



MEMORANDUM

DATE: January 16, 2024
For February 1, 2024 Hearing

A handwritten signature in blue ink that reads 'Kristina Swallow'.

TO: John Iurino
Zoning Examiner

FROM: Kristina Swallow, Director
Planning & Development Services

SUBJECT: SPECIAL EXCEPTION LAND USE –
PLANNING & AND DEVELOPMENT SERVICES REPORT
TP-ENT-0923-00036– 3237 E. Fort Lowell Road, O-3, Non conforming
Substitution (Ward 3)

Issue – This is a request by WLB Group, on behalf of the property owner 3237 Ft Lowell LLC, for approval of a Special Exception Land Use to allow a substitution of a non-conforming Construction Service use to a non-conforming use of Wholesale/retail plumbing supply business with outside storage, as permitted in the *Unified Development Code* (UDC). The project site is located at 3237 E. Fort Lowell and is comprised of two parcels totaling 2.47 acres. The property is currently occupied by a contractor equipment yard, a use which requires C-2 zoning, resulting in establishment of the non-conforming use.

The applicant proposes a Plumbing Suppliers, a wholesale/retail plumbing supply business with outside storage. Per the Unified Development Code, this use is classified as Business Supply and Equipment Wholesaling which also requires C-2 zoning. The site including the existing structure will remain largely as it exists currently. The existing perimeter screen walls will be retained and will continue to screen the use from the adjacent neighborhoods. There will be minimal change to the exterior and no additional building height. The site is currently zoned O-3 (Office) and located at the northwest corner of East Fort Lowell Road and North Edith Boulevard, about 1,000 feet from Country Club Road (see Case Location Map).

Due to the nonconforming use as established by the existing Construction Service Land Use, the most restrictive zoning which allows Construction service by right is C-2 zoning. Business Supply and Equipment Wholesaling use are also permitted in C-2 with specific standards. Per the *Unified Development Code*, a new non-conforming use may substitute an existing non-conforming use through the Zoning Examiner Special Exception Procedure. The non-conforming use status was established in 1988 and reaffirmed in 2023 by the current Zoning Administrator.

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 project team held a virtual meeting on August 29, 2023. There was zero attendance by neighbors at the meeting.

Background Information

Existing Land Use:

The existing parcels were utilized as Construction Service Land Use and other uses.

Current Zoning:

O-3: This zone provides for mid-rise, medical, civic, and select other uses, such as urban agriculture and renewable energy generation, that provide reasonable compatibility with adjoining residential uses.

Surrounding Zoning and Land Use:

North: R-3 (*Residential Zone*); Apartments

South: C-1 (*Commercial Zone*); Apartments, Office Park

East: R-3 (*Residential Zone*); Townhouses

West: R-3 (*Residential Zone*). Apartments

Previous Cases on Property: None

Related Cases: None

Applicant’s Request – The applicant is requesting to substitute a nonconforming Construction Service use to a nonconforming Business Equipment Supply and Wholesaling use with minimal site improvements.

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

Plan Tucson (PT): Plan policy is provided by *Plan Tucson*, which identifies the site in the “Existing Neighborhoods” and contains the following policies related to the proposed non-conforming use substitution use from a different land use class:

- **LT28.1.7** Preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community.
- **LT28.1.18** Support the development and management of healthy and attractive urban vegetation.
- **LT28.2.12** Support environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community.

Development Review for Existing Neighborhoods:

- **LT28.2.4** Support community commercial and office uses located at the intersections of arterial streets, taking into consideration traffic safety and congestion issues.
- **LT28.2.13** Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.
- **LT28.2.14** Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.

Development Review for Mixed-use Centers:

- **LT28.5.8** Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.
- **LT28.5.9** Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.

Northside Area Plan: The subject site is within the *Northside Area Plan*, within Subarea 5. The purpose of the Plan is to guide future development while protecting and enhancing existing uses while mitigating any negative effects. The applicable goals of the Plan, which are designed to be used with the Plan's *General Design and Buffering Guidelines* are:

- Encourage a mix of residential and nonresidential land uses at appropriate locations, while protecting the integrity of existing neighborhoods.
- Protect existing and future residential neighborhoods from non-local traffic and roadway improvements, while providing for development of key city-wide transportation corridors.

The Plan's goals are supported by the following applicable subgoals and policies:

Nonresidential Subgoal Provide for nonresidential uses in the Northside area that are designed in harmony with adjacent development.

Policy 5 –Ensure well-designed nonresidential development by:

- a. Minimizing the number of vehicular access points.
- b. Providing common access points and parking, integrated vehicular and pedestrian circulation systems, and other amenities in common with adjacent nonresidential developments.
- c. Promoting consolidation of abutting parcels for new, nonresidential uses to allow for adequate buffering of adjacent residential development.
- d. Requiring appropriate design elements and buffering techniques during the

rezoning and associated development review processes to ensure the sensitive design of nonresidential developments on established neighborhoods. These elements must be shown on rezoning concept plans and development plans (see General Design and Buffering Policies)

The subject site is within Sub Area 5 of the Northside Area Plan which covers the historic Binghampton neighborhood. Sub Area 5 Land Use policies allow a continuation of the long existing mixed-use land-use pattern in the Binghampton neighborhood and identify a Core Residential Area. The subject site is outside of the Core Residential Area, therefore both residential and nonresidential uses are permitted subject to the Northside Area Plan General Design and Buffering policies. The General Design and Buffering policies help ensure that infill projects are designed in a manner that is sensitive to existing northside development.

Project Background

The property is currently zoned Office O-3 and is occupied by Diversified Design and Construction, a construction service business with a contractor's equipment yard, a use that requires a minimum of C- 2 zoning. This nonconforming use was legally established under prior regulations.

The nonconforming use status of this property was established in 1988 and reaffirmed by the current Zoning Administrator in 2023 via a Nonconforming Use Status Letter.

Substitution Criteria

Section 9.2.4.A of the UDC allows the Substitution of a Nonconforming Use provided the following criteria are met as determined by City Planning Staff and the Zoning Examiner:

- A. The substitute use is a use permitted in the most restrictive zoning classification in which the existing nonconforming use is permitted as of right: The proposed wholesale/retail plumbing supply business with outside storage is permitted in the
 - a. C-2 zone which is the most restrictive zoning classification in which the existing construction service use is permitted as of right.

- B. The substitute use does not generate additional traffic or noise, have longer hours of operation, have additional outside lighting, or cause other negative impacts on adjoining properties greater than those associated with the existing nonconforming use:
 - i. Traffic: The proposed wholesale/retail plumbing supply business will generate approximately 25 to 30 customers on-site each day. This is approximately the same number of vehicle trips that were generated by the existing construction service business. Visitors to the site will continue to utilize the access points on Fort Lowell Road used by the construction service business.

 - ii. Noise: The noise generated by the proposed wholesale/retail plumbing supply business is anticipated to be similar or less than that generated by

the construction service business. The construction service business would test equipment on occasion in the outdoor yard and there was some noise when loading vehicles and equipment. The proposed wholesale/retail plumbing supply business will not test equipment. A forklift will be used to unload delivery trucks and it is no louder than the contractor's trucks that will be at the property.

- iii. Hours of Operation: The construction service business operated from 7:30 AM to 5 PM and summer hours were from 5 AM to 5 PM. The proposed wholesale/retail plumbing supply business hours of operation will be similar and will be Monday to Friday from 6 AM to 5 PM, Saturday from 6:30 AM to 12 PM and closed on Sundays.
- iv. Lighting: The proposed wholesale/retail plumbing supply business is not anticipating needing additional outdoor lighting.
- v. Other: The existing perimeter screen walls will be retained and will continue to screen on-site activities from surrounding properties.
- vi. Overall, the reuse of the existing buildings and storage areas will have no greater impact than the existing nonconforming construction service use.

C. The substitute use provides parking as required by the Unified Development Code (UDC). The proposal includes 31 vehicle parking spaces, 20 of these spaces are located along Fort Lowell Road. Based on estimates of existing conditions, the existing 31 parking spaces exceed the parking required by the Unified Development Code.

D. The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use. The proposal does not include any extension or enlargement of the existing buildings. The proposed use will operate in the existing structures and storage areas. No new buildings or building expansions are proposed.

Engineering/Drainage/Grading/Landscape

The site is developed and will remain part of the proposed project; as such, there will be no elevation changes due to grading. No new landscaping is proposed.

Traffic/Circulation/Accessibility

The site will largely retain the existing traffic circulation and curb cut locations. Additional comments from the Department of Transportation and Mobility provide guidance for required improvements and technical standards as required. Furthermore, the sidewalks along the frontage of Fort Lowell will have to demonstrate ADA slope and design compatibility and any reconstruction of sidewalks along Fort Lowell must be 6' wide.

Conclusion – The proposed substitution of a nonconforming Construction Service use to a Wholesale/Retail plumbing supply business with outside storage use is consistent with *Plan Tucson* and *the Northside Area Plan*, and in compliance with performance criteria of UDC Sections 9.2.4.A-D. The proposal is subject to compliance with the attached preliminary conditions, approval of the nonconforming substitution special exception in the O-3 zone is appropriate.

C:\Users\spaz1\City of Tucson\PL - Advanced Planning - Entitlements\SPECIAL EXCEPTIONS\2023\TP-ENT-0923-00036 - 3237 Fort Lowell LLC- Fort Lowell and Edith

Preliminary Conditions

TP-ENT-0923-00036 – 3237 E. Fort Lowell Road, Rezoning
O-3 Non-Conforming Substitution (Ward 3)

PROCEDURAL

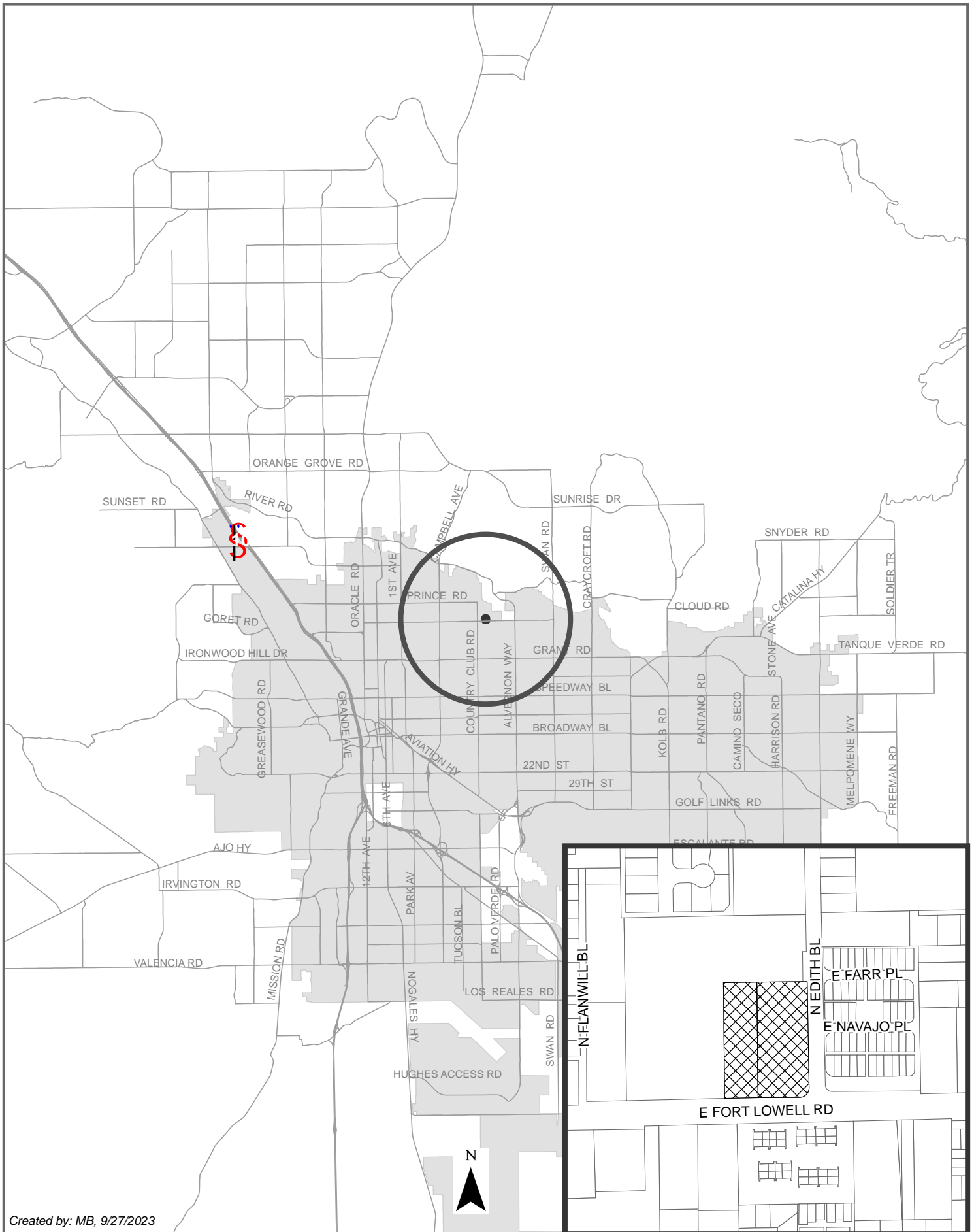
1. A development package in substantial compliance with the preliminary development plan dated January 12, 2024, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under 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”.
3. 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.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning/special exception.

SITE ENGINEERING

6. All new uses of land or structures require sidewalks (regulated by TSM 10-01.0.0).
7. Within 60 days of the Zoning Examiner decision, a Right of Way permit shall be applied for by the applicant and submitted to DTM and PDSO for sidewalk improvements. Sidewalk along Ft. Lowell Rd must be shown to have a cross slope of 2% or less where it is crossed by driveways or be reconstructed (TSM 10-01.4.1) A pedestrian easement will be required if the sidewalk crosses onto private property. SDG 3-14 Where sidewalks cross driveways, the sidewalk should be dominant, maintaining the level, slope, and material of the sidewalk. If the sidewalk along Ft. Lowell Rd is being reconstructed, it should be built to 6' wide (TSM 10-01.4.1.A.1.a).

