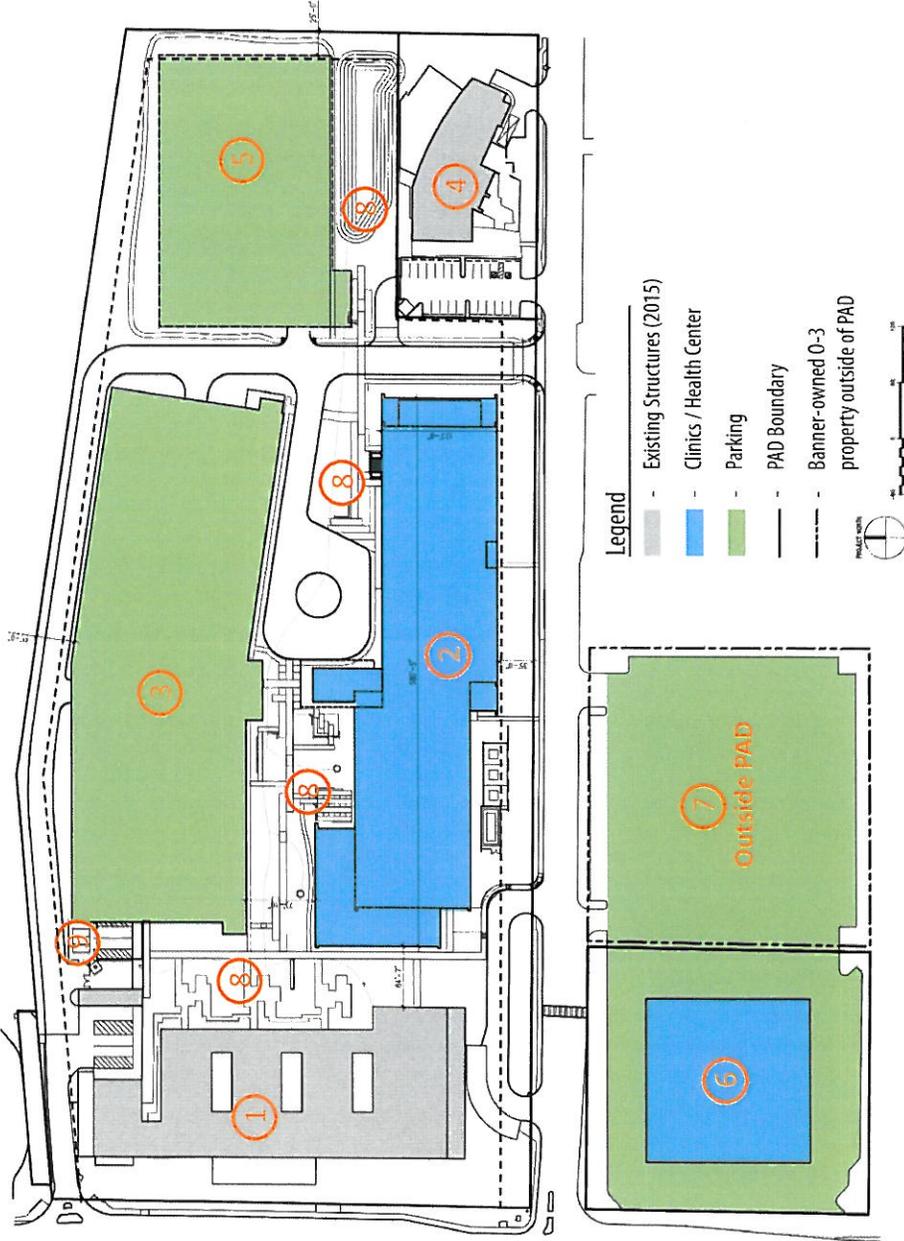
Rory Juneman, Esq.

Enclosures

cc: Mr. Mark Barkenbush
Mr. Stephen Brigham
Mr. Craig Passey
Mr. Lyle Steely
Mr. Kent Willcox

Concept Site Plan

Banner – University Medical Center Tucson
North Campus, December 2015



Key

1. Existing Cancer Center
81,912 sf 2 levels
3 levels 208K sf
56'-0" Bldg Ht
2. Proposed Health Center
3 levels, 940 stalls +/-
24,032sf
3. Proposed Parking Structure
150 spaces
620 spaces
215 spaces
4. Ronald McDonald House-existing
Parking Structure (PH IA)
Surface Parking (PH I)
Health Center (PH II)
5. Proposed surface parking
4 levels, 120K sf
55' Bldg Ht
6. Proposed Surface Parking (PH I)
Parking Structure (PH II)
7. Proposed Surface Parking (PH I)
Parking Structure (PH II)
8. Healing Garden
9. Service area

Setbacks:

Along Campbell

- 50' North of Allen
- 20' South of Allen
- ½ Bldg Height (28'-0")
- 10'-0"
- ½ Bldg Height (25'-0")
- 30'-0"

