



# MEMORANDUM

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DATE: March 24, 2026  
For April 9, 2026 Hearing

TO: Linus Kafka  
Zoning Examiner

FROM: Koren Manning, Director  
Planning & Development Services

SUBJECT: SPECIAL EXCEPTION LAND USE –  
PLANNING & DEVELOPMENT SERVICES REPORT  
TP-ENT-0126-00003 Dental Wise – N Alvernon Wy, R-3 (Ward 3)

**Issue** – This is a request by the Planning Center on behalf of Dental Wise for approval of a Zoning Examiner’s Special Exception Land Use to allow the expansion of a Commercial – Medical Services, Outpatient use, excluding blood donation centers, for a dental office remodel. The project site, located at the northwest corner of N Alvernon and E Holmes St, more specifically at 404 N Alvernon Wy, consists of an existing commercial building located on a 0.34-acre parcel. The subject parcel is zoned Urban Residence R-3.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of the special exception request, subject to the attached preliminary conditions.

**Public Outreach** – The applicant’s team held a neighborhood meeting on December 29, 2025, which was noticed using labels provided by PDSD. The neighborhood meeting was held at the project site located at 404 N Alvernon Way. No members of the public attended the neighborhood meeting. Additionally, no calls or emails for this meeting were received according to the applicant.

## **Background Information**

### **Existing Land Use:**

Existing single-story, vacant commercial office building of approximately 2,424 square feet.

### **Current Zoning:**

R-3: This zone provides for urban, high density, residential development and other uses compatible with adjoining residential land uses.

### **Surrounding Zoning and Land Use:**

Land surrounding the site is zoned O-3 to the north, C-1 to the south, and R-1 to the east and west.

There is an existing commercial–medical outpatient office building to the north, a hotel to the south, and existing single-family dwellings to the east and west.

Previous Cases on the Property: The subject property was proposed to be rezoned under C9-90-22 to B-1 in 2009 but was withdrawn and was superseded by C9-81-26 in 2010 which established the existing R-3 zone (effectuated). A Zoning Compliance Review was recently applied for (TZ-CMP-0925-00158-voided) and it was subsequently determined that a Zoning Examiner Special Exception Procedure would be required for the proposed renovated dental office as a Medical Service land use since it is a legal non-conforming use proposing an expansion.

Related Cases: None

**Applicant's Request** – The applicant's project is an expansion of a Commercial-Medical Services, Outpatient use on the subject property, which is currently zoned R-3, which requires a Zoning Examiner's Special Exception.

**Planning Considerations** – Land use policy direction for this area is provided by *Plan Tucson*.

Plan Tucson (PT) 2025: The proposed use lies within the Mixed-Use Corridor building block of the Future Growth Scenario Map. These areas combine a variety of retail and services options in close proximity to each other, providing access to a variety of goods and services.

Plan Tucson 2025 Chapter 4 - Growth and Development provides Building Block or Special Planning Area designations with a corresponding set of Guidelines to consider. These Guidelines will provide primary guidance for those seeking a Special Exception and staff who review the proposed development.

Special Exceptions must be evaluated based on all Plan policies and recommendations. Plan policy review determines whether new developments are compatible, appropriate, and designed in harmony with existing land uses and neighborhoods.

*Alvernon-Broadway Area Plan (ABAP)* – ABAP designates the subject property as Office/High Density Residential. The nonresidential policies are intended to limit office and commercial development to locations within the Plan Area that are most suited to handle the intensity of such uses in terms of traffic generation and other potential impacts on adjacent residential uses. These policies have been designed to minimize the expansion of nonresidential uses into existing neighborhoods and are to be used in conjunction with the General Design Guidelines. Plan policies are used primarily during the rezoning process and for applicable CDRC reviews. Plan policies also help to formulate staff positions on requests for variances to Land Use Code requirements.

Policy 2 -Limit new office and commercial uses and redevelopment of existing uses to the locations shown on the Conceptual Land Use Map when all the following criteria are met. a. Primary access can be provided from an arterial street. b. All parking and maneuvering requirements can be met on-site or, if off-site, on locations that have been historically used for parking in conjunction with the site. c. Screening and buffering for adjacent residential uses can be provided on-site. d. New development complies with the General Design Guidelines.