ZONING EXAMINER CONDITIONS

TP-ENT-0923-00036 - Ft. Lowell LLC - Ft. Lowell and Edith



TP-ENT-0923-00036 - Ft. Lowell LLC - Ft. Lowell and Edith



Area of Special Exception Request

Address: 3237 E FORT LOWELL RD
Base Maps: Twp. 1303 Range 1402 Sec. 28
Ward(s): 3

2020 Aerial

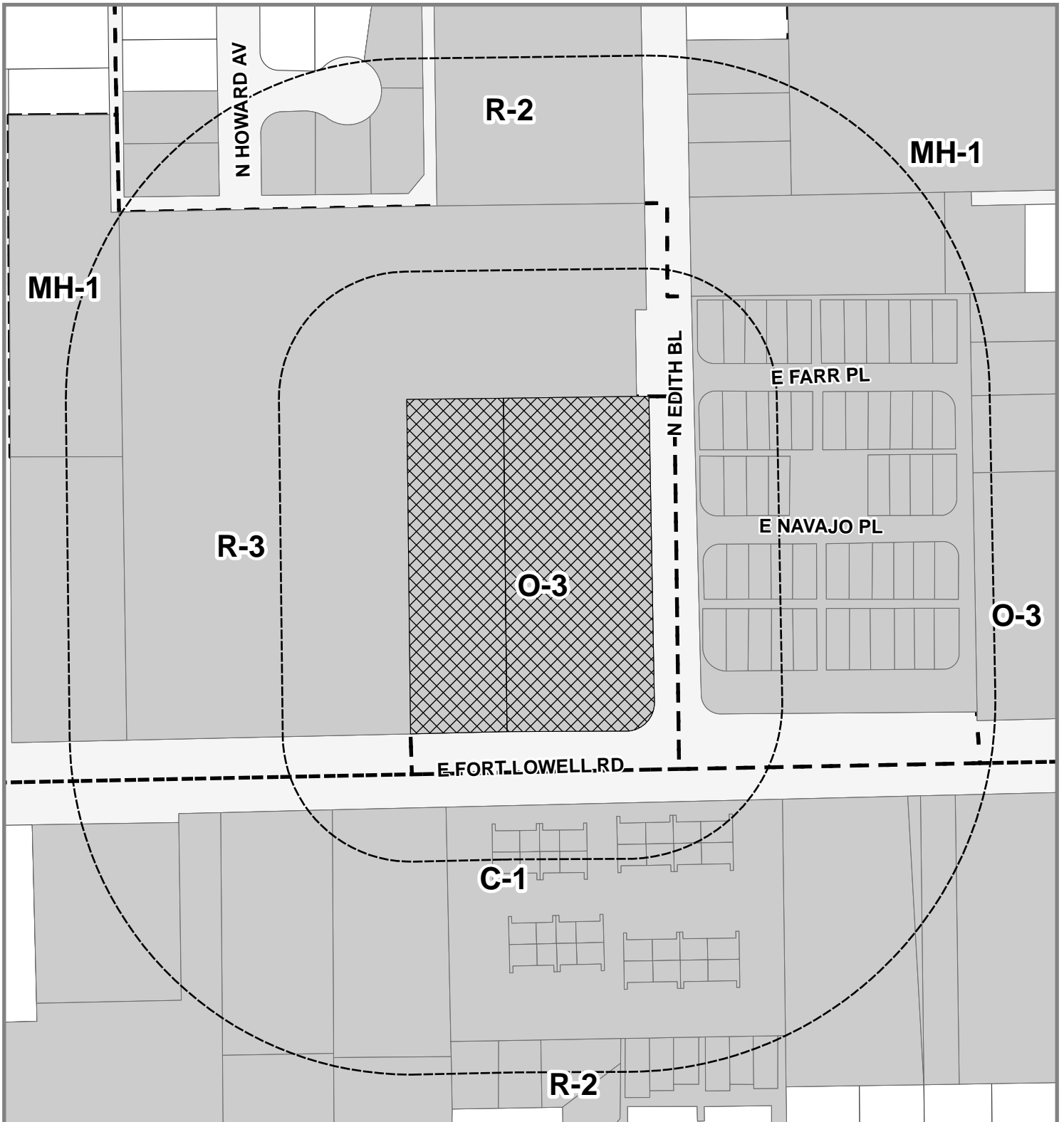
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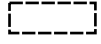

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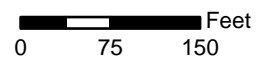


TP-ENT-0923-00036 - Ft. Lowell LLC - Ft. Lowell and Edith



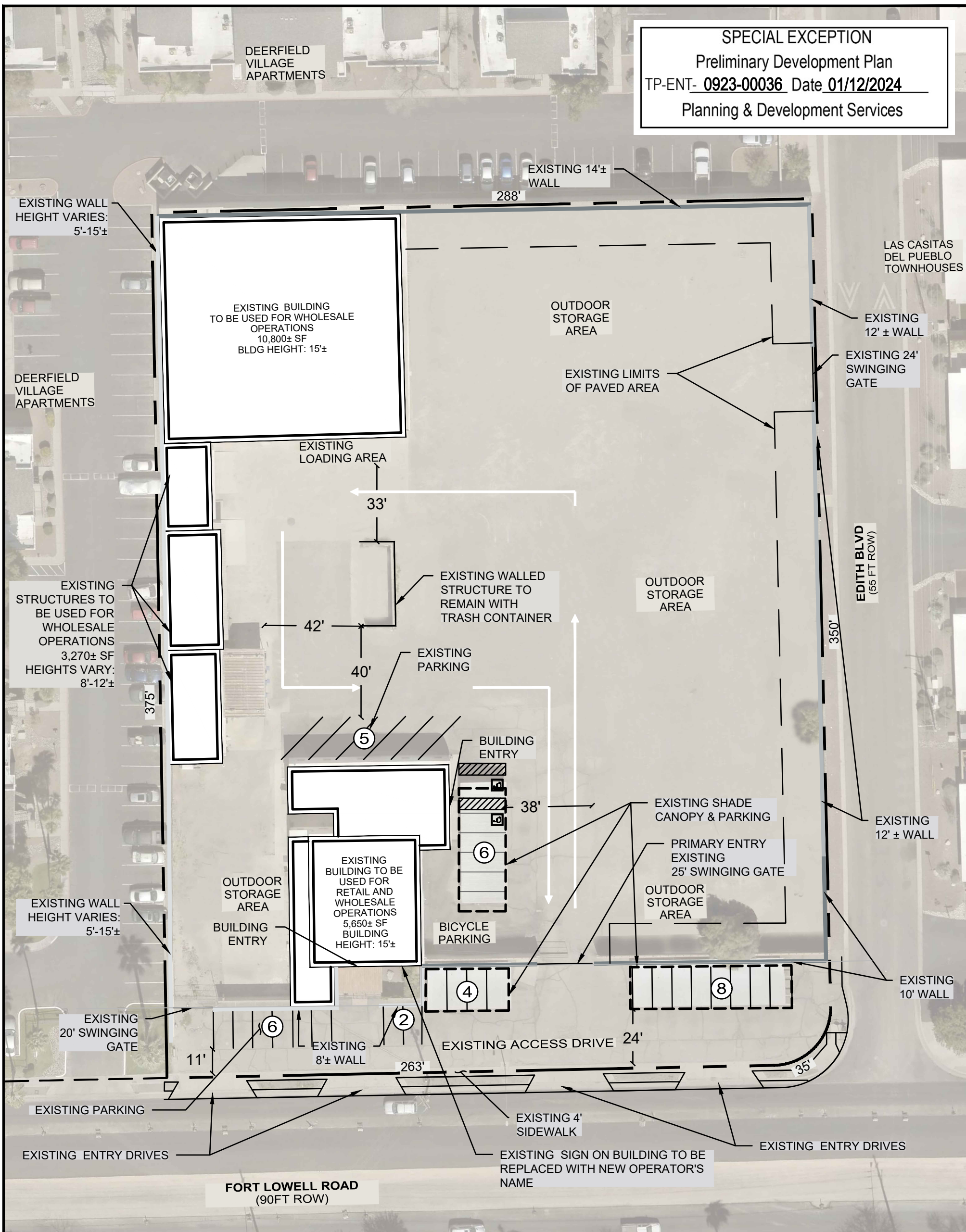
-  Area of Special Exception Request
-  Properties Notified
-  Zone Boundaries
-  400' Notification Area
-  Protest Area (150 ft. Radius)

Address: 3237 E FORT LOWELL RD
Base Maps: Twp. 1303 Range 1402 Sec. 28
Ward(s): 3



1:1,925

SPECIAL EXCEPTION
Preliminary Development Plan
 TP-ENT- 0923-00036 Date 01/12/2024
 Planning & Development Services



NOTES

1. ADDRESS:	3237 E FORT LOWELL RD TUCSON AZ 85716-1636
2. PARCEL NUMBER:	111-03-209A & 111-03-212B
3. TOTAL SITE AREA:	2.47± ACRES
4. EXISTING ZONING:	O-3 (THIS PROJECT IS REQUESTING ZONING EXAMINER SPECIAL EXCEPTION TO ALLOW A SUBSTITUTION OF NONCONFORMING USE.)
5. SURROUNDING ZONING:	NORTH, WEST & EAST: R-3 SOUTH: C-1
6. PROPOSED USE:	PLUMBING SUPPLIERS, A WHOLESALE & RETAIL PLUMBING SUPPLY BUSINESS.

7. EXISTING PARKING:	31 SPACES (INCLUDING 2 ADA SPACES)
PARKING REQUIRED:	25 SPACES & 2 ADA SPACES
WHOLESALE (1 SPACE /2000 SF):	10800/2000 = 6 SPACES
RETAIL (1 SPACE /300 SF):	5650/300 = 19 SPACES
8.	THERE ARE NO EXISTING BILLBOARDS ON THE PROPERTY.
9.	THERE IS NO EXISTING ONSITE LANDSCAPING AS MOST OF THE SITE IS PAVED. NO NEW LANDSCAPING IS PROPOSED.
10.	THE SUBJECT PROPERTY IS IN FEMA ZONE X PER FEMA FIRM 04019C1693L, DATED JUNE 16, 2011.



EXHIBIT H
PROPOSED CONDITIONS SITE PLAN



0:12300701 Planning04 Zoning Examiner Special ExceptionExhibit 0.dwg Plotter: Oct 10, 2023

3237 E Fort Lowell Road

Zoning Examiner Special Exception
City of Tucson, AZ



Prepared For:

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PART I – INTRODUCTION AND POLICY

A. Introduction

This is a request for a Zoning Examiner Special Exception to allow a substitution of nonconforming use for an approximately 2.47-acre property comprised of two tax parcels, 111-03-209A and 111-03-212B. The subject site is located at the northwest corner of Fort Lowell Road and Edith Boulevard. The property is currently zoned Office O-3 and is occupied by Diversified Design and Construction, a construction service business with a contractor's equipment yard, a use that requires a minimum of C-2 zoning. It is a nonconforming use that was legally established under prior regulations.

The nonconforming use status of this property was confirmed by a letter from the City of Tucson dated January 25, 1988. A letter dated August 4, 2023, from Elisa Hamblin AICP City of Tucson Zoning Administrator, confirmed that the nonconforming status of the property continues to the present day. Please see Appendix A: Nonconforming Use Status Letter. A new nonconforming use may be substituted for an existing nonconforming use through a Zoning Examiner Special Exception Procedure per Unified Development Code (UDC) 9.2.4, and thus the reason for this application.

The proposed user of the site is Plumbing Suppliers, a wholesale/retail plumbing supply business with outside storage. This is an existing business in Tucson that wishes to relocate to this site. Approximately 85 percent of their sales will be wholesale and approximately 15 percent will be retail. The UDC classifies such a use as Business Supply and Equipment Wholesaling, a use that requires C-2 zoning. The existing buildings and site improvements will remain. The existing perimeter screen walls will be retained and will continue to screen and secure the site.

The substitute use of the site will have no greater impact on the neighboring properties than the existing use for the following reasons which are explained in greater detail later in this narrative:

Customer access to the site is presently from Fort Lowell Road and that will continue with the proposed use. As such, the proposed use will not cause additional traffic in the surrounding neighborhoods.

The existing perimeter screen walls will be retained and will continue to screen and secure the site. The interior of the site will not be visible from neighboring properties or Edith Boulevard.

Hours of operation will be similar to the existing use. Regular hours will be 6:00 AM to 5:00 PM Monday through Friday, 6:30 AM to 12:00 PM on Saturday, closed on Sundays.

Additional lighting is not proposed, and existing lighting is building-mounted and placed to minimize light trespass.

The property is in City of Tucson Ward 3, represented by Council Member Kevin Dahl.

B. Land Use Policy

1. General Plan and Neighborhood Plans

Land use policy direction is provided by Plan Tucson (the City of Tucson General Plan) and the Northside Area Plan.

2. Summary of Adopted Plan Policies

Plan Tucson

The Plan Tucson Future Growth Scenario Map illustrates different building blocks within the city that have specific policies to promote future growth opportunities. The subject property lies along or within the “Existing Neighborhoods” and “Mixed Use Centers” building blocks of the Future Growth Scenario Map. The goal for Existing Neighborhoods is to maintain their character while accommodating some new development and redevelopment that contributes to neighborhood stability. Mixed Use Centers support development that integrates residential and nonresidential development, alternate modes of transportation, infilling vacant or underused parcels, accessible bus shelters, and safe pedestrian and bicycle facilities separated from auto traffic. Mixed Use Centers should have environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. Infill development should reflect sensitivity to site and neighborhood conditions and protect established residential neighborhoods.

Relevant Land Use, Transportation, & Urban Design Policies (LT) include the following:

LT28.1.7 Preserve and strengthen the distinctive physical character and identity of individual neighborhoods and commercial districts in the community.

LT28.2.13 Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.

LT28.2.14 Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses

LT28.5.8 Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.

LT28.5.9 Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.

The proposed reuse of the subject site is consistent with and supported by General Plan policy to maintain neighborhood character while accommodating new development.

Northside Area Plan

The Northside Area Plan provides policy direction for approximately 3.5 square miles both inside and outside of City limits in the north-central portion of the Tucson metropolitan area. The irregularly shaped plan area is bounded by Rillito Creek on the north, First Avenue on the west, Swan Road on the east, and Fort Lowell Road on the south. Applicable Nonresidential policies

require access be provided from a major street and screening and buffering for adjacent residential uses.

The subject site is within Sub Area 5 of the Northside Area Plan which covers the historic Binghampton neighborhood from Country Club on the west to Alvernon Way on the east, approximately 0.4 square miles. Sub Area 5 Land Use policies allow a continuation of the long-existing mixed-use land-use pattern in the Binghampton neighborhood and identify a Core Residential Area. The subject site is outside of the Core Residential Area, therefore both residential and nonresidential uses are permitted subject to the Northside Area Plan General Design and Buffering policies. The General Design and Buffering policies help ensure that infill projects are designed in a manner that is sensitive to existing northside development.

