



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

**Requested Board Meeting Date:** May 21, 2019

**Title:** P17CU00001 ARIZONA IRONWOOD LLC - E. TANQUE VERDE ROAD RESTAURANT

### **Introduction/Background:**

This is a request to modify the approved Type II Conditional Use Permit for a restaurant approved in 2017. The applicant has proposed a modification / expansion outside of the use granted under the original permit.

### **Discussion:**

The modifications would expand the existing restaurant from 3,741 square feet to 7,472 square feet in area. The restaurant would also add a larger outdoor patio area, outdoor bandstand/stage, beer garden, bag toss area, bocci court, and outdoor kitchen. A minimum of seventy-four (74) parking spaces will be required to meet the code. Overall the new proposal is substantially larger and more intense than the original.

### **Conclusion:**

Staff understands that the Tanque Verde Valley area is under-served with restaurants and gathering areas, but believes that careful consideration should be given to some of the items proposed with respect to surrounding neighbors.

### **Recommendation:**

Staff and the Hearing Administrator recommend approval of the Type II Conditional Use Permit for a restaurant expansion subject to standard and special conditions.

### **Fiscal Impact:**

N/A

### **Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☒ 4      ☐ 5      ☐ All

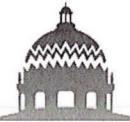
**Department:** Development Services, Planning Division      **Telephone:** 520-724-8800

**Contact:** Tom Drzazgowski, Chief Zoning Inspector      **Telephone:** 520-724-9522

**Department Director Signature/Date:** [Signature] 4/24/19

**Deputy County Administrator Signature/Date:** [Signature] 4/30/19

**County Administrator Signature/Date:** C. Delaney 5/1/19



**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Steve Christy, Supervisor, District #4

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** April 18, 2019

**SUBJECT:** P17CU00001 ARIZONA IRONWOOD LLC – E. TANQUE VERDE RD  
(Conditional Use – Type II – Restaurant)

The above referenced Conditional Use Permit is within your district and scheduled for the Board of Supervisors' **TUESDAY, May 21, 2019** hearing.

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**REQUEST:** Conditional Use – Restaurant

**OWNER:** TK Family LLC  
8400 E. Cresthill Dr.  
Tucson, AZ 85750

**AGENT:** Jeffrey T Witthoft  
6890 E. Sunruse Dr.  
Tucson, AZ 85750

**DISTRICT:** 4

**STAFF CONTACT:** Tom Drzazgowski, Chief Zoning Inspector

**PUBLIC COMMENT TO DATE:** Staff indicated that it had received two (2) phone call inquiries on the case prior to the public hearing. Two (2) of the above speakers also submitted written letters to detail their concerns and objections.

**HEARING ADMINISTRATOR RECOMMENDATION:** APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

**STAFF RECOMMENDATION:** APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS):** A portion of the western side of the property is inside the MMBCLS (Biological Core). Commercial uses have existed on the site since 1964, which predated the adoption of the Conservation Land System in

TD/NC/ar  
Attachments



## **BOARD OF SUPERVISORS MEMORANDUM**

**Subject:** P17CU00001

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### **FOR MAY 21, 2019 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** April 18, 2019

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### **ADVERTISED ITEM FOR PUBLIC HEARING**

#### **CONDITIONAL USE PERMIT**

#### **P17CU00001 ARIZONA IRONWOOD LLC – E. TANQUE VERDE ROAD**

Request of Arizona Ironwood LLC, represented by TK Family LLC, for a modification/expansion of an existing Type II Conditional Use Permit for a restaurant in the RVC (Rural Village Center) zone, located at 11011 E. Tanque Verde Road. Staff and the Hearing Administrator recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**  
(District 4)

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#### **Summary of the Hearing Administrator Meeting (April 4, 2019)**

In accordance with Pima County Zoning Code Section 19.87.030.F.3, a public hearing was held on this application on April 4, 2019. The applicant presented the case to the hearing administrator and answered his various questions.

Several members of the public attended the hearing, four (4) of whom elected to speak on the matter. One (1) of the speakers expressed support for the request due to the general lack of services in the Tanque Verde Valley, together with his beliefs that the owners had been responsive to neighbor concerns; this individual did not live nearby the subject property. Three (3) of the speakers lived immediately adjacent to the site and were more in opposition, not so much to the generic idea of a family restaurant, but to certain aspects of the operation that caused them material concern. Specific issues raised were the potential for outdoor noise, odors (from the proposed meat smoker running potentially around-the-clock), and general privacy.