### **Project Background**

The special exception site is located at the northwest corner of N Alvernon Av and E Holmes St. The site is currently zoned R-3, and a Zoning Examiner's Special Exception is required for the proposed use. The applicant is proposing to expand the existing 2,424 square-foot commercial office building with a 516 square foot addition.

The Zoning Administrator has noted that this is a legal nonconforming use that is proposing an expansion (Medical Service in R-3). This use/expansion triggers a Zoning Examiner special exception, and compliance with use specific standards 4.9.4.O.2 and 4.9.4.P.1, 2.a, .3, & .4. I. The Unified Development Code requires that the project goes through this special exception process.

### **Design Considerations**

Land Use Compatibility – The proposed land use is for a major renovation of the entire building including a small addition at the front, southern elevation. The applicant is proposing to expand the existing 2,424 square-foot commercial office building with a 516 square foot addition. It is permissible in the R-3 Zone subject to review and approval per the Zoning Examiner Special Exception Procedure established by Section 3.4.4 of the UDC.

The Project site of 0.34 acres is located at the northeast corner of N Alvernon Wy and E Holmes St, adjacent to an existing commercial medical outpatient office building to the north, a hotel to the south, and existing single-family dwellings to the east and west. The surrounding zones and land uses will be buffered by proposed site improvements such as with block walls along the northerly and westerly perimeters and additional landscaping.

The proposed Special Exception for medical service/ dental office use totaling approximately 2,940 square feet is unlikely to directly affect nearby property owners in a negative way due to corner street location as prior medical service office use with existing street improvements and on-site parking.

The proposed use of the building as a dental office is a continuation of the medical services that have historically been located at this property, namely, dental offices and optometrists. These low-traffic and low-intensity office uses are ideal for arterial roadways and provide a buffer for adjacent residential uses closer to the neighborhood's interior.

The General Plan and Area Plan both contain policies supporting medical service uses within the development area. The project is located within the Tucson Registered Neighborhood of Peter Howell.

Design Compatibility - The Preliminary Development Plan shows that the project consists of a prior dentist's office site & building (cir. 1965). It was recently purchased by a new dentist and is planned for a major renovation and minor addition to the building, utilizing the existing parking pavement area with new site improvements. The existing monument sign within the interior of the lot will be preserved minimizing sign clutter.

The building is located near the northern boundary of the 0.83-acre site with parking areas on the southerly and easterly portions of the parcel. Vehicle access is provided from N Alvernon Way and E Holmes St. Parking calculations for the expansion are similar to the previous use in the existing building to be remodeled, and there are minimal proposed changes to existing parking area on-site other than re-paving, striping, and new tree islands.

The existing building will be improved with a new roof that allows for greater interior ceiling heights. These improvements will not alter the building's function or add additional stories, ensuring that the privacy of adjacent residential properties east of the alleyway and west of North Alvernon Way is maintained.

New landscaping will be added to enhance the buffer between the property and neighboring residences. Plant material will be installed in the existing planters on the east side of the site, and a new curbed planter will be constructed just north of the existing planter. To accommodate the new planter, the shade structure and two associated parking spaces in the northeast corner of the property will be removed. This change will reduce activity along the east side of the property and within the alleyway, further enhancing the privacy of the adjacent residential properties.

The existing building is finished with stucco, a common material in the Southwest due to its durability in the extreme temperatures of southern Arizona. As part of the proposed renovations, three of the building's four walls will be retained, with only the southern wall reconstructed. The new southern façade will feature stucco trims and wall finishes, stone caps, and a wainscot veneer of stone, masonry, or similar material. These materials are consistent with and complementary to other commercial buildings in the surrounding area, including the Lodge on the Desert to the south and the two buildings located on parcels immediately north of the site.

#### Drainage/Grading/Landscape

The site is an existing development that will be improved as part of the proposed project; as such, there will be no elevation changes due to proposed site improvements, and no new site grading will occur. No significant vegetation exists on the property. Existing vegetation screening exists along the northern and westerly boundaries, with enhanced landscaping to be provided within interior parking area. Rainwater harvesting with new landscaping and removal of asphalt will address drainage impacts.