The proposed substitution of nonconforming use maintains the existing perimeter screen walls and the vehicular access point on Fort Lowell Road and is compliant with the Northside Area Plan.

C. Criteria for Approval

Per UDC 9.2.4, the Substitution of a Nonconforming Use may be permitted provided the following standards are met as determined by City Planning Staff and the Zoning Examiner:

The substitute use is a use permitted in the most restrictive zoning classification in which the existing nonconforming use is permitted as of right.

The proposed wholesale/retail plumbing supply business with outside storage is permitted in the C-2 zone which is the most restrictive zoning classification in which the existing construction service use is permitted as of right.

The substitute use does not generate additional traffic or noise, have longer hours of operation, have additional outside lighting, or cause other negative impacts on adjoining properties greater than those associated with the existing nonconforming use.

Traffic: The proposed wholesale/retail plumbing supply business will generate approximately 25 to 30 customers on-site each day. This is approximately the same number of vehicle trips that were generated by the existing construction service business. Visitors to the site will continue to utilize the access points on Fort Lowell Road used by the construction service business.

Noise: The noise generated by the proposed wholesale/retail plumbing supply business is anticipated to be similar or less than that generated by the construction service business. The construction service business would test equipment on occasion in the outdoor yard and there was some noise when loading vehicles and equipment. The proposed wholesale/retail plumbing supply business will not test equipment. A forklift will be used to unload delivery trucks and it is no louder than the contractor's trucks that will be at the property.

Hours of Operation: The construction service business operated from 7:30 AM to 5 PM and summer hours were from 5 AM to 5 PM. The proposed wholesale/retail plumbing supply business hours of operation will be similar and will be Monday to Friday from 6 AM to 5 PM, Saturday from 6:30 AM to 12 PM and closed on Sundays.

Lighting: The proposed wholesale/retail plumbing supply business is not anticipating needing additional outdoor lighting.

Other: The existing perimeter screen walls will be retained and will continue to screen onsite activities from surrounding properties.

Overall, the reuse of the existing buildings and storage areas will have no greater impact than the existing nonconforming construction service use.

The substitute use provides parking as required by the Unified Development Code (UDC).

Based on estimates of existing conditions, the existing 31 parking spaces exceed the parking required by the Unified Development Code.

The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use.

The proposed use will operate in the existing structures and storage areas. No new buildings or building expansions are proposed.

PART II - SITE ANALYSIS

A. General

1. Location

The subject property is located at the northwest corner of Fort Lowell Road and Edith Boulevard within the incorporated limits of the City of Tucson.

Please refer to *Exhibit A: Location Map*.

2. Plan Tucson and Area Plans

Please refer to Part I of this document for a discussion of the applicable plans.

3. Property Size

The subject property consists of approximately 2.47 acres.

4. Existing Zoning and Land Use

The existing zoning of the subject property is Office (O-3). The site is developed with a construction service use with a contractor's equipment yard, a legally existing nonconforming use. The property is screened by a masonry wall along the east boundary that varies from 10 feet to 12.5 feet, a 14.5 foot masonry wall along the north boundary, a 5.5 foot masonry wall along the west boundary and a wall that varies from 8 to 10 feet along Fort Lowell Road.

The existing surrounding zoning and current land use is as follows:

- North: R-3, Residence Zone, apartment complex
- South: C-1, Commercial Zone, apartment complex
- East: R-3, Residence Zone, single family attached townhomes
- West: R-3, Residence Zone, apartment complex

Please refer to *Exhibit B: Surrounding Land Use and Exhibit C: Existing Zoning*.

5. Existing offsite buildings within one hundred feet of the project site.

Offsite buildings are as follows:

North: There are several three-story, approximately 32-foot tall, apartment buildings north of the property.

South: There are no buildings within 100 feet of the southern boundary of the subject property.

East: Across Edith Boulevard to the east of the subject property are one-story approximately 10 to 12 foot tall single-family homes.

West: There are several three-story, approximately 32-foot tall, apartment buildings north of the property.

Please refer to *Exhibit B: Surrounding Land Use*.

6. Existing and proposed onsite buildings.

Existing onsite buildings consist of the following:

- A one story, approximately 5,500 square foot office and storage building.
- A one story, approximately 1,175 square foot workshop and storage building.
- A one story, approximately 1,300 square foot storage building.
- A one story, approximately 850 square foot storage building.
- A one story, approximately 10,800 square foot storage building.

The total of all existing onsite buildings is approximately 19,625 square feet.

Please refer to *Exhibit D: Existing Conditions Site Plan*.

B. Circulation and Trips

1. Major and Local Streets

The nearest major intersection is Fort Lowell Road and Country Club Road, approximately 1,000 feet to the west of the subject property.

Fort Lowell Road is adjacent to the southern boundary of the subject property. It is identified as an Arterial Street on the City of Tucson Major Streets and Routes Plan Map with a 100-foot planned right-of-way width and an approximately 90-foot existing right-of-way width. Fort Lowell Road is improved with curbs and bike lanes on both sides, four travel lanes, and a center two-way left turn lane for an approximate curb-to-curb width of 66 feet. There are four-foot-wide continuous sidewalks on both sides of Fort Lowell Road. The posted speed limit is 40 mph.

Edith Boulevard is adjacent to the eastern boundary of the subject property. Edith Boulevard is a local street with two-foot wedge curbs and a curb-to-curb width of 34 feet in an approximately 54-foot right-of-way.

Country Club Road is identified as an Arterial Street on the City of Tucson Major Streets and Routes Plan Map with a 100-foot planned right-of-way width.

Please refer to *Exhibit E: PAG Traffic Count*.

2. Existing and Proposed Access

There are four existing curb cuts on Fort Lowell Road providing access to covered and uncovered parking areas on the south side of the property as well as access to the interior of the site via a centrally located gate in the south perimeter wall. There is a second gate along Fort Lowell Road at the southwest corner of the site and a third gate along Edith Boulevard, both are operable though neither are frequently used.

Vehicular access to the interior of the site will continue via the main gate on Fort Lowell Road. There will also be no customer access to the subject property from Edith Boulevard.

Please refer to *Exhibit D: Existing Conditions Site Plan*.

3. Locations of deceleration or turn lanes, traffic volumes, access, or other design features.

There is an existing continuous center turn lane in Fort Lowell Road. The PAG 2022 estimated traffic volume for Fort Lowell Road is 23,038 ADT. Principal vehicular access to the site will be from Fort Lowell Road.

4. Existing/proposed curbs, driveways, sidewalks, bike paths, or utility poles or transformers

No new curbs, driveways, sidewalks, bike paths, or utility poles or transformers are proposed. The following are existing conditions that will remain in place:

- There are existing curbs along Fort Lowell Road and Edith Boulevard.
- The existing four foot wide sidewalk along Fort Lowell Road will remain.
- The requested substitution of nonconforming use will not have an impact on the existing striped bike lane in Fort Lowell Road.
- There is a light pole and electric power pole in the Fort Lowell Road right-of-way approximately 160 feet and 190 feet respectively west of the center line of Edith Boulevard. Both will remain.

5. Locations of existing or proposed traffic signals within one mile of the project boundaries.

Fully signalized intersections within one mile of the subject property boundaries include:

- Country Club Road and Fort Lowell Road, 1,000 feet to the west.
- Fort Lowell Road and Dodge Boulevard, 2,600 feet to the east.
- Country Club Road and Glenn Street, 3,000 feet to the south.
- Tucson Boulevard and Fort Lowell Road, 3,780 feet to the west.
- Fort Lowell Road and Alvernon Way, 4,000 feet to the east.
- Tucson Boulevard and Prince Road, 4,500 feet to the northwest.
- Alvernon Way and Glenn Street, 4,600 feet to the southeast.
- Tucson Boulevard and Glenn Street, 4,700 feet to the southwest.

Bike/pedestrian crossing signals within one mile of the subject property boundaries include:

- Treat Avenue and Fort Lowell Road, 2,500 feet to the west.
- Palo Verde Avenue and Glenn Street, 3,000 feet to the south southeast.
- Treat Avenue and Prince Road, 3,600 feet to the northwest.
- Dodge Boulevard and Glenn Street, 3,700 feet to the southeast.
- Kleindale Road and Alvernon Way, 4,200 feet to the east northeast.
- Country Club Road and Silver Street, 4,500 feet to the south southwest.
- Treat Avenue and Glenn Street, 4,700 feet to the southwest.

6. Locations of nearest existing public transit stops, any proposed transit stops, and park-and-ride facilities.

- The nearest eastbound transit stop is approximately 200 feet to the east on the south side of Fort Lowell Road.
- The nearest westbound transit stop is approximately 150 feet to the east on the north side of Fort Lowell Road.
- The nearest northbound transit stop is approximately 1,000 feet to the west on the east side of Country Club Road.
- The nearest southbound transit stop is approximately 1,150 feet to the west on the west side of Fort Lowell Road.

7. City of Tucson Capital Improvement Program (C.I.P.)

According to the City of Tucson Capital Improvements Plan (2023-2027) there is one programmed roadway improvement project within one mile of the subject property. One mile to the south, at the intersection of Grant Road and Edith Boulevard, the 2023-2027 CIP identifies a project to construct a High Intensity Activated Crosswalk (HAWK) pedestrian signal. The design phase is scheduled for Fiscal Year 2023 followed by construction in Fiscal Year 2024.

There are no other programmed roadway improvement projects addressing any of the roads adjacent to or near the subject property.

8. Existing and proposed trip generation

Trip generation by the proposed wholesale/retail plumbing supply business will be similar to the existing nonconforming construction service use.

C. Cultural Resources

The subject property is not within any historic district. No ground disturbance is anticipated, but if cultural resources are discovered during site development, they will be evaluated in accordance with City of Tucson requirements to determine appropriate actions. If human remains are and/or funerary items are discovered, the Arizona State Museum will be notified so appropriate groups can be notified to arrange for the appropriate and sensitive repatriation and reburial of the remains.

D. Hydrology & Drainage

1. On-site and off-Site Floodplains and Wash Designations

a. On-site and off-site drainageways

The south quarter of the site is within the Christmas Wash watershed. Christmas Wash, approximately 2,000 feet to the west of the site, generally flows north-northwest. The balance of the site is not within a watershed identified on MapTucson. There are no on-site drainageways.

b. One-hundred-year floodplains on the site or adjacent to the site.

The site is not within mapped Zone A or Zone X areas per FEMA FIRM Map # 04019C1693L dated 6/16/2011 and revised 1/25/2012, and 7/7/2014.

c. Drainageways subject to Environmental Resource Zone (ERZ) or Watercourse Amenities, Safety, and Habitat (WASH) ordinances.

There are no on-site drainageways and therefore no drainageways subject to the Environmental Resource Zone (ERZ) or Watercourse Amenities, Safety, and Habitat (WASH) ordinances.

d. Erosion hazard setback areas.

There are no erosion hazard setback areas affecting the subject property.

2. Onsite Hydrology

a. Whether existing condition is sheet flow or in a contained channel (natural or constructed), and locations of proposed retention/ detention areas.

The site almost entirely consists of impervious surfaces, either asphalt pavement, concrete sidewalks, hardscape, or buildings. The existing condition is sheet flow generally flowing east to west.

b. Reference whether the City Floodplain Ordinance and/or Article VIII, Section 29-12 of the Tucson Code, WASH, or ERZ are applicable to the site.

The subject property is located in a fully developed area of the community. City Floodplain Ordinance and/or Article VIII, Section 29-12 of the Tucson Code, WASH, or ERZ are not applicable to the site.

E. Topography

1. Topographic contour lines or spot elevations.

The site is previously graded and generally flat. Please refer to *Exhibit G: Topography* for a two-foot contour interval topographic map of the site.

2. Slopes over 15% percent and Hillside Development Zone (HDZ).

There are no slopes greater than 15% on the site and the site is not within the HDZ.

F. Utilities

1. Utility Providers

Utility	Provider
Gas	Southwest Gas
Electric	Tucson Electric Power
Water	Tucson Water
Telephone	CenturyLink
Sewer	Pima County Wastewater Reclamation
Fire Protection	City of Tucson Fire Department

G. Vegetation

1. Existing on-site vegetation

a. The site contains the following vegetation with a caliper of 4 inches or greater

There are two trees in the outside storage area with a caliper of 4 inches or greater.

2. Existing landscaping and screening (walls/fences) along site boundaries.

There is no existing landscaping on the site beyond an approximately 100 square foot area of shrubbery in an entry courtyard, and two trees in the outside storage area.

As previously mentioned, the property is screened by a masonry wall along the east boundary that varies from 10 feet to 12.5 feet, a 14.5 foot masonry wall along the north boundary, a 5.5 foot masonry wall along the west boundary and a wall that varies from 8 to 10 feet along Fort Lowell Road.

PART III - PLAN PROPOSAL

A. Building Layout

1. Illustrate the location of proposed buildings. Note on the plan the square footage and height of each building.

No new buildings are proposed. The existing buildings will remain.

Please refer to *Exhibit H: Proposed Conditions Site Plan*.

B. Design Compatibility

1. Mitigation ensuring the privacy of adjacent residences.

As previously mentioned, the property is screened by a masonry wall along the east boundary that varies from 10 feet to 12.5 feet, a 14.5 foot masonry wall along the north boundary, a 5.5 foot masonry wall along the west boundary and a wall that varies from 8 to 10 feet along Fort Lowell Road.

These walls will remain and continue to screen offsite views and provide security for the site.

2. How the proposed building form, surface treatment, and materials respond to and are compatible with the climate and surrounding area.

The design of the Fort Lowell Road frontage, including the building elevations and walls, is contemporary and attractive with consistent clean lines. The masonry block wall along Fort Lowell Road incorporates a contrasting cap block and wrought iron gates at the main vehicular entrance and the pedestrian entrance.

3. Techniques that will conserve energy and reduce the urban heat island effect created by the proposed development.

Reuse of the existing buildings will preserve the energy captured in those buildings at the time they were constructed, reducing the energy needed for the substitute use to occupy the site.

4. Additional proposed building setbacks, beyond the minimum requirement, which mitigate impact.

The previously described perimeter walls exceed UDC requirements and will mitigate potential impact on surrounding properties related to continued use of the site for commercial purposes.

