



CITY OF  
TUCSON

PLANNING AND  
DEVELOPMENT  
SERVICES  
DEPARTMENT

May 27, 2021

Ms. Robin Large  
Lazarus & Silvyn, P.C.  
5983 E. Grant Road, Suite 290  
Tucson, AZ 85712

Subject: Menlo Park Mercado District Planned Area Development (PAD-10) – Minor Amendment Request Regarding Neighborhood General Permitted Land Uses

Dear Ms. Large:

Staff has reviewed your request letter dated May 17, 2021, and the proposed minor amendment request to the Menlo Park Mercado District Planned Area Development (PAD-10) document.

The proposed amendment request includes:

- 1) Consolidation of 5 parcels/lots along Paseo del los Zanjeros in the Mercado District, south of W. Congress Street, and constructing a single structure, with the upper floor of the structure serving as the property owner's residence, and the ground floor serving as a banquet/catering venue to be operated by the Owner as a Home Occupation. The proposed building would encompass approximately 9,000 square feet, with approximately 4,100 square feet associated with the banquet/catering venue, and approximately 4,900 square feet associated with the house/living space.

The Menlo Park Mercado District PAD allows for a minor amendment process, in which the Planning and Development Services Department Director may approve changes provided they are not in conflict with the overall intent of the PAD. Minor changes may include determinations that a land use be allowed which is not specifically listed as permitted but which may be determined to be similar in nature to those land uses explicitly listed as permitted.

It is determined that the proposed project and land uses – the banquet/catering venue as a Home Occupation – is similar both in nature and intensity to other uses permitted as Home Occupations (e.g.,

Food/Beverage Retail Sales, Travelers' Accommodation, etc.) within the Neighborhood General land use designation area.

The minor amendment request is approved and supported by:

- Proposed land use while not specifically listed but is similar in nature to other permitted Home Occupation uses within the PAD;
- The proposed lot configuration (combining the five existing parcels into a single parcel) will have no negative impacts on surrounding uses or the overall character of the PAD;
- The Mercado District Design Review Committee has reviewed the project proposal and expressed support for the Home Occupation use for this site;
- The proposed project will demonstrate compliance with all stated Home Occupation regulations and standards of the Menlo Park Mercado District PAD and Neighborhood General land use designation.

Please attach a copy of this letter, the Mercado District Design Review Committee approval letter for the requested Home Occupation use, and a final architectural approval letter from the Design Review Committee with your Development Package submittal. If you have any questions regarding the minor amendment, please contact John Beall at 837-6966.

Sincerely,



Scott Clark, Director  
Planning & Development Services Department

May 17, 2021

VIA E-MAIL (JOHN.BEALL@TUCSONAZ.GOV)

John Beall  
Principal Planner  
City of Tucson  
Planning and Development Services Department  
201 N. Stone Avenue  
P.O. Box 27210  
Tucson, AZ 85726-7210

**RE: Menlo Park Mercado District PAD – Minor Amendment**

Dear John:

Thank you for meeting with our team last month to review our project proposal within the Mercado District. As we discussed, I am submitting this letter to you as a request for a Minor Amendment to the Menlo Park Mercado District Planned Area Development (the “PAD”) to allow for the operation of a banquet/catering venue as a Home Occupation within the Neighborhood General (“NG”) land use designation. As you know, the PAD supports an urban mix of uses within a pedestrian-oriented environment. The proposed Home Occupation use, as discussed during our meeting and described below, fits with this vision and will be operated pursuant to the standards outlined within the PAD.

**A. Project Proposal**

Trevor Craig Baugh (the “Owner”) owns 5 lots<sup>1</sup> along Paseo del los Zanjeros in the Mercado District, south of W. Congress Street in the City of Tucson (“City”). Each of the 5 lots is 1,080 square feet for a combined total of 5,400 square feet or 0.12 acres (the “Property”). The Property is on the same block as the Mercado shops and restaurants and is zoned PAD-10 (the Menlo Park Mercado District PAD). The PAD’s Land Use Plan designates this Property as Neighborhood General (“NG”), which is intended for residential uses at various densities and permits Home Occupations that are more intense than permitted in the Unified Development Code (“UDC”) and reflective of this Property being a transition from the Town Center/Mercado to the primarily residential area in the PAD. (The attached **Land Use Plan** indicates the location of the Property within the PAD.)

The Owner is interested in consolidating the 5 parcels and constructing a single structure on the Property. The upper floor of the structure would be the Owner’s personal home, and the ground floor

---

<sup>1</sup> Pima County Assessor’s Parcel Nos. (“APN”) 116-20-6470, -6460, -6450, -6440 and -6430.

would include a banquet/catering venue to be operated by the Owner as a Home Occupation. The proposed building encompasses approximately 9,000 square feet, with approximately 4,100 square feet associated with the banquet/catering venue and 4,900 square feet associated with the house/living space (the "Project").