Staff indicated that it had received two (2) phone call inquiries on the case prior to the public hearing. Two (2) of the above speakers also submitted written letters to detail their concerns and objections.

After hearing all of the above, the Hearing Administrator closed the public hearing.

After visiting the subject property and considering the facts and testimony presented at the

public hearing, together with the written materials submitted by the applicant and neighbors, the Hearing Administrator recommends a modified **APPROVAL** of this request for a Type II conditional use permit for a restaurant. The applicant is advised that this is a *recommendation* to the Board of Supervisors, who will make the ultimate and final decision on this CUP request.

Should the Board of Supervisors agree with the Hearing Administrator's recommendation for approval, it is suggested that this approval be granted subject to the following standard and special conditions:

Standard Conditions & Requirements per the Pima County Zoning Code

1. A restaurant, including a cocktail lounge or a bar, is allowed in the RVC zone subject to:  
1) the provisions of Section 18.43.030.F (CB-1 Local Business Zone); and 2) no drive-in restaurants are permitted.

Special Conditions – Hearing Administrator

1. This conditional use permit is for the operation of a family restaurant only, together with those ancillary support activities that normally and routinely accompany such an establishment. No other or more intensive commercial uses are approved for the site.
2. Indoor and outdoor use areas are restricted to only those shown on the submitted concept site plan. Any request to further expand or materially modify these areas or this conditional use permit approval and its special conditions shall require a new Type II conditional use permit application, public notice, and public hearing process.
3. The proposed use shall substantially conform with the location and particulars as shown on the submitted conceptual site plan that was provided by the applicant in conjunction with this amended conditional use permit application. The following modifications to same are hereby stipulated by the Hearing Administrator:
  - Television screens are permitted in the outdoor dining area, but video only is allowed, no audio.
  - The outdoor pizza kitchen is permitted as shown on the submitted concept plan.
  - No outdoor smoker is permitted.
  - A minimum 6' tall decorative masonry wall, similar in material and style to the existing decorative wall on the property, shall be provided along the property's western boundary to screen the expanded parking and its trash/dumpster area, and to further mitigate noise. The wall shall extend from the site's southwest corner, northward to a point ten feet (10') north of the proposed water-harvesting basin.
  - Trellises with climbing vines (e.g. catclaw or climbing fig) shall be planted every twenty feet (20') on-center along the western-facing and northern-facing facades of the proposed sound-mitigating cargo containers. The vines shall be appropriately watered by a permanent irrigation system.
  - Required bufferyards in accordance with Section 18.73 (Landscape Buffering and Screening) and the Pima County Landscape Design Manual shall be provided.
4. Hours of operation are as follows: 1) for enclosed/indoor activities, 8:00 AM through 10:30 PM, seven days a week; and 2) hours of operation for all outside activities (including the outdoor dining area) remain as originally approved in 2017, i.e. from 8:00 AM to 9:00 PM, Monday through Thursday and from 8:00 AM to 10:00 PM on Friday and Saturday.

5. Use of the proposed outdoor stage is limited to acoustic and non-amplified music only, or to other activities where no amplified sound or public-address is employed. Use of the stage is limited to Friday and Saturday evenings only.
6. No amplified music or loud speakers are allowed in the outdoor dining area, beer garden, bocci ball court, ring-toss area, and (once again) the outdoor stage.
7. Use of the cargo containers for storage is limited to the northeastern-most container only.
8. No formal Development Plan (DP) process is required in conjunction with this conditional use permit application. The Chief Zoning Inspector (CZI) or his designee shall coordinate review of the final site plan to determine its sufficiency for permitting purposes and/or to effectuate any modifications necessary to fully comply with all applicable codes and the above Hearing Administrator modifications. The CZI or his designee will coordinate with the Department of Transportation and the Regional Flood Control District as appropriate to ensure that their respective special conditions (see below) are honored.
9. The public/customer driveway access and the public parking area shall be minimally surfaced with gravel or an acceptable alternative so as to control the generation of dust, subject to approval by the Department of Transportation. The Hearing Administrator does not support the use of conventional asphalt or concrete pavement.
10. Use of the private access easement along the property's eastern boundary is limited to employees, deliveries, and maintenance vehicles only. No customer access is allowed.