#### Traffic/Circulation

The site will retain the existing traffic circulation and curb cut locations along N Alvernon Wy and E Holmes St. with new five-foot sidewalk along E Holmes St being installed. A 20-foot public alley is located along the westerly boundary, but is not accessible from the property. Parking will be provided per City of Tucson parking requirements. The development package must demonstrate compliance with applicable requirements per the UDC.

### **Use-Specific Standards**

The following Use-Specific Standards under Commercial Services Use Group Section 4.9.4.O.2 in addition to Section 4.9.4.P.1, 2.a, .3, and .4 per UDC Table 4.8-2. are applicable to the proposed Special Exception:

- UDC 4.9.4.O.2 – Medical Service - Blood donor centers are not permitted.

The proposed Commercial-Medical Services, Outpatient use as a remodeled dental office will exclude blood donation centers on the premises per the UDC Code.

- UDC 4.9.4.P.1 – Medical Service in Residential and Office Zones Standards. 1. The facility must front on a street on the Major Streets and Routes (MS&R) Plan or on a residential street, provided: a. The residential street intersects a street on the MS&R Plan ; and, b. The property is within 150 feet of a street on the MS&R Plan, measured along the residential street.

The proposed Commercial-Medical Services, Outpatient use as a remodeled dental office building is located immediately adjacent to N Alvernon Wy along the easterly boundary which is a designated a gateway arterial and is located along E Holmes along the southerly boundary which is designated as a local street in compliance with the UDC and MS&R Plan.

- UDC 4.9.4.P.2 Minimum Setbacks a. A minimum perimeter yard of 20 feet from any interior lot line adjacent to a residential zone is required.

A minimum setback of approximately 42-feet shall be maintained to the westerly residential zoned lot exceeding 20-feet in compliance with the UDC.

- 3. Requests to vary the provisions of this section, including setbacks for existing or new buildings, are processed in accordance with Section 3.10.1 and 3.10.3, Board of Adjustment Variance Procedure.

No requests to vary this section including minimum required setbacks are required or proposed.

- 4. If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided.

No AZ licensing for the existing commercial services building is required, except for medical professional personnel who may occupy the premises in the future which is required to be maintained by the business owners.

### **Special Exception Findings**

*Section 3.4.5.A* of the UDC requires that Zoning Examiner grant a special exception only after finding that the requested special exception:

1. Meets the standard expressly applied by all adopted codes and regulations for that type of land use, or for the land use class applicable to the proposed use. – The application materials demonstrate that the Project meets all applicable standards and regulations governing Commercial – Medical Services, Outpatient use.
2. Does not adversely affect adjacent land uses or the surrounding neighborhood; or that such adverse effects can be substantially mitigated through the use of additional conditions. - Use of an existing commercial office building for a remodeled dental office conforms to and complements adjacent land uses and the surrounding neighborhood because:
  - The Project represents an investment and improvement on a parcel and building that are currently being remodeled with site and landscaping improvements.
  - The Project reactivates a vacant commercial building as a remodeled dental space.
3. Provides for adequate and efficient vehicular and pedestrian access and circulation and vehicular parking. - The Property will utilize existing on-site parking with re-striped parking lot accessed from N Alvernon Wy and E Holmes St. The proposed use is subject to the standard parking requirements of 1 space per 300 square feet, which will be provided by restriping and repaving of existing parking lot. According to City of Tucson Traffic Engineering review, no street widening is required.
4. Can be adequately and efficiently served by public facilities and services, such as water, storm water drainage, fire and police protection, and solid and liquid waste disposal and/or collection as may be required by the various public and private agencies. – This project requires no additional public facilities or services as compared to the property’s previous uses. The project is in Tucson Police Department’s Operations area as well as by Tucson Fire. Solid waste facilities will be designed according to City of Tucson code.
5. Complies with the General Plan and any applicable sub-regional, area, or neighborhood plan. - The Project will be a Commercial – Medical Services, Outpatient use, and the property is already zoned R-3 Commercial. Further, the project lies within the Mixed-Use Corridor building block of the Future Growth Scenario Map. Policies within these areas encourage the reactivation of vacant commercial space.