5. Transition of building height and number of stories.

All buildings are one story.

6. Landscaping and screening that will be employed to mitigate sound, visibility, exterior lighting, traffic, and other negative impacts of the proposed development.

The existing previously described perimeter walls screen offsite views of the interior of the site and mitigate noise from the interior of the site.

7. Street improvements that are proposed to mitigate any traffic impacts anticipated as part of this development (i.e., center or right turn lanes).

No improvements are proposed for the substitute use. Ingress and egress from the site will continue to be from Fort Lowell Road.

8. Defensible space techniques.

Access to the site from Fort Lowell Road will be via rolling gates that will be closed outside of business hours. The perimeter walls define the subject property and provide a high level of security for the site.

C. Hydrology & Drainage

Site drainage patterns will not be changing. Surface flows will continue to leave site as they do today.

D. Landscaping and Screening

1. Types of materials, location, and dimensions of screening from adjacent properties. Indicate the width and type of any proposed vegetative screening.

Screening will continue to be accomplished by the previously described perimeter walls that will remain.

2. Types, placement, and sizes of proposed vegetation.

Vegetation is limited to a +/- 100 square foot the entrance patio adjacent to building. Use of the site will continue as is, no new vegetation is proposed.

E. Lighting

1. Types and placement of lighting.

Lighting is building-mounted and placed to minimize light trespass.

F. Pedestrian Access

1. Pedestrian circulation and access, including ADA considerations

The on-site pedestrian circulation system will include a minimum of two accessible parking stalls and ramps which will comply with all regulations and design standards of the Americans with Disabilities Act ("ADA"), located as close to the main entrance as practicable.

2. Locations of walkways, parking and loading areas, and pedestrian connections

Site improvements will remain as they exist today, with a parking area on the Fort Lowell Road frontage. Pedestrians can access the property as they do in existing conditions. Loading areas will be located within the perimeter walls.

G. Signs

1. Types and placement of signs

Building and freestanding signs, if any, will comply with Tucson sign regulations.

H. Traffic and Trip Generation

1. Traffic mitigation measures proposed by the applicant (including air quality mitigation, such as carpooling programs, staggered work hours, park-and-ride lots, and bus shelters).

Traffic to the site will be light due to the nature of the business as a primarily wholesale operation with retail comprising about 15% of sales. Regular business hours are from 6:00 AM to 5:00 PM Monday through Friday, 6:30 AM to 12:00 PM on Saturday, and closed on Sundays. Approximately 85 percent of the sales will be wholesale and approximately 15 percent of sales will be retail. Approximately 25 to 30 customers will come to the site each day.

I. Utilities

1. Proposed changes/additions to existing utilities and easements

Existing utility connections to the site will be utilized.

J. Vehicular Use Areas

1. Motor vehicle and bicycle parking areas.

Motor vehicle parking is located along Fort Lowell Road and in the interior of the site. There is no customer access from Edith Boulevard. Bicycle parking will be provided adjacent to the motor vehicle parking area and in proximity to the main entrance.

There are 31 existing motor vehicle parking spaces, 20 of which are located outside the perimeter wall along Fort Lowell Road. Two short-term (customer) bicycle parking spaces will be provided.

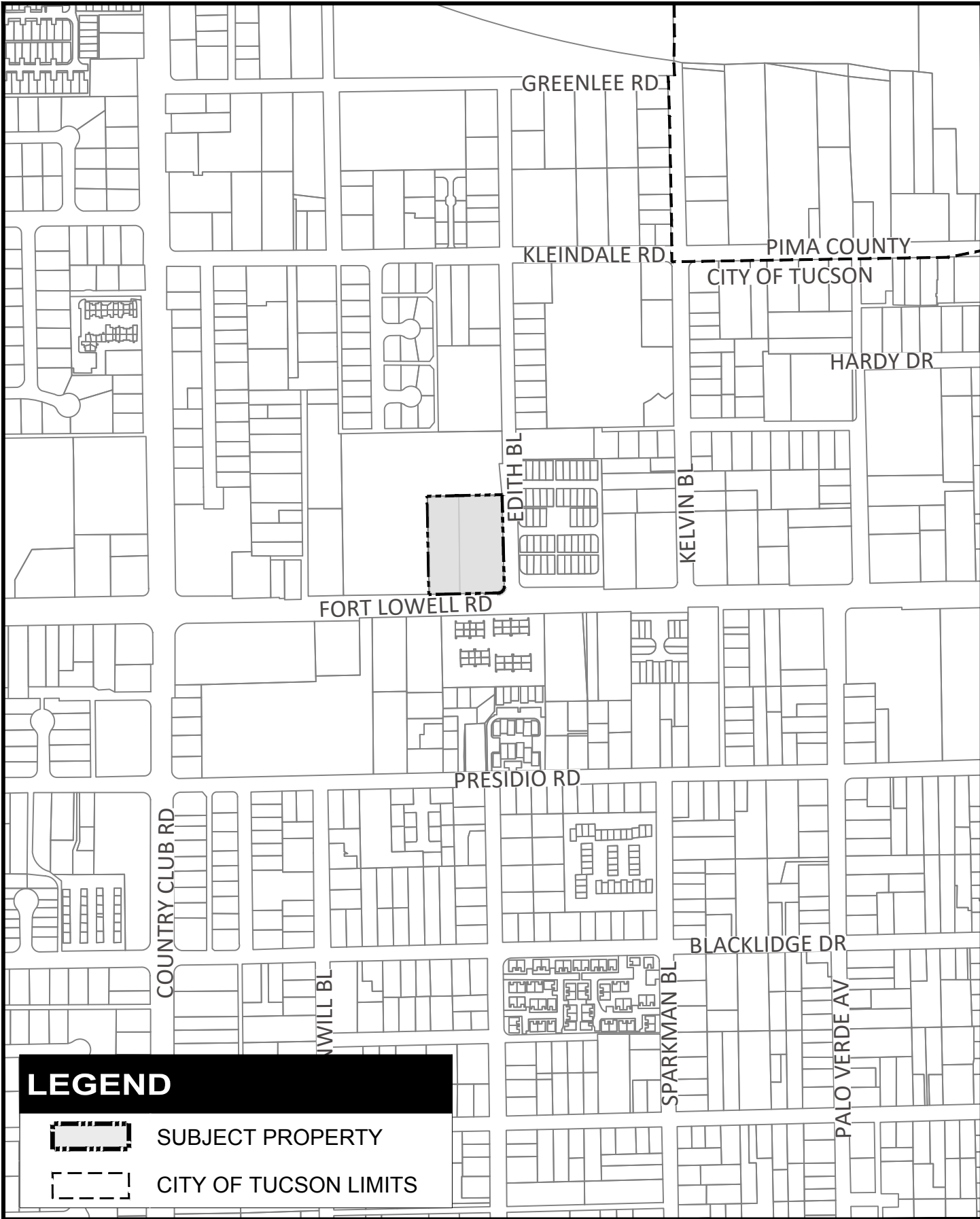
2. Loading areas.

Loading areas will continue to be located in the interior of the site, screened from view by the existing perimeter walls and accessible from Fort Lowell Road.


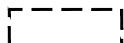
3. Solid waste and recycling collection areas.

Solid waste and recycling receptacles will continue to be located in the interior of the site, screened from view by the existing perimeter walls and accessible from Fort Lowell Road.