Special Conditions – Department of Transportation

1. Access to the site shall be limited to the existing driveway on Tanque Verde Road.
2. An updated traffic study must be reviewed and approved prior to the approval of any permit. This updated traffic study may identify additional offsite improvements are now warranted by the increase in trip generation. Any new offsite improvements identified will be the sole responsibility of the developer.
3. A site plan containing the layout and design of the parking lot and surface treatment, design of the driveway, and onsite drainage facilities must be reviewed and approved prior to the approval of any permit (refer to Hearing Administrator *Special Condition* No. 8 above).
4. The developer will contribute \$14,000 to the Tanque Verde/Tanque Verde Loop intersection improvement project (No. 4TVTVL) for the extension of the center left turn lane to accommodate this development.

Special Conditions – Regional Flood Control District

1. All new structures, building expansions, new service equipment and tenant improvements shall be reviewed by the District to evaluate floodplain use permit requirements.
2. The applicant shall submit a drainage report and site construction permit application, showing floodplain extent and depth on the site and demonstrating no adverse impact to adjacent properties, for District review and approval.

TD/NC/ar  
Attachments

cc: TK Family LLC, 8400 E. Cresthill Dr., Tucson, AZ 85750  
Jeffrey T Witthoft, 6890 E. Sunrise Dr 120-102., Tucson AZ 85750  
Chris Poirier, Planning Official Pima County Development Services  
Tom Drzazgowski, Chief Zoning Inspector Pima County Development Services  
Nick Coussoulis, Planner Senior Pima County Development Services  
P17CU00001 File



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# MEMORANDUM

## PUBLIC WORKS - DEVELOPMENT SERVICES

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P17CU00001

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### FOR BOARD OF SUPERVISORS MAY 21, 2019 PUBLIC HEARING

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Jim Portner, Hearing Administrator

**DATE:** April 9, 2019

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**DOCUMENT:** P17CU00001

#### AMENDED CONDITIONAL USE PERMIT REQUEST FOR PUBLIC HEARING:

Request of TK Family, LLC, on property located at 11011 E. Tanque Verde Road, in the **RVC (Rural Village Center) Zone**, for a modification/expansion of an existing Type II conditional use permit for a restaurant, in accordance with Section 18.41.040.A of the Pima County Zoning Code. (District 4)

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#### CASE BACKGROUND AND PARTICULARS

This is a request to amend an existing conditional use permit (CUP) that was approved by the Board of Supervisors (under the same above case number) in October, 2017. The current application is conceptually similar to that original request, in that the owner/applicant seeks to establish a neighborhood family restaurant on the property in a rustic "barnyard" setting. The current request, however, represents a material expansion of the original approval in terms of the size, capacity, and amenities associated with the restaurant. For example, the original CUP embodied approximately 3,700 SF of usable restaurant area (indoor and outdoor), while the current request totals over 7,400 SF (an effective doubling). This triggers a related increase in required parking spaces. More than forty (40) outdoor serving tables are now proposed (while the original application had a fraction of that), along with an outdoor pizza kitchen, smoker, and large-format TV screens. Further, the current proposal seeks an outdoor stage, and an area dedicated to bocci ball and ring toss. While all of these are clearly complementary activities to the main restaurant, they just as clearly amount to a significant increase in the overall intensity of the proposed use.

#### SUMMARY OF THE HEARING ADMINISTRATOR MEETING

In accordance with Pima County Zoning Code Section 18.97.030.F.3, a public hearing was held on this application on April 4, 2019. The applicant presented the case to the hearing administrator and answered his various questions.

Several members of the public attended the hearing, four (4) of whom elected to speak on the matter. One (1) of the speakers expressed support for the request due to the general lack of services in the Tanque Verde Valley, together with his beliefs that the owners had been responsive to neighbor concerns; this individual did not live nearby the subject property. Three (3) of the speakers lived immediately adjacent to the site and were more in opposition, not so much to the generic idea of a family restaurant, but to certain aspects of the operation that caused them material concern. Specific issues raised were the potential for outdoor noise, odors (from the proposed meat smoker running potentially around-the-clock), and general privacy.

Staff indicated that it had received two (2) phone call inquiries on the case prior to the public hearing. Two (2) of the above speakers also submitted written letters to detail their concerns and objections.

After hearing all of the above, the Hearing Administrator closed the public hearing.

#### HEARING ADMINISTRATOR'S COMMENTS

This Hearing Administrator's approval of the original 2017 conditional use permit focused heavily on the intensity of the proposed use within the context of its adjacent lower-density residential neighbors. That original focus remains unchanged with this modified request. It is still the Hearing Administrator's position that the concept of a restaurant in this location is both acceptable and appropriate in light of its adjacency to a major transportation arterial and given the general lack of goods and services that characterizes the surrounding Tanque Verde Valley.