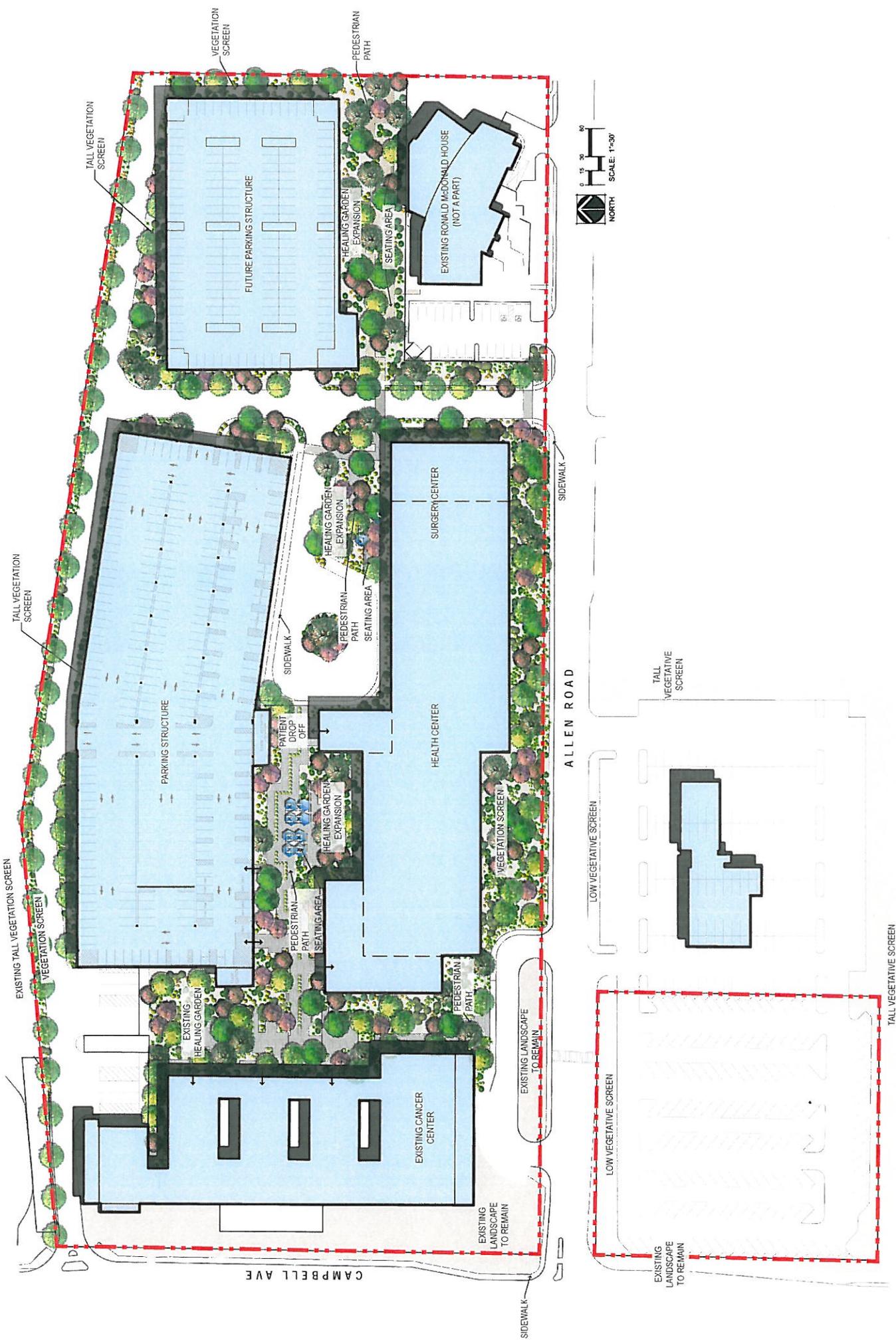
Along Allen: North Side
South Side

Wilson Ave
Northern Boundary

Building Area Totals

Existing Structures	105,944 sf
PH I Proposed	208,000 sf
PH II Proposed	120,000 sf
Total Proposed	433,944 sf**

*This is 7,456 sf less than the PAD's original concept plan square footage of 441,400 sf.



BANNER UMC - NORTH
 CONCEPTUAL LANDSCAPE PLAN
 10.20.2015



CITY OF
TUCSON

PLANNING &
DEVELOPMENT
SERVICES
DEPARTMENT

July 31, 2015

Ms. LeAnne Stolte
Pinnacle Consulting, Inc.
1426 North Marvin Street, Suite 101.
Gilbert, Arizona 85233

SUBJECT: Minor Amendment for Temporary Cell Tower within UMC
North PAD – 3838 North Campbell Avenue

Dear Ms. Stolte,

I have reviewed your letter (attached) requesting a minor amendment for the temporary cell tower located on Allen Road within the UMC North PAD.