EXHIBITS

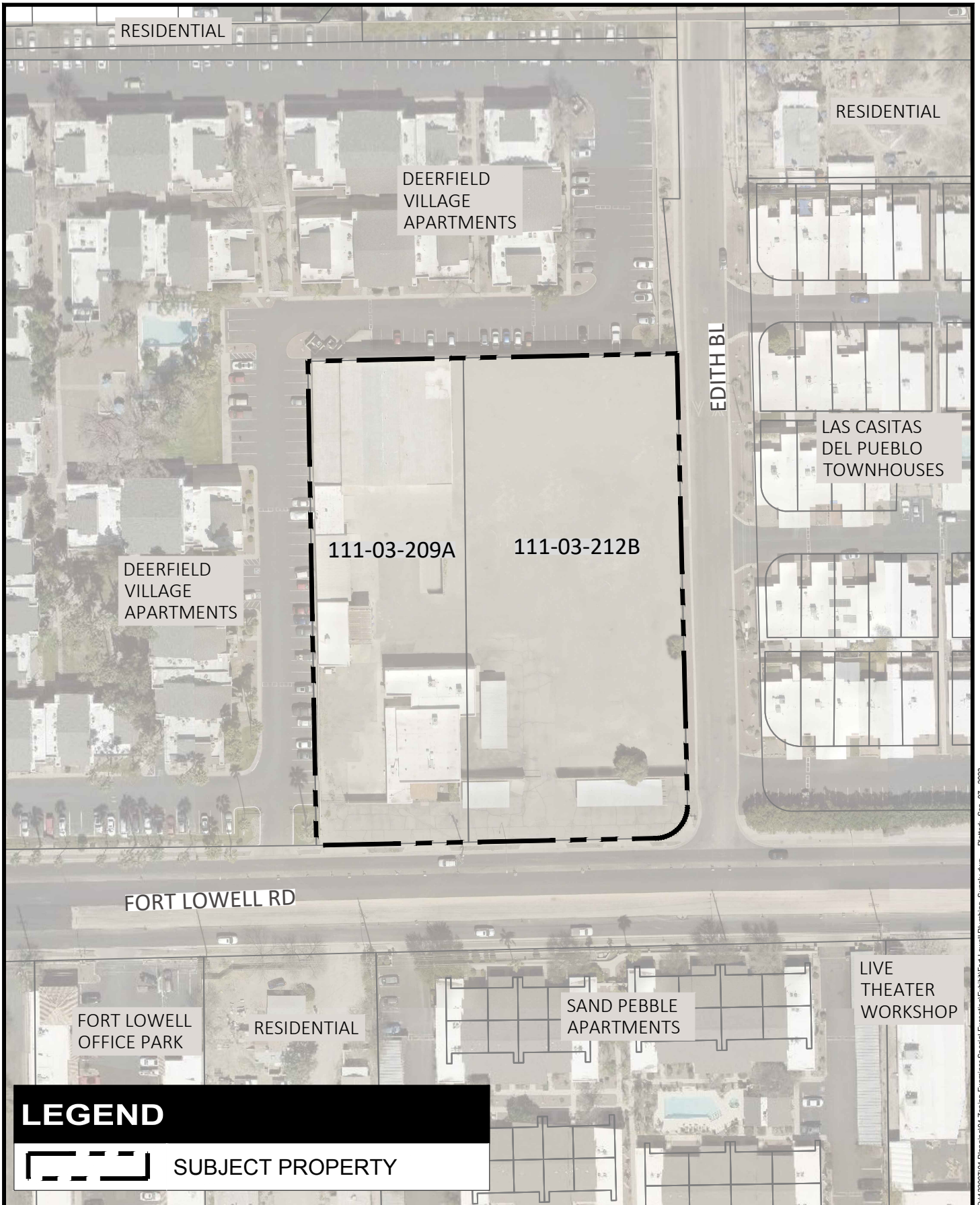


LEGEND

-  SUBJECT PROPERTY
-  CITY OF TUCSON LIMITS

**EXHIBIT A
LOCATION MAP**

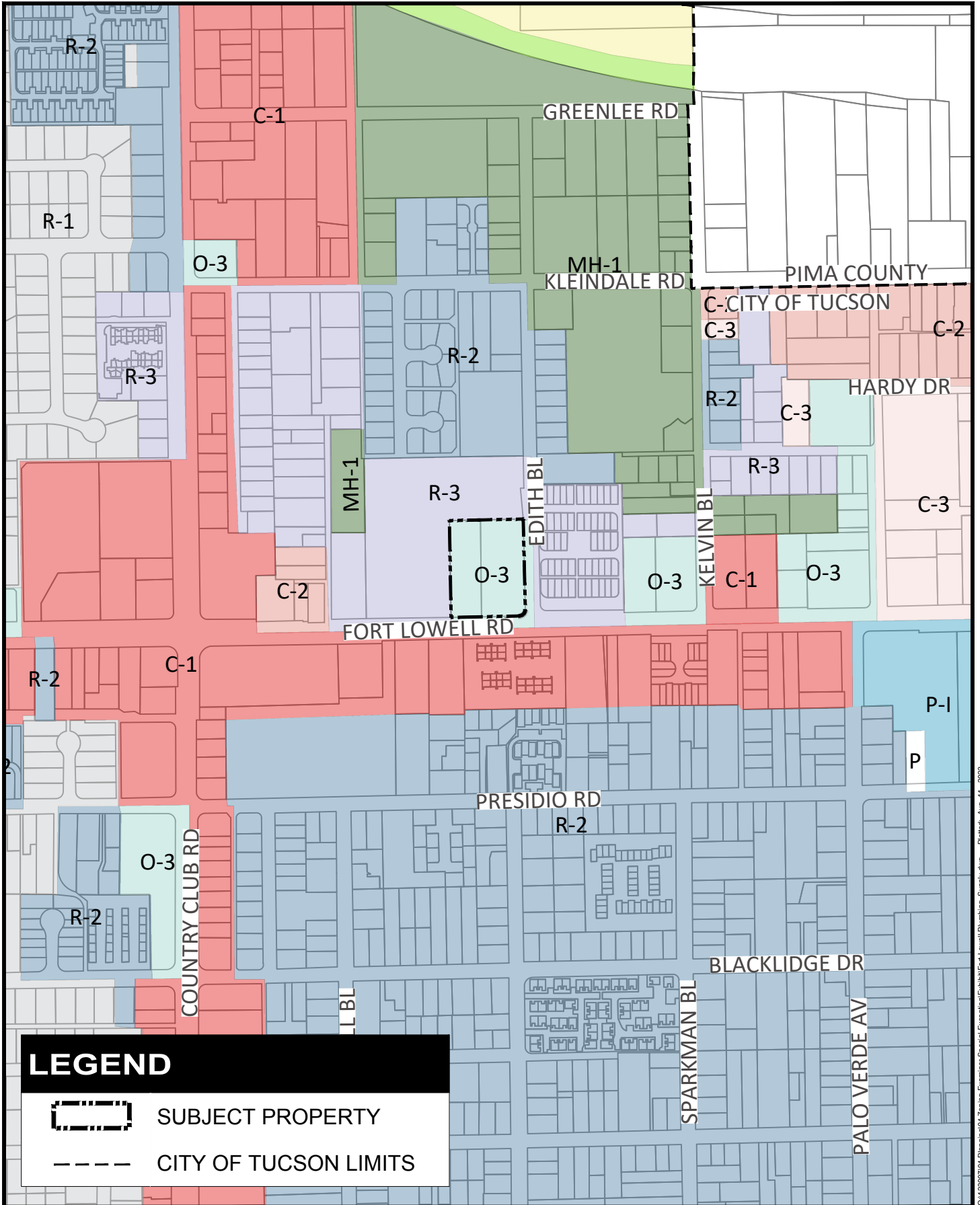


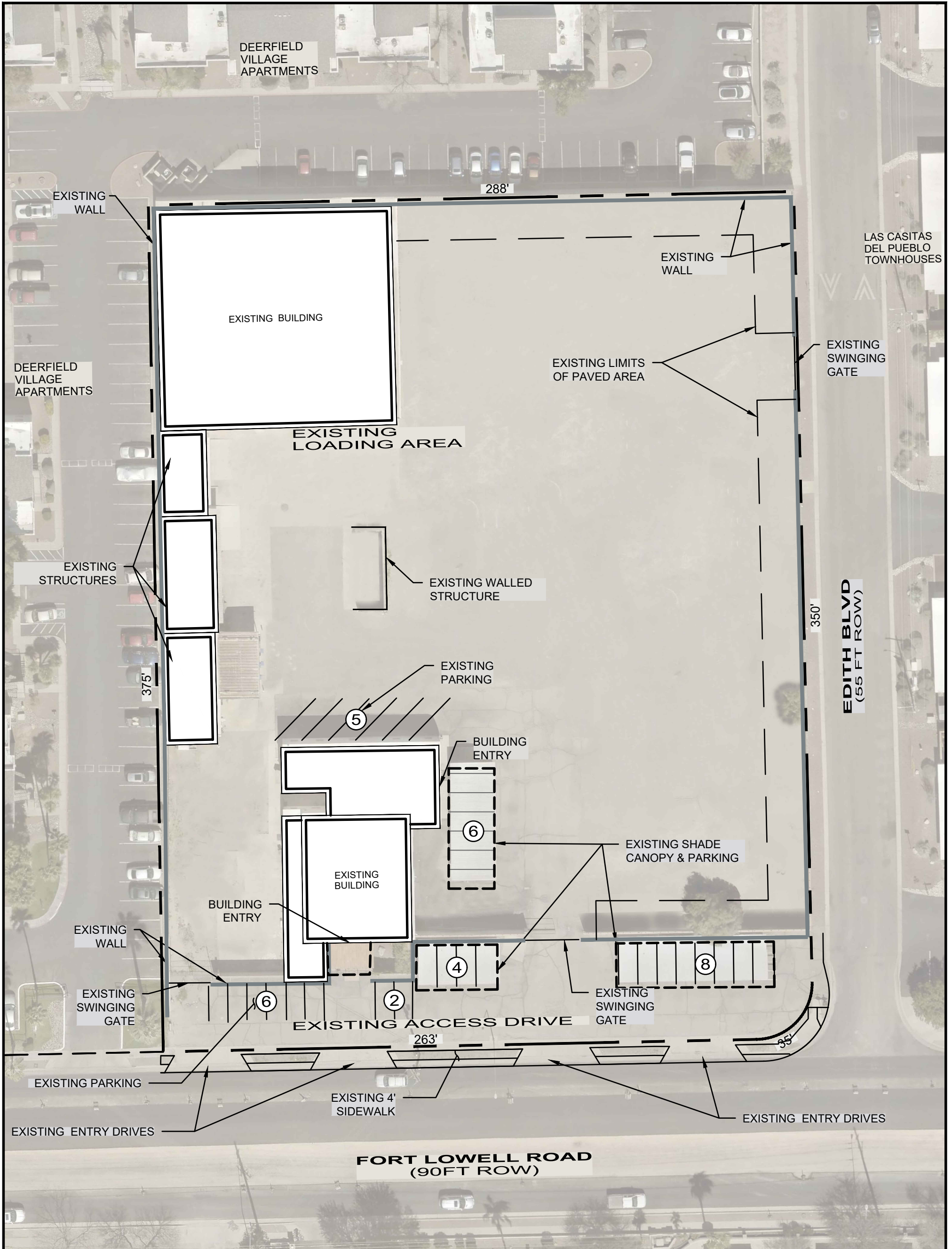


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**EXHIBIT B
SURROUNDING LAND USE**

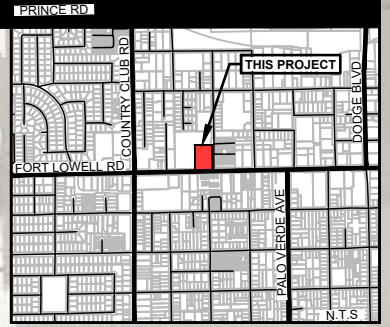






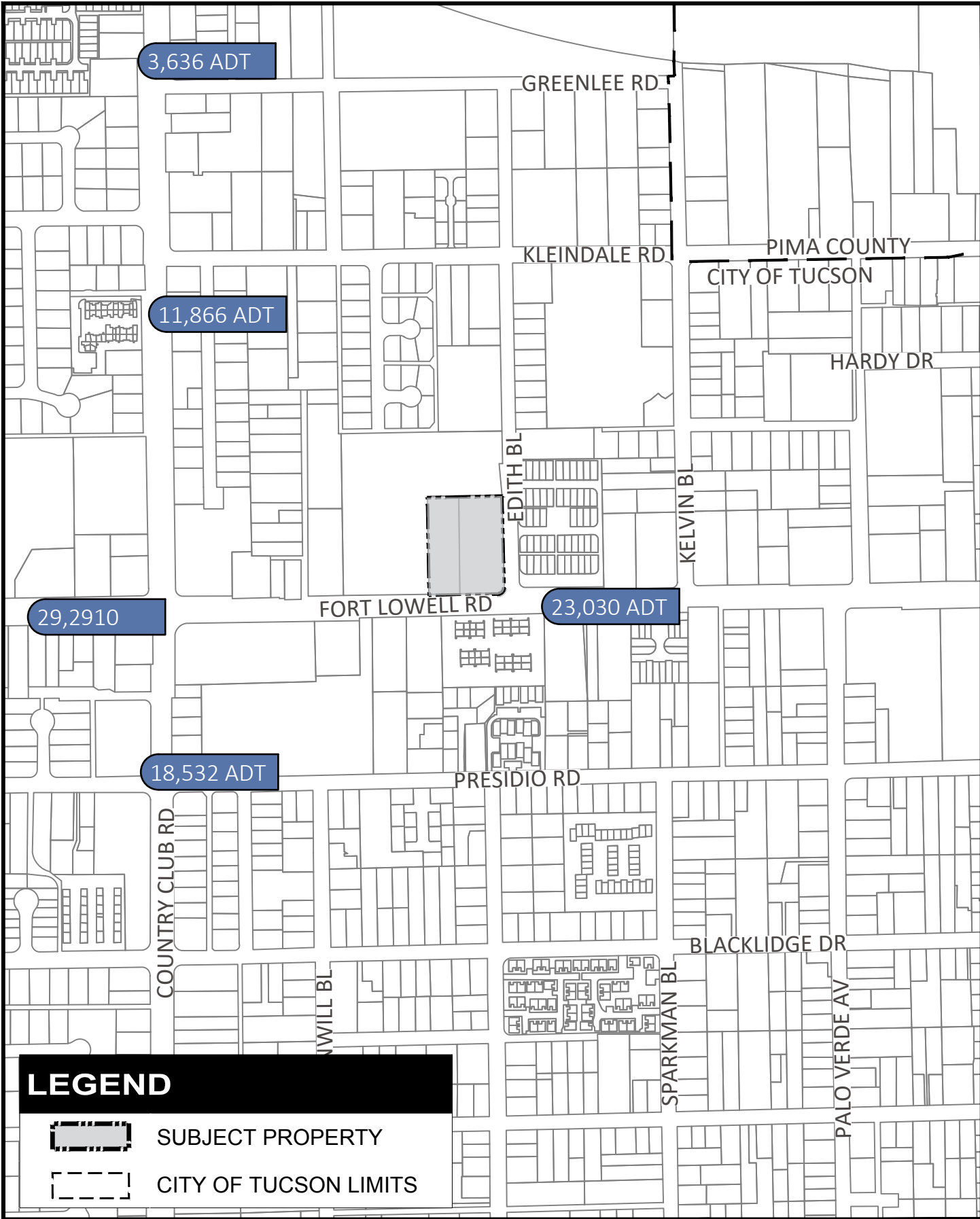
NOTES		
1.	ADDRESS:	3237 E FORT LOWELL RD TUCSON AZ 85716-1636
2.	PARCEL NUMBER:	111-03-209A & 111-03-212B
3.	TOTAL SITE AREA:	2.47± ACRES
4.	EXISTING ZONING:	O-3
5.	SURROUNDING ZONING:	NORTH, WEST & EAST: R-3 SOUTH: C-1

NOTES		
6.	EXISTING PARKING	31 SPACES
7.	THERE ARE NO EXISTING BILLBOARDS ON THE PROPERTY.	
8.	THE SUBJECT PROPERTY IS IN FEMA ZONE X PER FEMA FIRM 04019C1693L, DATED JUNE 16, 2011.	