That being said, however, Tanque Verde Road is hardly an intensive commercialized corridor like that we see in other more urbanized areas of Pima County. Introducing a restaurant at this specific location demands that its scope and operation be appropriately framed so as to strike the requisite balance between commercial objectives and the established character of the surroundings. The property is zoned Rural Village Center (RVC); the term "rural" is there for a reason. Restaurants are not allowed in RVC by right; they are only permitted as *conditional* uses.

It is the Hearing Administrator's finding and position that the proposed restaurant can be successfully run in this location in a way that strikes a proper balance, but that this would not be the case if the applicant is granted the full measure of their present request. The recommendation presented below makes material modifications and reductions to the applicant's request; these preserve the framework for a successful restaurant while still respecting valid neighbor concerns.

#### HEARING ADMINISTRATOR'S RECOMMENDATION

After visiting the subject property and considering the facts and testimony presented at the public hearing, together with the written materials submitted by the applicant and neighbors, the Hearing Administrator recommends a modified **APPROVAL** of this request for a Type II conditional use permit for a restaurant. The applicant is advised that this is a *recommendation* to the Board of Supervisors, who will make the ultimate and final decision on this CUP request.

Should the Board of Supervisors agree with the Hearing Administrator's recommendation for approval, it is suggested that this approval be granted subject to the following standard and special conditions:

Standard Conditions & Requirements per the Pima County Zoning Code

1. A restaurant, including a cocktail lounge or a bar, is allowed in the RVC zone subject to: 1) the provisions of Section 18.43.030.F (CB-1 Local Business Zone); and 2) no drive-in restaurants are permitted.

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2. Indoor and outdoor use areas are restricted to only those shown on the submitted concept site plan. Any request to further expand or materially modify these areas or this conditional use permit approval and its special conditions shall require a new Type II conditional use permit application, public notice, and public hearing process.
3. The proposed use shall substantially conform with the location and particulars as shown on the submitted conceptual site plan that was provided by the applicant in conjunction with this amended conditional use permit application. The following modifications to same are hereby stipulated by the Hearing Administrator:
  - Television screens are permitted in the outdoor dining area, but video only is allowed, no audio.
  - The outdoor pizza kitchen is permitted as shown on the submitted concept plan.
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  - A minimum 6' tall decorative masonry wall, similar in material and style to the existing decorative wall on the property, shall be provided along the property's western boundary to screen the expanded parking and its trash/dumpster area, and to further mitigate noise. The wall shall extend from the site's southwest corner, northward to a point ten feet (10') north of the proposed water-harvesting basin.
  - Trellises with climbing vines (e.g. catclaw or climbing fig) shall be planted every twenty feet (20') on-center along the western-facing and northern-facing facades of the proposed sound-mitigating cargo containers. The vines shall be appropriately watered by a permanent irrigation system.
  - Required bufferyards in accordance with Section 18.73 (Landscape Buffering and Screening) and the Pima County Landscape Design Manual shall be provided.
4. Hours of operation are as follows: 1) for enclosed/indoor activities, 8:00 AM through 10:30 PM, seven days a week; and 2) hours of operation for all outside activities (including the outdoor dining area) remain as originally approved in 2017, i.e. from 8:00 AM to 9:00 PM, Monday through Thursday and from 8:00 AM to 10:00 PM on Friday and Saturday.
5. Use of the proposed outdoor stage is limited to acoustic and non-amplified music only, or to other activities where no amplified sound or public-address is employed. Use of the stage is limited to Friday and Saturday evenings only.

6. No amplified music or loud speakers are allowed in the outdoor dining area, beer garden, bocci ball court, ring-toss area, and (once again) the outdoor stage.
7. Use of the cargo containers for storage is limited to the northeastern-most container only.
8. No formal Development Plan (DP) process is required in conjunction with this conditional use permit application. The Chief Zoning Inspector (CZI) or his designee shall coordinate review of the final site plan to determine its sufficiency for permitting purposes and/or to effectuate any modifications necessary to fully comply with all applicable codes and the above Hearing Administrator modifications. The CZI or his designee will coordinate with the Department of Transportation and the Regional Flood Control District as appropriate to ensure that their respective special conditions (see below) are honored.
9. The public/customer driveway access and the public parking area shall be minimally surfaced with gravel or an acceptable alternative so as to control the generation of dust, subject to approval by the Department of Transportation. The Hearing Administrator does not support the use of conventional asphalt or concrete pavement.
10. Use of the private access easement along the property's eastern boundary is limited to employees, deliveries, and maintenance vehicles only. No customer access is allowed.