## **B. Analysis**

As shown on the attached PAD Land Use Plan, the Property is located near the north end of the PAD, in the second tier of parcels south of W. Congress Street. The first tier of parcels adjacent to W. Congress Street is designated Town Center, which embraces an urban commercial environment, including ground-floor commercial uses with residential uses above. This Property's land use designation is NG, which is *"intended to provide for a variety of residential architectural types at various densities, all of them single family house form-compatible."* The location of this Property near W. Congress Street and adjacent to the Town Center designation provides an appropriate transition of uses between the more intense street frontage and commercial environment with the more residential character of the NG-designated properties farther south within the PAD.

The primary land uses permitted in NG include Family Dwelling and Residential Care Services under the Residential Use Group. Secondary land uses permitted include Home Occupations. The proposed single-family residence is a permitted use in NG, as are certain Home Occupation uses. The allowable home occupation uses listed in the PAD include Office, Food Service, Personal Services, Day Care, Travelers' Accommodations, Craftwork and Food/Beverage Retail Sales. A banquet/catering venue is not specifically listed in the PAD as a permitted Home Occupation use, although it is similar in nature and intensity to other permitted Home Occupation uses.

In support of its vision for an urban mixed-use environment, the PAD offers more flexibility for Home Occupations than is provided in the Unified Development Code ("UDC"). Below are the key Performance Standards for Home Occupations applicable to the NG land use designation and this Project.

- The Mercado District Design Review Committee ("DRC") shall review and approve the use and plans prior to submittal to the City. The DRC has reviewed the Project proposal and expressed support for the Home Occupation. (See attached **DRC Support Letter**.) The DRC will review the proposed site and architectural plans for the Project prior to their submittal to the City.
- The Home Occupation will be conducted in such a manner that it is compatible with the residential character of the neighborhood in which it is located.
- No more than 50% of all square footage of the building will be devoted to the Home Occupation.
- No more than two (2) nonresidents, at any one time, of the premises may be employed.
- Goods related to the Home Occupation may be sold on the premises and visible from the street.

The Project will demonstrate compliance with all stated Performance Standards within the NG designation.

Under the PAD's Minor Amendment process, the Planning & Development Services Department Director may approve changes provided they are not in conflict with the overall intent, as expressed in the PAD. Minor changes include:

- Determination that a use be allowed which is not specifically listed as permitted but which may be determined to be similar in nature to those uses explicitly listed as permitted. The

proposed Project—the banquet/catering venue as a Home Occupation—is similar both in nature and intensity to other uses permitted as Home Occupations (e.g., Food/Beverage Retail Sales, Travelers’ Accommodation, etc.) within the NG designation.

- Lot reconfiguration, including changing the lot size, density and number of units. The proposed reconfiguration of the Property (i.e., the combination of five existing parcels into a single parcel) will have no negative impacts on surrounding uses or the overall character of the PAD.

**C. Conclusion**

If you agree the Project, as described above, meets the overall intent of the PAD, we respectfully request the PAD be amended to include the proposed use (banquet/catering venue) as a Home Occupation within the NG designation. Please confirm by signing below or by providing a statement indicating the Minor Amendment is approved. As always, feel free to contact me if you have any questions about the above request or require any additional information. Thank you for all your time and attention on this matter.

Sincerely,



Robin M. Large  
Senior Land Use Planner

Attachments: PAD Land Use Plan  
DRC Support Letter

AGREED TO BY: \_\_\_\_\_  
John Beall  
Principal Planner  
City of Tucson

\_\_\_\_\_  
Date

cc: Mr. Craig Baugh (via email)  
Mr. Adam Weinstein (via email)  
Ms. Keri Silvyn (via email)





**Mercado District of Menlo Park**

**Design Review Committee**

**Voting members:**

**Justin Dixon**


**Mary Hardin**

**5/14/2021**

RE: Approved Use and preliminary design review of Congress Street Market Hall Lots 5-9.

The DRC of The Mercado District of Menlo Park were presented with the proposed mixed use of a residential and catering/banquet facility on lots 5-9 (owner Craig Baugh), and are supportive of the use and initial design as in conformance with the Home Occupation requirements in the PAD. The DRC knows that the fully complete actual site/architectural plans will be presented to them in the future for final approval. This letter is to approve the use. A final architectural DRC review would occur when the plans are ready to submit to the city for a combination review of the Residential component and the Banquet component. We support this type of mixed use especially on these lots which is adjacent to 2 commercial areas. Let us know if you have any comments. Thanks!

Justin Dixon



Mary Hardin

