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# MEMORANDUM

## PUBLIC WORKS - DEVELOPMENT SERVICES

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**PUBLIC HEARING – April 13, 2016**

DATE: April 12, 2016

TO: Jim Portner, AICP, Hearing Administrator

FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector

SUBJECT: **P16CU00005 – MAMMAS – W. INA RD.**  
Type I Conditional Use – Adaptive Reuse

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**LOCATION:**

The subject property is located on the north side of Ina Rd. The property is approximately 1580 feet west of the intersection of Ina Rd. and La Canada Dr. The property is zoned CR-1 (Single Residence).

**SURROUNDING LAND USE OR CONTEXT:**

Properties to the north, east and west of the property are also zoned CR-1. Properties to the south are zoned TR (Transitional).

**PUBLIC COMMENT:**

To date staff has received three calls on the property. All of the calls were received within a day or two of the notices being mailed out on the case. Callers had questions about the scope of the project and the use of the property. The callers stated that they had not been contacted by the applicant on this project and did not know anything about the project. Staff did provide some of the callers the plans for the site.

**PREVIOUS CASES ON PROPERTY:**

There are no previous cases on this property.

**BACKGROUND INFORMATION**

This request is to use the property for an adaptive reuse. This is a relatively new section of the code that has only been added within the last few of years. In the last few years a few other properties have applied for conditional use permits for an adaptive reuse. All of the previous requests were approved by the Hearing Administrator.

**DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL**

The Department of Transportation and the Flood Control District will review this project as needed during the permit process.

### **CULTURAL RESOURCES**

Please be aware that Pima County cultural resources requirements could apply to Pima County Conditional Use Permits. If cultural or historic sites will be impacted by the proposed use, mitigation of impacts on sites eligible to the National Register of Historic Places could be required before the County issues the building permit. A first step in identifying the cultural resources status of your property is to request an archaeological records review from the Arizona State Museum (ASM), at 621-2096, and submit it with the permit application. The County Office of Cultural Resources and Historic Preservation will review the ASM report and determine whether additional cultural resources actions are necessary.

### **DEVELOPMENT SERVICES COMMENTS/RECOMMENDATION:**

This is a Type I conditional use permit for an adaptive reuse. An adaptive use is a conditional use in all residential and rural zones when fronting on a major route. The subject property is located on Ina Rd. which is a major east/west route. Ina Rd. in this area has numerous other commercial uses and churches in the area. There is major commercial development at Oracle and Ina Rd. and La Cholla and Ina Rd. In addition, there is a commercial office complex to the south of the proposed adaptive reuse. Residential homes in the area vary from site built homes on 36,000 square foot lots, to high density townhomes. It appears the applicant did reach out to neighboring property owners to inform them of the proposed use.

It should be noted that a development plan is not outright required by the zoning code for an adaptive reuse. The Hearing Administrator has the discretion to determine whether a full development plan should be required. In this case staff is not sure if outreach to the property owners in the area has occurred in this case. Staff and the applicant discussed the project and staff provided the applicant the mailing list that would be used on this case. The applicant stated that they were going reach out to the neighbors.

Staff is overall very supportive of adaptive reuse conditional use and in this case believes the use is appropriate for the site. But also in this case, staff is concerned that three neighbors contacted Development Services staff when they received the notice in the mail. Each neighbor knew nothing on the project. Feedback at the hearing from affected property owners is an important part of the process. Staff suggests the Hearing Administrator consider neighbor concerns and either direct the applicant to work with neighbors or craft conditions that are appropriate to assist in mitigating neighbor concerns.

- c: Carmine DeBonis, Development Services Director  
Mr. Assini, Applicant