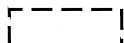


**EXHIBIT D
EXISTING CONDITIONS SITE PLAN**

Aerial Photo Date = 2022



LEGEND

-  SUBJECT PROPERTY
-  CITY OF TUCSON LIMITS

**EXHIBIT E
PAG TRAFFIC COUNT**





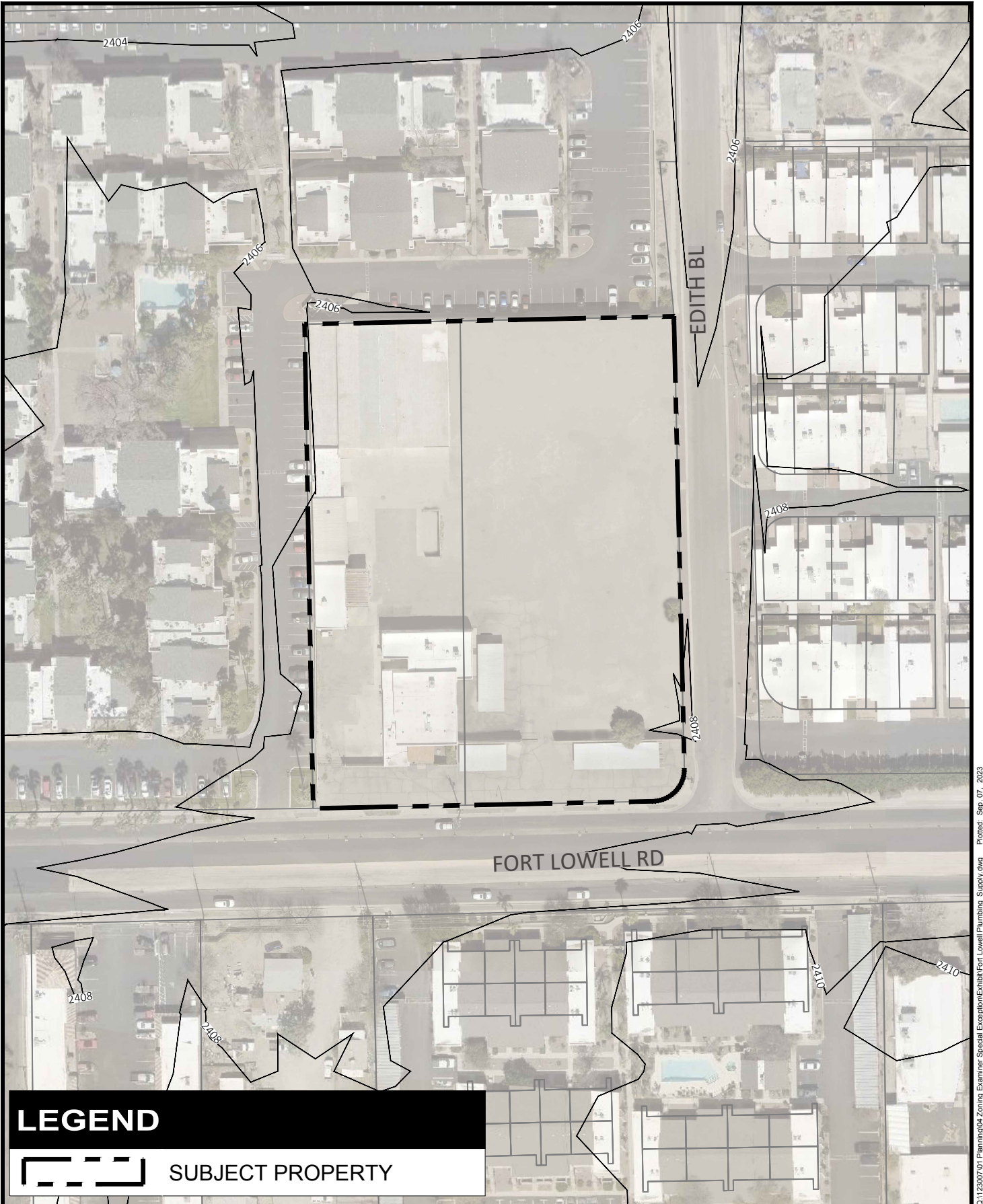
LEGEND



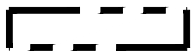
SUBJECT PROPERTY

**EXHIBIT F
AERIAL PHOTOGRAPH**





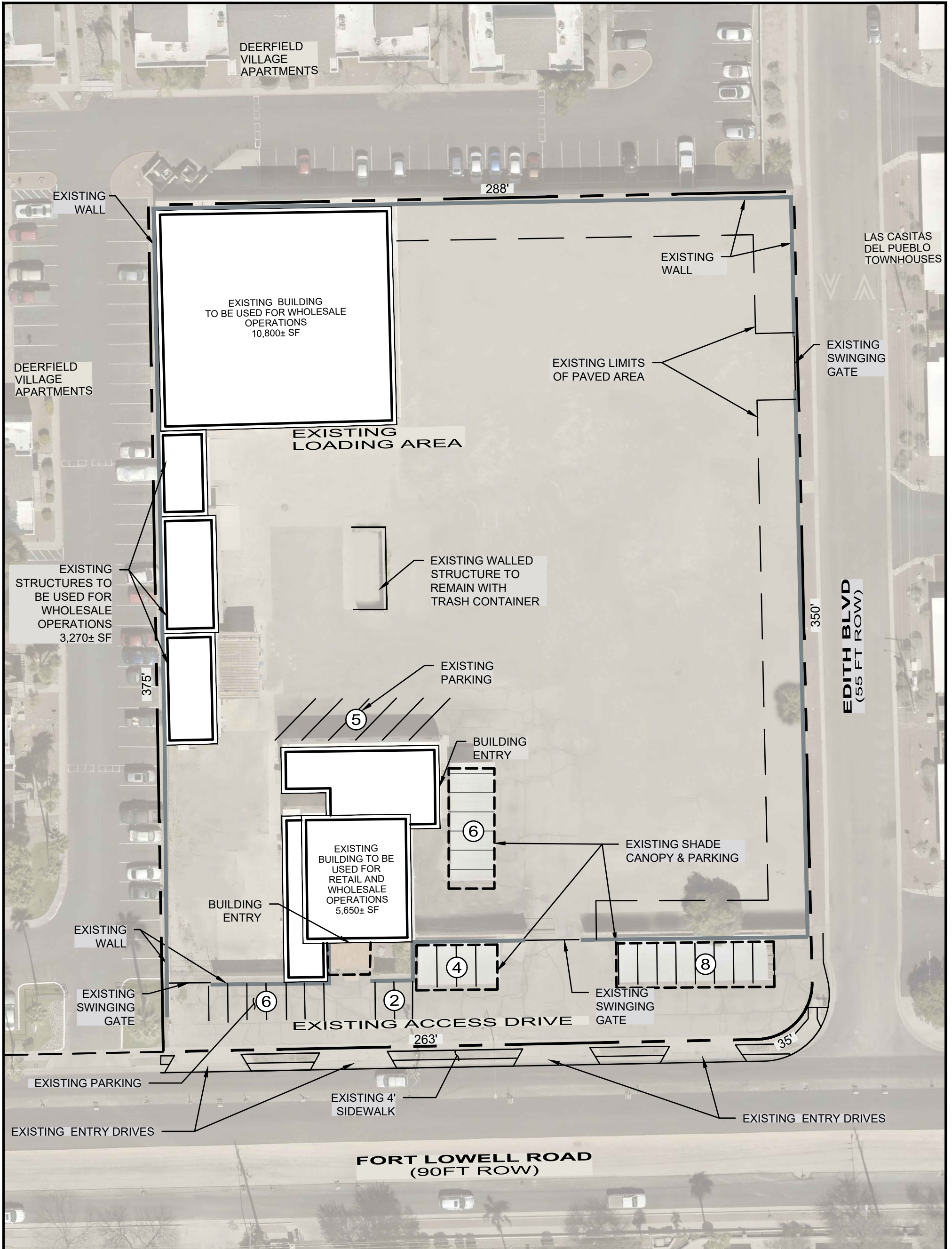
LEGEND



SUBJECT PROPERTY

**EXHIBIT G
TOPOGRAPHY**

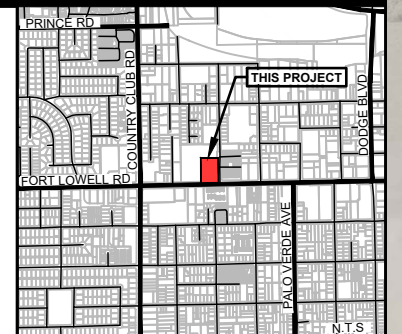




NOTES

1.	ADDRESS:	3237 E FORT LOWELL RD TUCSON AZ 85716-1636
2.	PARCEL NUMBER:	111-03-209A & 111-03-212B
3.	TOTAL SITE AREA:	2.47± ACRES
4.	EXISTING ZONING:	O-3 (THIS PROJECT IS REQUESTING ZONING EXAMINER SPECIAL EXCEPTION TO ALLOW A SUBSTITUTION OF NONCONFORMING USE.)

5.	SURROUNDING ZONING:	NORTH, WEST & EAST: R-3 SOUTH: C-1
6.	EXISTING PARKING	31 SPACES
7.	THERE ARE NO EXISTING BILLBOARDS ON THE PROPERTY.	
8.	THE SUBJECT PROPERTY IS IN FEMA ZONE X PER FEMA FIRM 04019C1693L, DATED JUNE 16, 2011.	



**EXHIBIT H
PROPOSED CONDITIONS SITE PLAN**



Aerial Photo Date = 2022

3237 FORT LOWELL ROAD
123007-A-001

0:1123007-01 Planning/04 Zoning Examiner Special Exception/Exhibit D.dwg Plotted: Sep. 20, 2023

APPENDIX

APPENDIX A: NONCONFORMING USE STATUS LETTER



August 4, 2023

Rob G. Longaker III, PLA, AICP
Director of Planning
WLB Group
4444 E Broadway Bl
Tucson, AZ 85711

Sent via email to rlongaker@wlbgroup.com and gmoyer@wlbgroup.com

SUBJECT: Nonconforming Status Letter
3237 E Fort Lowell Rd, Tucson, AZ 85716
Pima County Tax Parcel Number: 11103209A and 11103212B
Activity # TZ-CMP-0623-00129

Dear Mr. Longaker and Mr. Moyer,

Per your letter dated June 22, 2023, you are seeking confirmation of nonconforming status for the property located at 3237 E. Fort Lowell Road. As described in your letter, the property is approximately 2.6 acres, zoned O-3, and has historically been used for a construction service use with offices, parking, shop buildings, storage buildings, and a contractor equipment yard. The property was annexed into the City of Tucson in 1974.

The existing use of "Construction Service" is defined per the Unified Development Code (UDC) Article 11.3.4.J. as "Provides construction activity to be performed at a construction site and may include related work being performed on shop premises. Typical uses include construction companies, carpentry services, and plumbing services." This use is not currently permitted in the O-3 zone per UDC Table 4.8-3: Permitted Uses – Office Zones.

UDC Article 9.2 outlines the parameters for nonconforming uses, which are defined as "An existing land use activity lawfully established and maintained which no longer complies with land use standards of the Unified Development Code (UDC) applicable to the zoning category in which the land use activity is located." For a use to be established as nonconforming, it must have been legally established through prior approvals and/or permits. Once established as nonconforming, the UDC provides parameters for a nonconforming use to be discontinued, resumed, expanded, or substituted with another use.

Included with your letter were several documents relevant in determining the nonconforming status of this property. These included applications, letters, and site plans varying in timeframe from 1957 – 2001. Based on the documentation


Planning and Development Services Department (PDSD) - 201 North Stone Avenue
P.O. Box 27210 - Tucson, AZ 85726-7210
Telephone: (520) 791-5550 - Fax: (520) 791-4340
Website: www.tucsonaz.gov/Departments/Planning-Development-Services

submitted, it is my determination that the subject property is a legal nonconforming "Construction Service" use. The last officially approved site plan will serve to document the existing approved site conditions in relation to future development.

In your letter you also stated the desire to have this status letter serve as a foundation for a substitution of nonconforming use in the future. The standards outlined in UDC 9.2.3. Substitution with a Use within the Same Land Use Class and 9.2.4. Substitution with a Use from a Different Land Use Class will apply, depending on the circumstances. Please note, that substitutions from a different land use class will trigger a Zoning Examiner Special Exception Procedure.

Please feel free to contact me if you have questions. You may reach me via email at Elisa.Hamblin@tucsonaz.gov or by telephone at (520) 837-4966.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elisa Hamblin', written in a cursive style.

Elisa Hamblin, AICP
Zoning Administrator

APPENDIX B: NEIGHBORHOOD OUTREACH PACKET

NEIGHBORHOOD MEETING SUMMARY

**3237 E. Fort Lowell Road
Zoning Examiner Special Exception
Neighborhood Meeting**

When: August 29, 2023

Where: Held via Zoom

Representatives of the applicant in attendance at the meeting:

- Robert G. Longaker III, PLA, AICP - The WLB Group
- Liz Madsen – The WLB Group

Meeting summary:

Nobody notified of the meeting attended the meeting and no correspondence was received prior to the meeting.

Summary of questions and responses:

Not applicable.

Attachments:

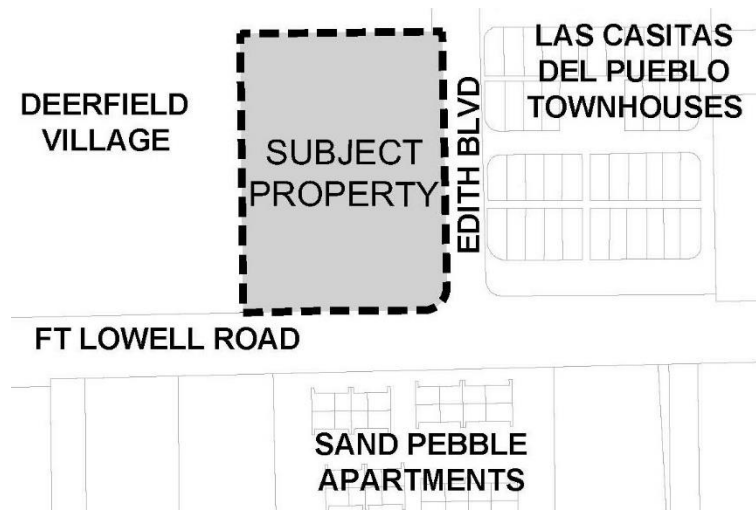
- Meeting invitation
- Mailing list
- Sign in sheet/registration list
- Presentation

NEIGHBORHOOD OUTREACH LETTER

August 16, 2023

Dear Neighbor:

The WLB Group is working with a local business, Plumbing Suppliers Inc., to help them with their planned move from their current location at 2555 E. Grant Road to their future location at 3237 E. Fort Lowell Road. This new location is currently occupied by Diversified Design and Construction Inc. (DDC) who is in the process of closing their business after 50 years at this location. The map below identifies the site.



Plumbing Suppliers is primarily a wholesale plumbing supply business, but they also conduct retail sales to the general public. The site is well suited to their operation in that the office at the front of the site can include a store front, and their inventory can be stored in the existing buildings or in existing outdoor storage areas.


Because DDC's use of the site predates the zoning on the site, also known as being legally nonconforming or "grandfathered," allowing Plumbing

Suppliers to operate on the property requires a public hearing and approval by the City of Tucson Zoning Examiner. You are receiving this letter because you are a nearby property owner or neighborhood association representative. We invite you to attend neighborhood meeting on August 29, 2023 starting at 6 pm to learn more about the project. The meeting will include an introduction to Plumbing Suppliers and a review of the City's requirements for substituting a use on this property. There will be plenty of time for questions. Please see meeting date, time, and location information and instructions at the end of this letter.

We look forward to answering any questions you might have at the neighborhood meeting. If you have any questions before the meeting, or if you cannot attend the meeting and would like to discuss the project, please contact Rob Longaker from The WLB Group at (520) 881-7480 or rlongaker@wlbgroup.com. Comments and questions may also be mailed to The WLB Group at 4444 E. Broadway Boulevard, Tucson, AZ 85711.

Sincerely,

THE WLB GROUP, INC.



Robert G. Longaker III, PLA, AICP
Director of Planning

Virtual Meeting Information & Instructions

Date & Time

August 29th, 2023 at 6 p.m.

Meeting ID: 876 9696 1641

Meeting Password: 821586

Location: Zoom Video/Telephone Conference

- No earlier than 5:45p.m. on August 29th, 2023 visit www.zoom.com and click Join in the top right corner of the screen.
- Enter the Meeting ID and Password click Join.
- Please enter your first name, last name, email address, address and the password above and click Register.
- Click the link that appears in blue.
- Click *Launch Meeting*, and then click the blue “*Join From Browser*” link that appears below.
- Enter your first name and click Join.
- If you prefer to call in and listen to the presentation (audio only), dial +1 720-707-2699 at the time of the meeting. The Access Code is the Meeting ID and password above. The line will remain silent until the meeting begins.