**Conclusion** – The proposed special exception is consistent with *Plan Tucson*, and in compliance with performance criteria of UDC Sections 3.4.3, 3.4.5, 4.8.4 and 4.9.4 subject to compliance with the attached preliminary conditions, approval of the special exception land use in the R-3 zone is appropriate.

### PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated February 6, 2026, and required reports, is 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 (PDS) before the item is scheduled for Mayor and Council action.
3. Eighteen months are allowed from the date of approval of the Special Exception by the Zoning Examiner until the issuance of a Certificate of Occupancy by PDS. The PDS Director may grant one (1) six-month extension following written request from the property owner. The request must be received by PDS a minimum of 60 days prior to the end of the 18-month timeframe and include the reason(s) for the extension request.
4. 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.
5. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.

### LAND USE COMPATIBILITY

6. Graffiti on walls or on any other location on site shall be removed within seventy-two (72) hours of discovery.
7. The Property site shall utilize reasonable passive rainwater harvesting techniques, such as water harvesting basins and desert-adapted vegetation, to enhance the proposed landscape and preserve water resources.

### ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

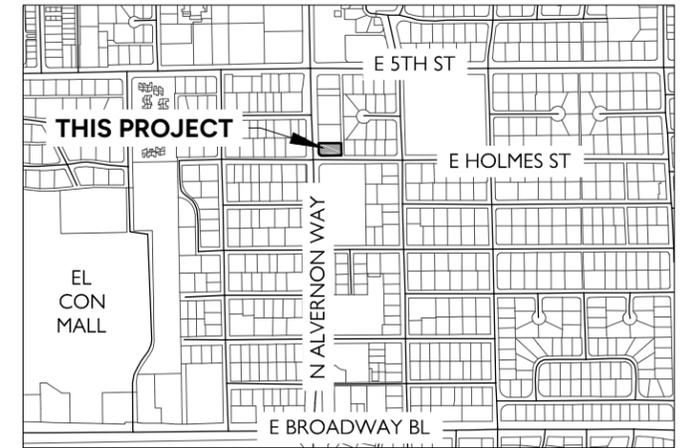
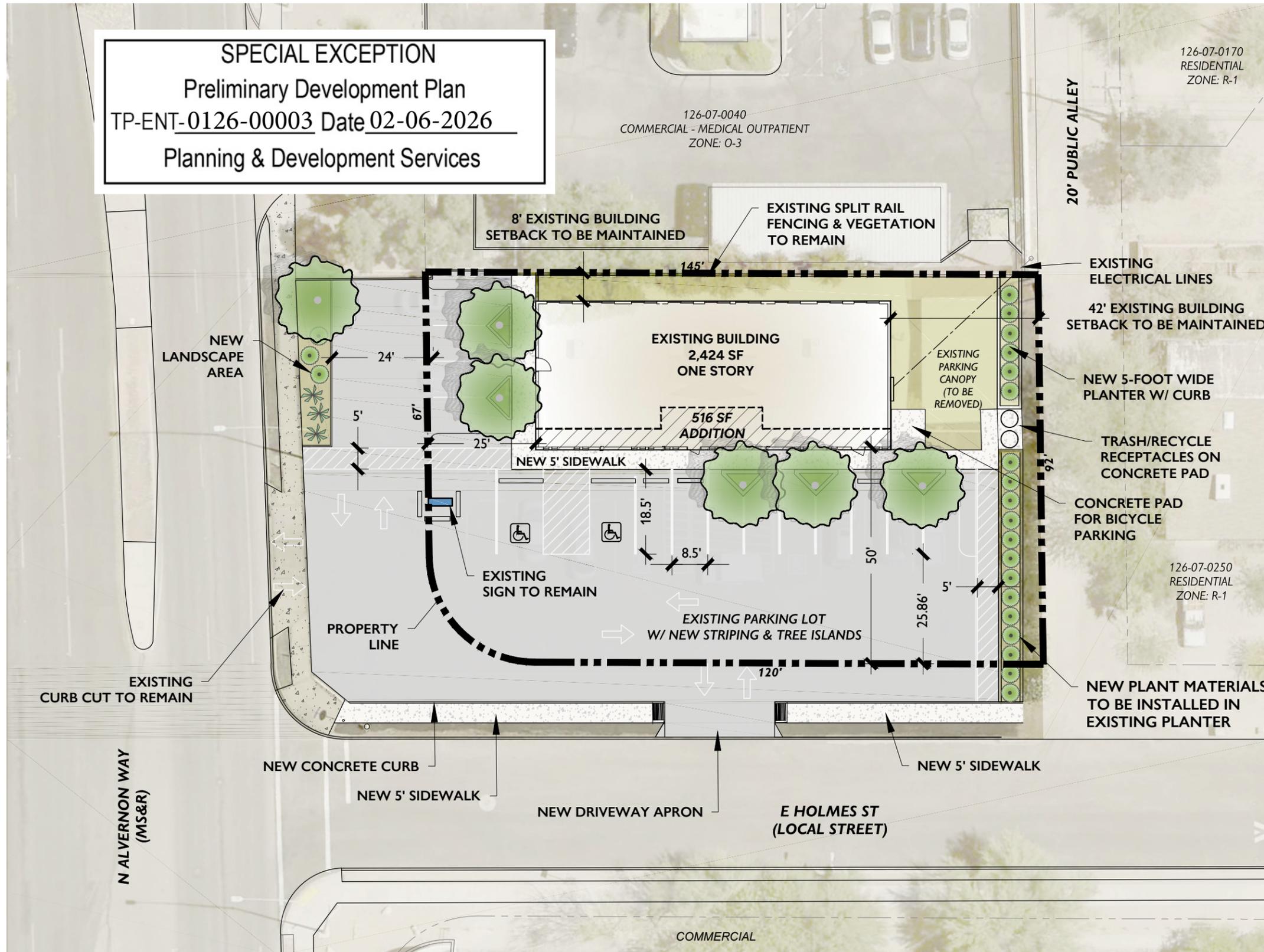
8. All offsite improvements required with the development, such as street improvements, curb, sidewalk, and ADA ramps shall be coordinated with the City of Tucson’s Department of Transportation & Mobility (DTM).