The proposed minor amendment request is:

- 1) To allow the Temporary Cell Tower (COW) to remain in place until the new proposed site is operational. In order to avoid interruption in service in the area, the COW is needed until January 31, 2016.

It is determined that this minor amendment request is an insubstantial change and is approved subject to the following conditions:

1. \$5,000 bond required for this time extension.
2. Time extension expires **February 1, 2016**.

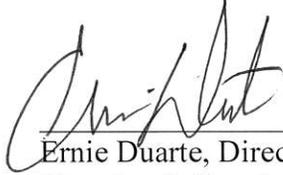
This minor amendment is supported by the following:

1. Minor amendment conforms to the criteria allowed for insubstantial changes (UMC North PAD, 3.10.4, p. 25).
2. Minor amendment is not in conflict with the overall intent as expressed in the PAD which allowed for the COW and is still in line with the overall phasing of the PAD as described in Section 3.9 *Phasing* (UMC North PAD, 3.8.5 and 3.9, p. 24).

Planning & Development Services Department (PDS) - 201 North Stone Avenue
P.O. Box 27210 - Tucson, AZ 85726-7210
Telephone: (520) 791-5550 - Fax: (520) 791-4340
Website: www.tucsonaz.gov/pds
Email: DSD_zoning_administration@tucsonaz.gov

Please contact John Beall at (520) 837-6966 or email John.Beall@tucsonaz.gov if you have any questions.

Sincerely,



Ernie Duarte, Director
Planning & Development Services Department

CC: Nicole Russell, Sr. Site Acquisition Manager, AT&T
Scott September, Area Manager, Real Estate and Construction,
AT&T

Attachment: Applicant's Request



July 23, 2015

John Beall
Principal Planner
City of Tucson
201 North Stone Avenue
Tucson, AZ 85701

RE: Temporary Cell Tower within UMC North PAD – Special Exception SE-04-13,
3838 North Campbell Avenue

Mr. Beall,

Pursuant to our meeting on July 7, 2015, this letter is being submitted in connection with AT&T's formal request of a time extension to the above-mentioned project and Special Exception. AT&T respectfully requests a time extension through January 31, 2016 as detailed below.

In anticipation of placing its facilities on the rooftop of the UMC, now known as Banner, future building expansion, AT&T secured approval to place a Temporary Cell Tower ("COW") at the address noted above to provide coverage to the area due to subscriber demand and ongoing service complaints received by AT&T. As noted above, the original intent of the project was to locate a new permanent site on the rooftop and transfer the service from the COW. In November 2014, AT&T received notice from UMC indicating their anticipated expansion plans had been put on hold due to economic "constraints" and were terminating the temporary site due to an expired permit. Per the lease between AT&T and UMC, the facility was to be removed no later than July 20, 2015. At the time of receipt of the termination letter, AT&T began the search for a new permanent site to place their wireless facilities. The result of this search, coupled with AT&T's acquisition of the Cricket assets in Tucson, yielded the project currently proposed at 1802 E. Roger Road. As Scott September, Area Manager for AT&T, mentioned, the COW was left in place much longer than originally anticipated to enable AT&T to locate a new site, in addition to various internal reasons.

As discussed during our meeting, AT&T purchased certain assets of Cricket Communications in the greater Tucson area, of which the existing site located at 1802 E. Roger Road was a part. Pursuant to that purchase agreement between AT&T and Cricket, AT&T is required to keep the existing site in tact until September 15, 2015. At that time, AT&T can

remove the existing antennas and replace them with the equipment that was approved under Special Exception SE-15-01 dated January 13, 2015. Together with budgetary constraints imposed by AT&T National Headquarters, the local AT&T office will not be able to begin construction on the new site until October 1, 2015. The scope of work required to complete the new site includes coordination with Tucson Electric Power (the antennas are mounted on a power pole) as well as extensive ground work, including expansion of the existing compound. This work is anticipated to take approximately 4-6 months once AT&T completes all necessary regulatory approvals. Thus, in order to avoid an interruption in service in the area, the COW noted above must remain in place until January 31, 2016 to provide sufficient time to complete the work necessary to bring the new site up to the current technological standards of AT&T and on air.

As requested, we have secured written consent from Banner Health for a six (6) month extension to allow the COW to remain in place to afford AT&T sufficient time to complete the transition to the new site. A copy of that consent is included with this letter.

In addition, as required per your email dated July 7, 2015 to Nicole Russell and Scott September of AT&T, enclosed are the following:

- An aerial of the site identifying the location East of N. Campbell Avenue, North of E. Allen Road
- Photo of the COW
- Check in the amount of \$236.50
- Note: \$5,000 cash bond was forwarded directly to City of Tucson offices by AT&T

Please do not hesitate to contact us should you have any questions or require further information. Thank you for your time and assistance with this matter.

Sincerely,



LeAnne Stolte
Site Acquisition Representative
On behalf of AT&T

CC: Nicole Russell, Sr. Site Acquisition Manager, AT&T
Scott September, Area Manager, Real Estate and Construction, AT&T