NEIGHBORHOOD OUTREACH MAILING LIST

Name	Address	City, State, Zip
Regina Romero - Mayor	255 W. Alameda ST	Tucson, AZ 85701
Lindy Brigham - N.A. - RillitoBend	1510 E Grant Rd	Tucson, AZ 85719
Philip Kuras - N.A. - Richland Heights East	3208 N Wilson Ave	Tucson, AZ 85719
Michael Geddis - N.A. - Campbell/Grant Northeast	2253 E Mitchell St	Tucson, AZ 85719
Travis Teetor - N.A. - Oak Flower	3940 E Alta Vista St	Tucson, AZ 85712
Fran Garcia - N.A. - North Dodge	3655 E Glenn St	Tucson, AZ 85716
David Winslow - N.A. - Country Glenn	3025 N Copper St	Tucson, AZ 85716
Gretchen Ronnow (Co-Fac) - N.A. - Dodge Flower	3801 E Flower St	Tucson, AZ 85716
David Fossdal (Co-Chair) - N.A. - Cabrini	3007 N Cardi Ave	Tucson, AZ 85716
R. Wiegand - N.A. - Loretta Heights	P.O. Box 69903	Tucson, AZ 85737
Mary Bird - N.A. - RillitoBend	1510 E Grant Rd	Tucson, AZ 85719
Jim Cummins - N.A. - Richland Heights East	1945 E Lind Rd	Tucson, AZ 85728
Cynthia Sorrenson - N.A. - Campbell/Grant Northeast	2241 E Silver St	Tucson, AZ 85719
Jonathan Martin - N.A. - Oak Flower	2537 N Desert Ave	Tucson, AZ 85712
Dave Burnham - N.A. - North Dodge	3014 N. Dickson Dr.	Tucson, AZ 85716
Doyle Ray - N.A. - Country Glenn	2631 N Forgeus Ave	Tucson, AZ 85716
Chris Stephenson - N.A. - Cabrini	PO Box 65993	Tucson, AZ 85728
Kathryn Ferguson - N.A. - Loretta Heights	2408 N Loretta	Tucson, AZ 85716
Catlow Shipke - N.A. - RillitoBend	2611 E Allen Rd	Tucson, AZ 85716
Maureen Pollack - N.A. - Richland Heights East	2000 W Greenlee Rd	Tucson, AZ 85719
Benjamin Elias - N.A. - Campbell/Grant Northeast	2625 M Wilson Ave	Tucson, AZ 85719
David Templin - N.A. - Oak Flower	4249 E Flower St	Tucson, AZ 85712
Christine Burnham - N.A. - North Dodge	3014 N. Dickson Dr.	Tucson, AZ 85716
Shelly Dorsey - N.A. - Country Glenn	2715 E Copper St	Tucson, AZ 85716
Rodrigo Morales (Co-Fac) - N.A. - Dodge Flower	2631 N Dodge	Tucson, AZ 85716
Elly Hirsh (SComm) - N.A. - Cabrini	3027 N Palo Verde	Tucson, AZ 85716
Veronica Ostertag - N.A. - Loretta Heights	2900 E Loretta Dr	Tucson, AZ 85716
Kevin Dahl - Ward 3	1510 E. Grant RD	Tucson, AZ 85719
Steve C. Kozachik - Ward 6	3202 E. 1st ST	Tucson, AZ 85716
BLANKENSHIP WAYNE	3309 N HOWARD AVE	TUCSON AZ 85716
EINWECK THOMAS M	3301 N HOWARD AVE	TUCSON AZ 85716
HOPPERSTAD KRISTIN D	3220 E HARDY PL	TUCSON AZ 85716
SIMPSON MARY P	3230 E HARDY PL	TUCSON AZ 85716
ATCHISON CHRISTOPHER	7301 N WESTWARD LOOK DR	TUCSON AZ 85704
BARRY REBECCA M	3241 E HARDY PL	TUCSON AZ 85716
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OGLE FAMILY TR ATTN: MARTINE E & SUSAN A OGLE TR	370 LEDROIT ST	LAGUNA BEACH CA 92651
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FREUND JAMES H	3325 E FORT LOWELL RD	TUCSON AZ 85716
CARRILLO LORI A	4941 N PLANE AVE	TUCSON AZ 85705
LARGER JOE 1/3 & LARGER GENE 1/3 & LARGER KEVIN 1/3	3333 E FORT LOWELL RD	TUCSON AZ 85716
NATELSKY MARC FREDERICK	3337 E FORT LOWELL RD	TUCSON AZ 85716
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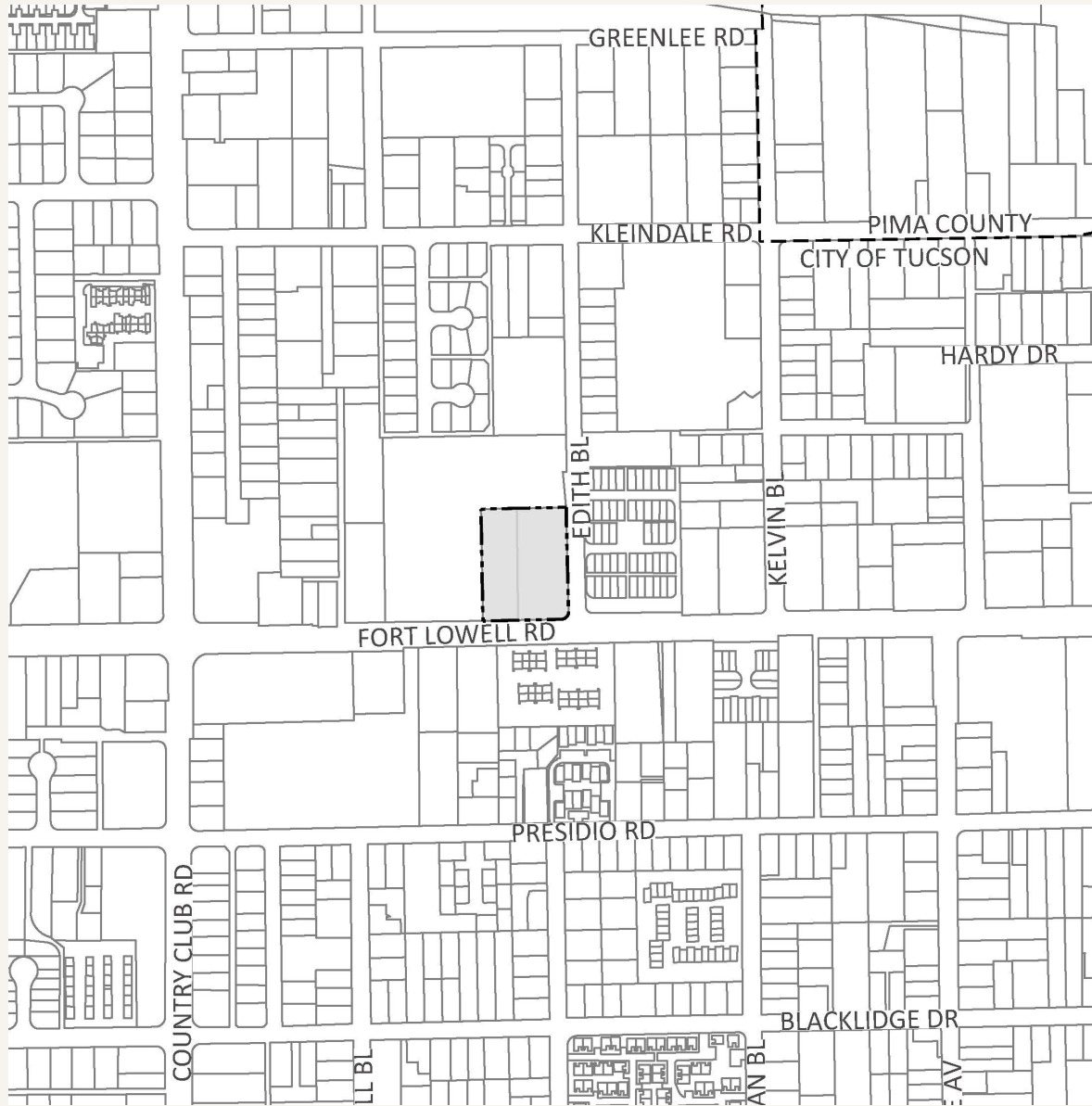
NEIGHBORHOOD MEETING PRESENTATION



3237 E. FORT LOWELL ROAD

NEIGHBORHOOD MEETING

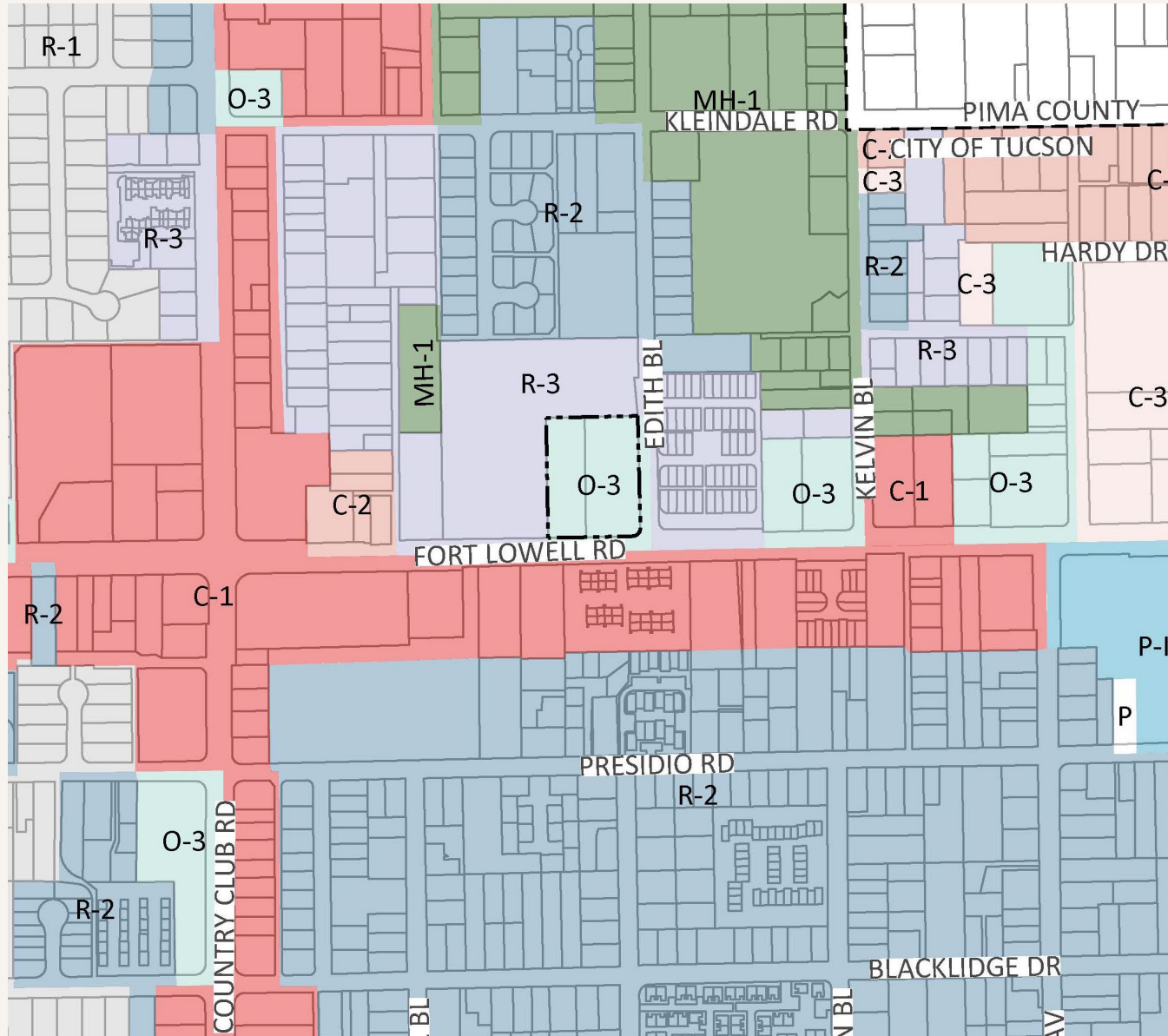
AUGUST 29TH, 2023



LOCATION



LAND USE



EXISTING ZONING



SITE PLAN

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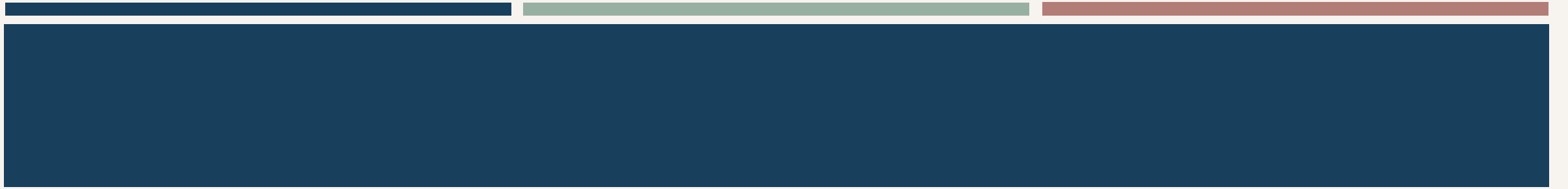
- A. The substitute use is a use permitted in the most restrictive zoning classification in which the existing nonconforming use is permitted as of right.
- B. The substitute use does not generate additional traffic or noise, have longer hours of operation, have additional outside lighting, or cause other negative impacts on adjoining properties greater than those associated with the existing nonconforming use.
- C. The substitute use provides parking as required by the Unified Development Code (UDC).
- D. The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use.

CONTACT INFORMATION



Engineering • Planning • Surveying
Landscape Architecture • Urban Design

- Rob Longaker, Director of Planning
rlongaker@wlbgroup.com
520-881-7480
- Liz Madsen, Planner
lmadsen@wlbgroup.com
520-881-7480



QUESTIONS OR
COMMENTS?

APPENDIX B: NEIGHBORHOOD OUTREACH PACKET

SPECIAL EXCEPTION
Preliminary Development Plan
TP-ENT- 0923-00036 Date 01/12/2024
Planning & Development Services

NEIGHBORHOOD MEETING SUMMARY

**3237 E. Fort Lowell Road
Zoning Examiner Special Exception
Neighborhood Meeting**

When: August 29, 2023

Where: Held via Zoom

Representatives of the applicant in attendance at the meeting:

- Robert G. Longaker III, PLA, AICP - The WLB Group
- Liz Madsen – The WLB Group

Meeting summary:

Nobody notified of the meeting attended the meeting and no correspondence was received prior to the meeting.

Summary of questions and responses:

Not applicable.

Attachments:

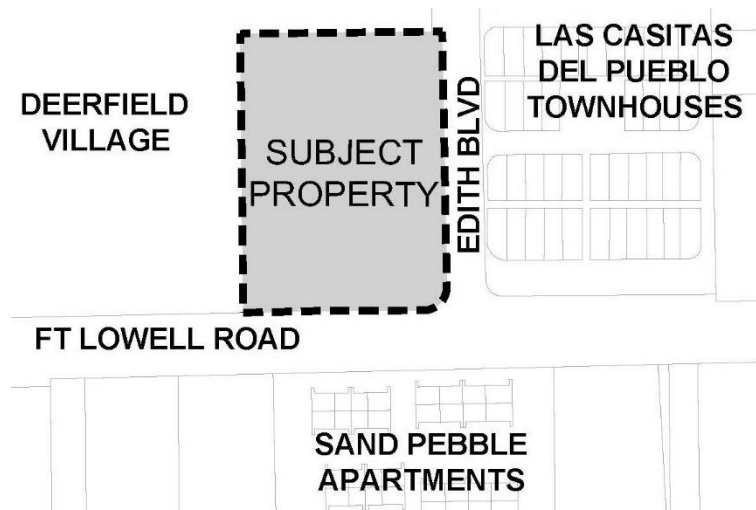
- Meeting invitation
- Mailing list
- Sign in sheet/registration list
- Presentation

NEIGHBORHOOD OUTREACH LETTER

August 16, 2023

Dear Neighbor:

The WLB Group is working with a local business, Plumbing Suppliers Inc., to help them with their planned move from their current location at 2555 E. Grant Road to their future location at 3237 E. Fort Lowell Road. This new location is currently occupied by Diversified Design and Construction Inc. (DDC) who is in the process of closing their business after 50 years at this location. The map below identifies the site.



Plumbing Suppliers is primarily a wholesale plumbing supply business, but they also conduct retail sales to the general public. The site is well suited to their operation in that the office at the front of the site can include a store front, and their inventory can be stored in the existing buildings or in existing outdoor storage areas.

Because DDC's use of the site predates the zoning on the site, also known as being legally nonconforming or "grandfathered," allowing Plumbing

Suppliers to operate on the property requires a public hearing and approval by the City of Tucson Zoning Examiner. You are receiving this letter because you are a nearby property owner or neighborhood association representative. We invite you to attend neighborhood meeting on August 29, 2023 starting at 6 pm to learn more about the project. The meeting will include an introduction to Plumbing Suppliers and a review of the City's requirements for substituting a use on this property. There will be plenty of time for questions. Please see meeting date, time, and location information and instructions at the end of this letter.