RECLAMATION DISTRICT

9. Pima County Wastewater Reclamation provides the condition that the owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the special exception area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD. "

# PRELIMINARY DEVELOPMENT PLAN

**SPECIAL EXCEPTION**  
 Preliminary Development Plan  
 TP-ENT-0126-00003 Date 02-06-2026  
 Planning & Development Services



LOCATION MAP  
 SCALE: 1" = 0.25 MILE

**NOTES**

Project Acreage: 0.34 Acres  
 Parcels: 126-07-0050  
 Addresses: 404 N Alvernon Way  
 Jurisdiction: City of Tucson (Ward 6)  
 Area Plan: Alvernon-Broadway  
 Existing Zoning: R-3 (Residential Zone)  
 Existing Use: Commercial - Medical Service, Outpatient

Proposed Use: Commercial - Medical Service, Outpatient (Expansion)  
 Applicable Use-Specific Standards: 4.9.4.P.1, .2.a, .3. and .4  
 Proposed Building Square Footage (SF): 2,940 SF  
 - Existing: 2,424 SF  
 - Expansion: 516 SF (21%)  
 Proposed Building Height: 14 feet  
 Maximum Building Height: 25 feet

Existing Lot Coverage: 77.7%  
 Proposed Lot Coverage: 77.4% (0.3% less than existing condition)

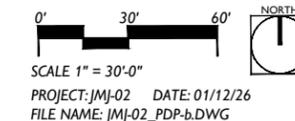
No landscape borders or screening improvements are required per UDC Section 7.6.2.

Required Parking Spaces (1 space/200 SF): 15 spaces  
 Existing Parking Spaces: 15 spaces  
 Required Bicycle Parking Spaces: 2-long term and 2-short term spaces  
 Provided Bicycle Parking Spaces: 2-long term and 2-short term spaces