We look forward to answering any questions you might have at the neighborhood meeting. If you have any questions before the meeting, or if you cannot attend the meeting and would like to discuss the project, please contact Rob Longaker from The WLB Group at (520) 881-7480 or rlongaker@wlbgroup.com. Comments and questions may also be mailed to The WLB Group at 4444 E. Broadway Boulevard, Tucson, AZ 85711.

Sincerely,

THE WLB GROUP, INC.

Robert G. Longaker III, PLA, AICP
Director of Planning

Virtual Meeting Information & Instructions

Date & Time

August 29th, 2023 at 6 p.m.

Meeting ID: 876 9696 1641

Meeting Password: 821586

Location: Zoom Video/Telephone Conference

- No earlier than 5:45p.m. on August 29th, 2023 visit www.zoom.com and click Join in the top right corner of the screen.
- Enter the Meeting ID and Password click Join.
- Please enter your first name, last name, email address, address and the password above and click Register.
- Click the link that appears in blue.
- Click *Launch Meeting*, and then click the blue “*Join From Browser*” link that appears below.
- Enter your first name and click Join.
- If you prefer to call in and listen to the presentation (audio only), dial +1 720-707-2699 at the time of the meeting. The Access Code is the Meeting ID and password above. The line will remain silent until the meeting begins.

NEIGHBORHOOD OUTREACH MAILING LIST

Name	Address	City, State, Zip
Regina Romero - Mayor	255 W. Alameda ST	Tucson, AZ 85701
Lindy Brigham - N.A. - RillitoBend	1510 E Grant Rd	Tucson, AZ 85719
Philip Kuras - N.A. - Richland Heights East	3208 N Wilson Ave	Tucson, AZ 85719
Michael Geddis - N.A. - Campbell/Grant Northeast	2253 E Mitchell St	Tucson, AZ 85719
Travis Teetor - N.A. - Oak Flower	3940 E Alta Vista St	Tucson, AZ 85712
Fran Garcia - N.A. - North Dodge	3655 E Glenn St	Tucson, AZ 85716
David Winslow - N.A. - Country Glenn	3025 N Copper St	Tucson, AZ 85716
Gretchen Ronnow (Co-Fac) - N.A. - Dodge Flower	3801 E Flower St	Tucson, AZ 85716
David Fossdal (Co-Chair) - N.A. - Cabrini	3007 N Cardi Ave	Tucson, AZ 85716
R. Wiegand - N.A. - Loretta Heights	P.O. Box 69903	Tucson, AZ 85737
Mary Bird - N.A. - RillitoBend	1510 E Grant Rd	Tucson, AZ 85719
Jim Cummins - N.A. - Richland Heights East	1945 E Lind Rd	Tucson, AZ 85728
Cynthia Sorrenson - N.A. - Campbell/Grant Northeast	2241 E Silver St	Tucson, AZ 85719
Jonathan Martin - N.A. - Oak Flower	2537 N Desert Ave	Tucson, AZ 85712
Dave Burnham - N.A. - North Dodge	3014 N. Dickson Dr.	Tucson, AZ 85716
Doyle Ray - N.A. - Country Glenn	2631 N Forgeus Ave	Tucson, AZ 85716
Chris Stephenson - N.A. - Cabrini	PO Box 65993	Tucson, AZ 85728
Kathryn Ferguson - N.A. - Loretta Heights	2408 N Loretta	Tucson, AZ 85716
Catlow Shipke - N.A. - RillitoBend	2611 E Allen Rd	Tucson, AZ 85716
Maureen Pollack - N.A. - Richland Heights East	2000 W Greenlee Rd	Tucson, AZ 85719
Benjamin Elias - N.A. - Campbell/Grant Northeast	2625 M Wilson Ave	Tucson, AZ 85719
David Templin - N.A. - Oak Flower	4249 E Flower St	Tucson, AZ 85712
Christine Burnham - N.A. - North Dodge	3014 N. Dickson Dr.	Tucson, AZ 85716
Shelly Dorsey - N.A. - Country Glenn	2715 E Copper St	Tucson, AZ 85716
Rodrigo Morales (Co-Fac) - N.A. - Dodge Flower	2631 N Dodge	Tucson, AZ 85716
Elly Hirsh (SComm) - N.A. - Cabrini	3027 N Palo Verde	Tucson, AZ 85716
Veronica Ostertag - N.A. - Loretta Heights	2900 E Loretta Dr	Tucson, AZ 85716
Kevin Dahl - Ward 3	1510 E. Grant RD	Tucson, AZ 85719
Steve C. Kozachik - Ward 6	3202 E. 1st ST	Tucson, AZ 85716
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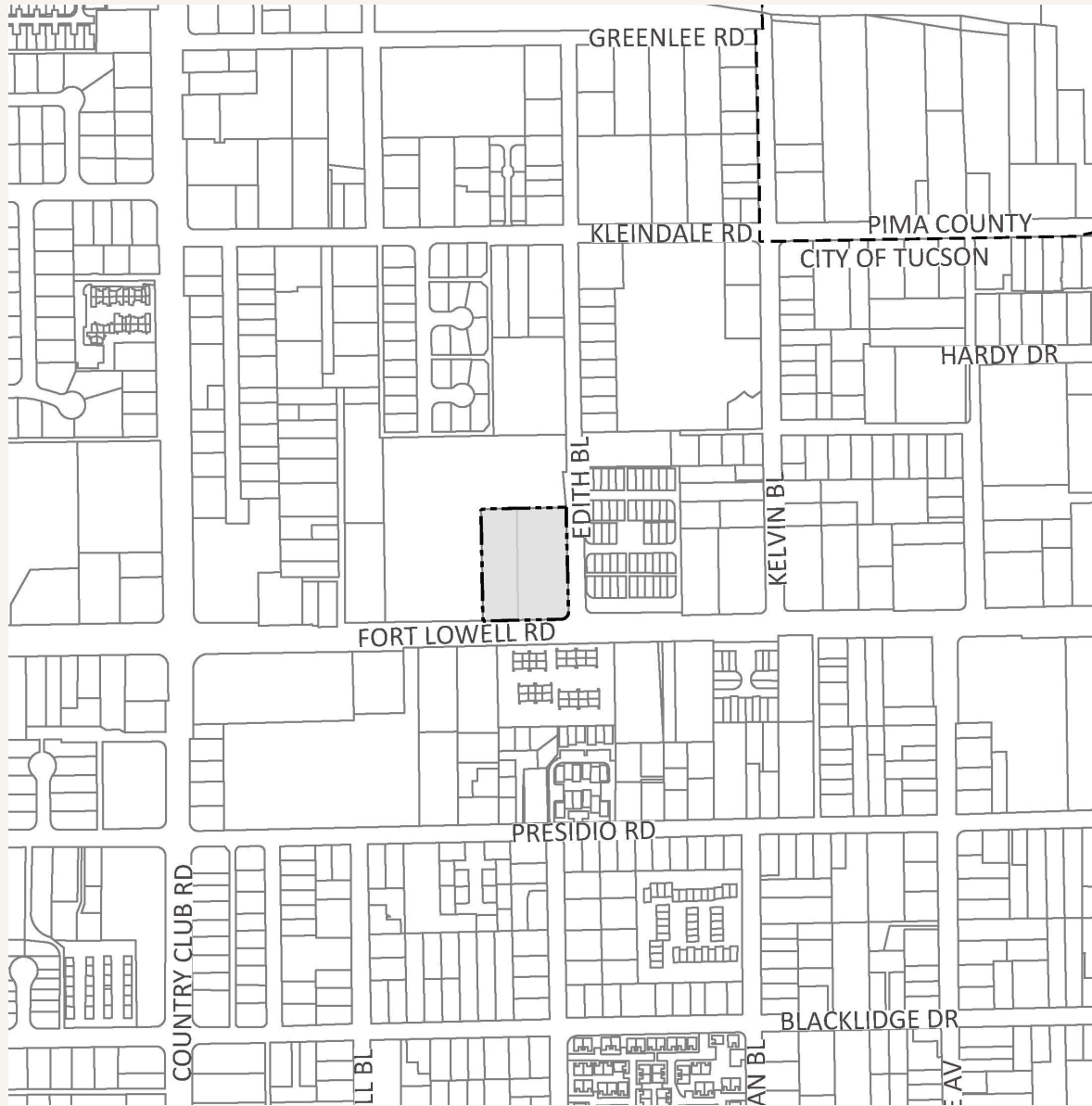
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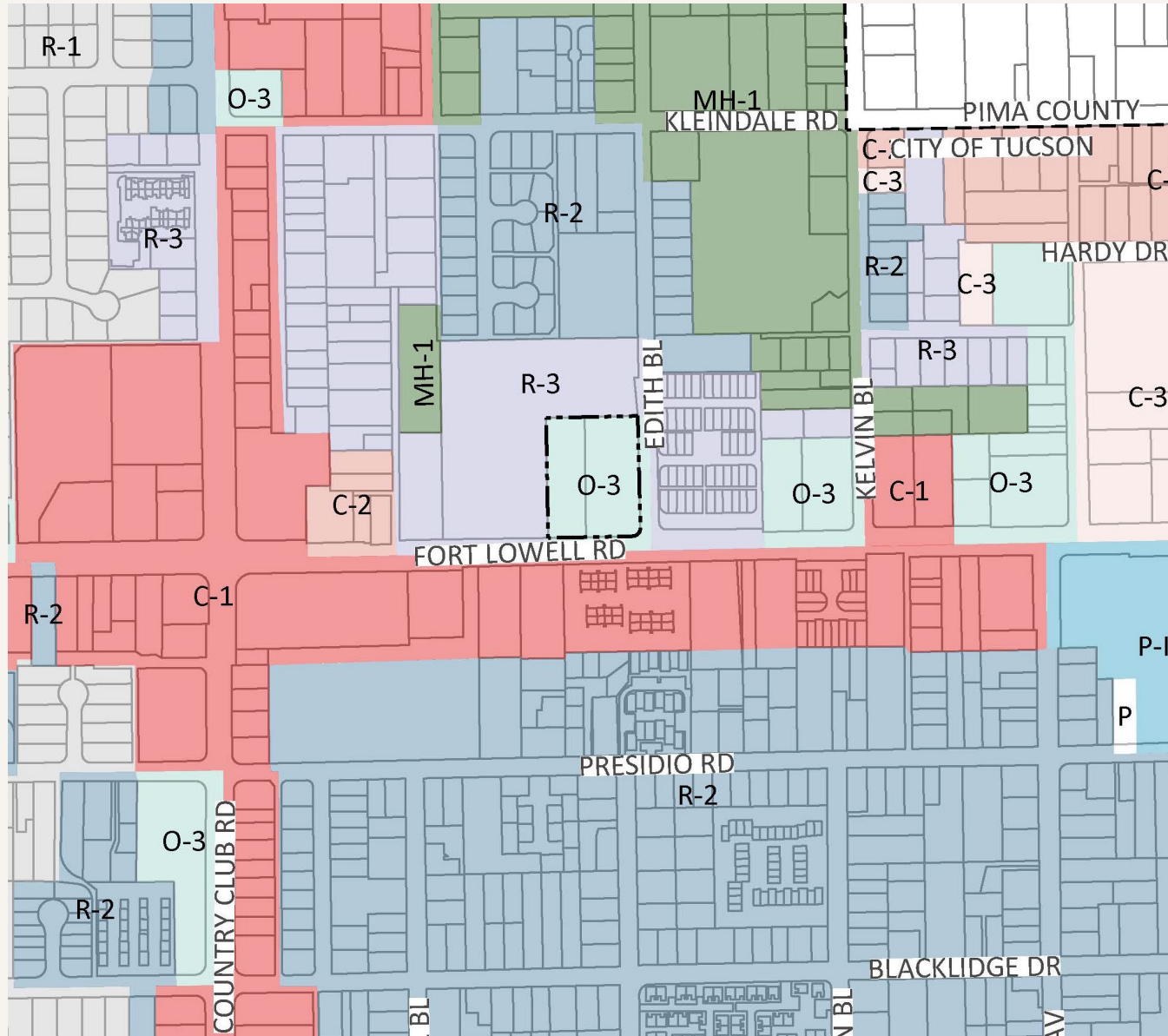
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The Substitution of a Nonconforming Use may be permitted provided the following criteria are met as determined by City Planning Staff and the Zoning Examiner:

- A. The substitute use is a use permitted in the most restrictive zoning classification in which the existing nonconforming use is permitted as of right.
- B. The substitute use does not generate additional traffic or noise, have longer hours of operation, have additional outside lighting, or cause other negative impacts on adjoining properties greater than those associated with the existing nonconforming use.
- C. The substitute use provides parking as required by the Unified Development Code (UDC).
- D. The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use.

CONTACT INFORMATION



Engineering • Planning • Surveying
Landscape Architecture • Urban Design

- Rob Longaker, Director of Planning
rlongaker@wlbgroup.com
520-881-7480
- Liz Madsen, Planner
lmadsen@wlbgroup.com
520-881-7480



QUESTIONS OR
COMMENTS?

Approval – Protest Form



If you wish to submit a written protest or approval, this form is provided for your convenience. Print your comments below, sign your name, and mail to the City of Tucson Planning and Development Services Department, Entitlements Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, Arizona 85726-7210. The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing. This form is not the City of Tucson Public Hearing Notice.

Protests from 20% of the property owners within 150’ of the whole perimeter of the property being rezoned, including BOTH 20% of the property by area and 20% of the number of lots with 150’, require an affirmative vote of ¾ of the Mayor and Council (5 of 7 council members) to approve the rezoning or special Exception ordinance. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations. Calculations will be provided to the Mayor and Council.

Case: TP-ENT-0923-00036 – Plumbing Suppliers – 3237 Fort Lowell, O-3 Non-Conforming (Ward 3)

Property Owner(s) (PLEASE PRINT)

- APPROVE the proposed rezoning/special exception
- PROTEST the proposed rezoning/special exception

Reason(s):

PLEASE PRINT YOUR NAME	PLEASE PRINT PROPERTY ADDRESS	PLEASE PRINT MAILING ADDRESS

Date _____

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-0923-00036 SP

Expose this flap - Affix stamp and return



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

IMPORTANT LAND USE CHANGE NOTICE ENCLOSED