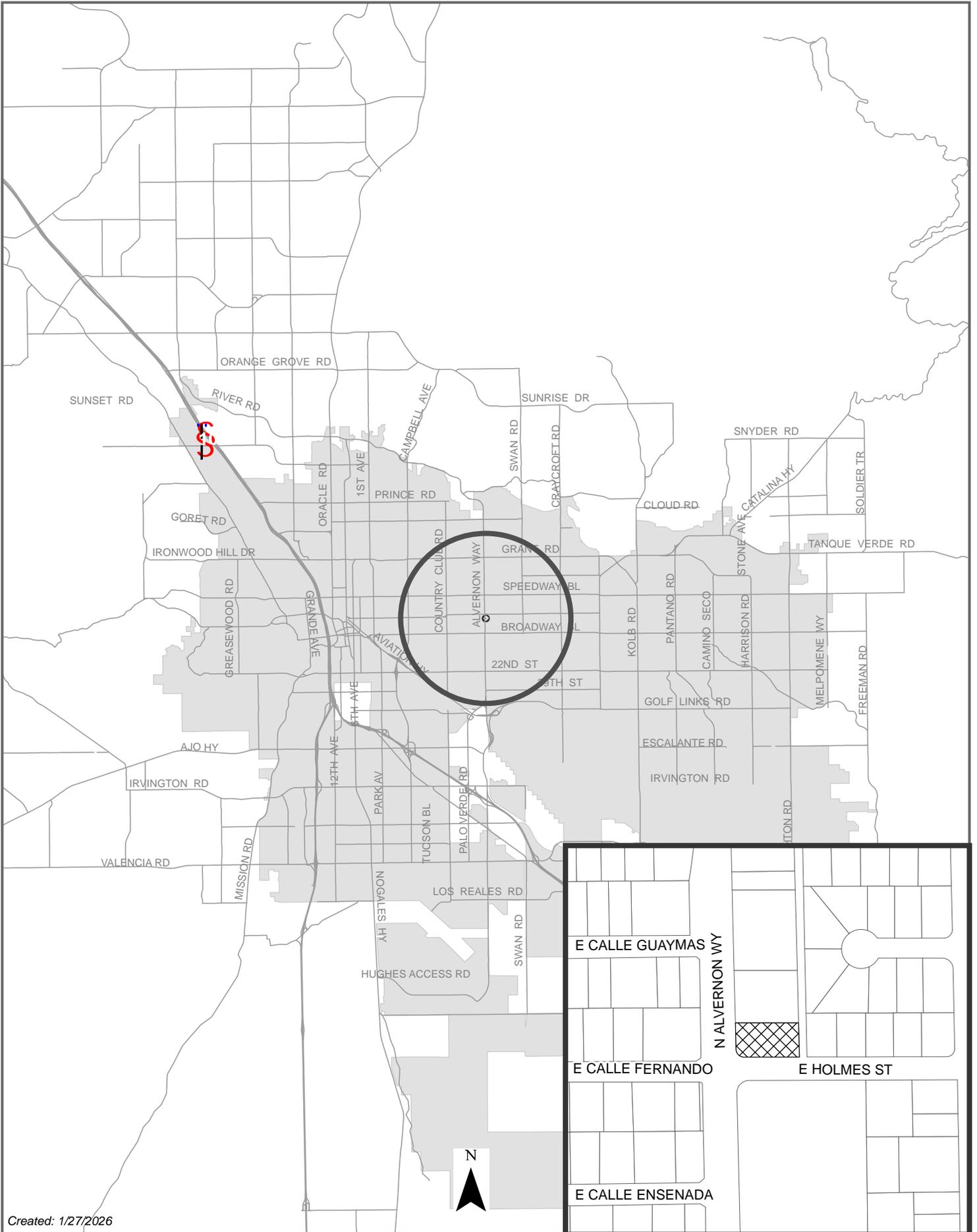
**LEGEND**

- Property Boundary
- Building/Use Expansion Area
- Existing Parking Area
- Sidewalks / Concrete
- Common / Landscaped Areas

**DENTAL WISE: DR. MANNY RODRIGUEZ**



# TP-ENT-0126-00003

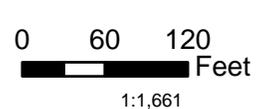


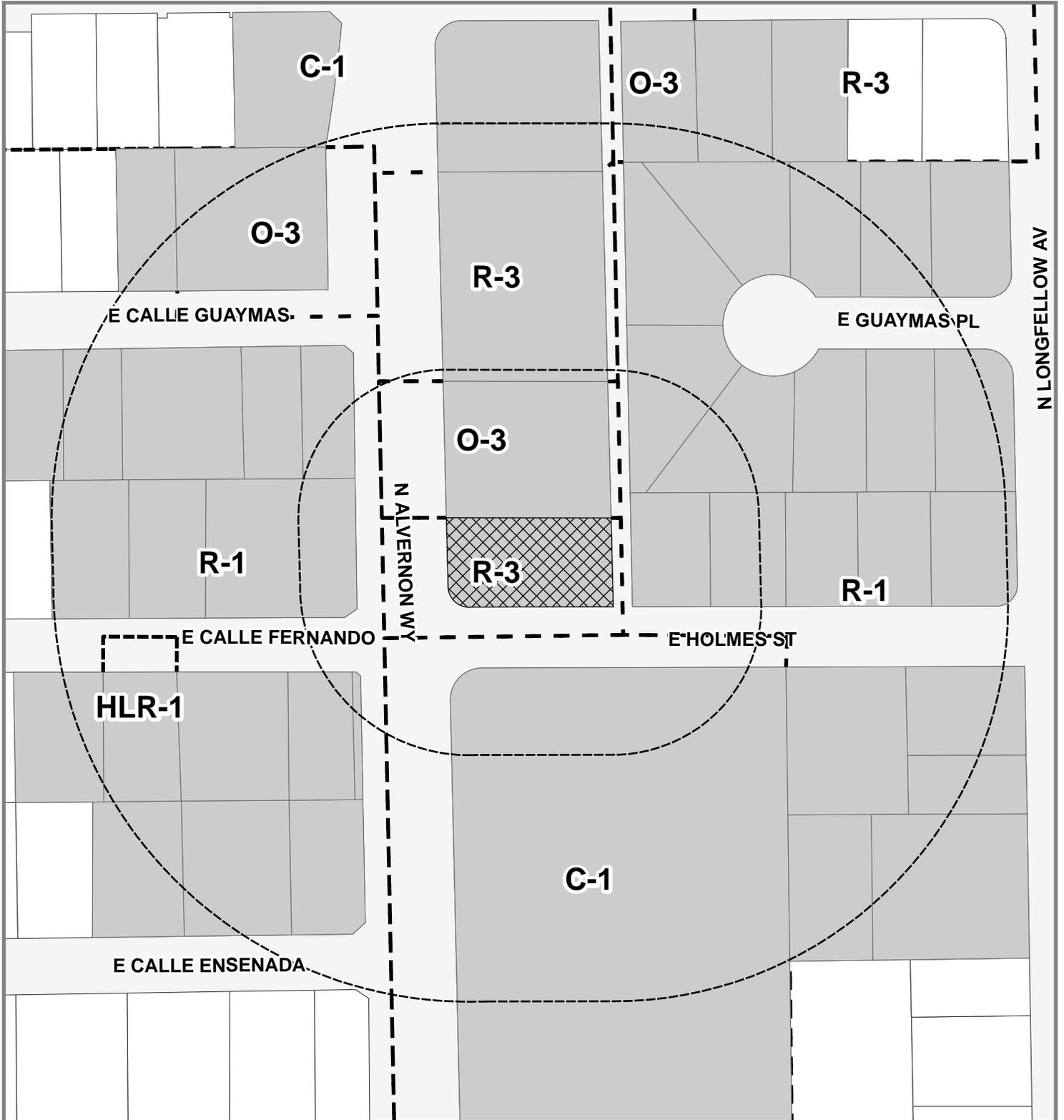


 Area of Special Exception Request

Address: 404 N ALVERNON WY  
Base Maps: Twp. 1403 Range 1402 Sec. 10  
Ward(s): 6

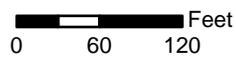
2022 Aerial  
Created: 1/27/2026





-  Area of Special Exception Request
-  Properties Notified
-  Zone Boundaries
-  400' Notification Area
-  Protest Area (150 ft. Radius)

Address: 404 N ALVERNON WY  
Base Maps: Twp. 1403 Range 1402 Sec. 10  
Ward(s): 6



1:1,661





Place  
Stamp  
Here

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

TP-ENT-0126-00003 JO

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

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IMPORTANT REZONING NOTICE ENCLOSED