*Special Conditions – Department of Transportation*

1. Access to the site shall be limited to the existing driveway on Tanque Verde Road.
2. An updated traffic study must be reviewed and approved prior to the approval of any permit. This updated traffic study may identify additional offsite improvements now warranted by the increase in trip generation. Any new offsite improvements identified will be the sole responsibility of the developer.
3. A site plan containing the layout and design of the parking lot and surface treatment, design of the driveway, and onsite drainage facilities must be reviewed and approved prior to the approval of any permit (refer to Hearing Administrator *Special Condition* No. 8 above).
4. The developer will contribute \$14,000 to the Tanque Verde/Tanque Verde Loop intersection improvement project (No. 4TVTVL) for the extension of the center left turn lane to accommodate this development.

*Special Conditions – Regional Flood Control District*

1. All new structures, building expansions, new service equipment and tenant improvements shall be reviewed by the District to evaluate floodplain use permit requirements.
2. The applicant shall submit a drainage report and site construction permit application, showing floodplain extent and depth on the site and demonstrating no adverse impact to adjacent properties, for District review and approval.

**REQUIRED STANDARDS AND FINDINGS**

Following are the Hearing Administrator's findings relative to the standards set by Pima County Code Sec. 18.97.030.F.3.c. These Sections stipulate that the following standards be met by the proposed use:

**1. It will not be in serious conflict with the objectives of the general land use plan or the area plan in which situated.**

The Pima County Comprehensive Plan designates this site and the surrounding private properties as *Neighborhood Activity Center (NAC)*, the purpose of which is to provide designated areas for the provision of neighborhood-level goods and services for the convenience of surrounding residents.

The Hearing Administrator's original 2017 approval of a conditional use permit for a family restaurant focused heavily on the intensity of that use adjacent to its lower-density residential context to the west, north and northeast. Intensity of use remains a prime focus with this revised CUP application, in that it seeks a materially expanded amount of usable restaurant space and other activities. With this focus in mind, it is the Hearing Administrator's conclusion that the current request is approvable and appropriate only if certain modifications are made so as to ensure its intensity and associated impacts remain appropriate for the aforementioned adjacent residential context. Yes, Tanque Verde Road may be a major transportation arterial. However, it in no way embodies an established commercial corridor. A restaurant will work in this specific setting and provide a needed service for the surrounding residents as long as it is suitably and appropriately mitigated.

All things considered, it is the Hearing Administrator's position that the proposed restaurant concept is consistent with the purpose of the *Neighborhood Activity Center (NAC)*. It can co-exist properly with its adjacent lower-density residential context if it is operated in accordance with the *Special Conditions* prescribed above.

**2. It will provide safeguards for the protection of adjacent developed property, or if the adjacent property is undeveloped, for the legal permitted uses of such property.**

It is the Hearing Administrator's position that the proposed conditional use, if conducted in substantial conformance with the submitted concept site plan and the *Special Conditions* prescribed above, will satisfactorily safeguard the adjacent properties and their permitted uses of same.

**3. It has adequate accessibility to the County road network.**

The site has direct access to E. Tanque Verde Road, which is a paved, public street and is a designated "major street" on the Pima County Major Streets & Routes Plan. Access is found to be adequate, as long as it is controlled in accordance with the *Special Conditions* attached to this approval.

**4. It has sufficient off-street parking and loading facilities, that will be developed in accordance with County engineering standards.**

Required parking shall be reviewed accordingly by staff at the time of final permitting.

**5. It will meet County standards in terms of control of noise, smoke, glare or heat, odors, vibrations, fly, ash, dust, fumes, vapors, gasses, and other forms of air pollution, liquids and solid wastes.**

It is the Hearing Administrator's finding that the new use poses no significant public threat in any of the above ways, except in the potential case of dust, noise and odors. *Special Conditions* have been crafted to address the proper operation of this restaurant use to mitigate these potential impacts.

6. **Hours of operation will not be detrimental to adjoining residents.**

Hours of operation are addressed in the proposed *Special Conditions*.

7. **Landscaping will be fully in conformance with zoning code regulations.**

Required landscape buffers shall be delineated on the required site plan and reviewed by staff at the time of final permitting. *Special Conditions* ensure same.

**SONORAN DESERT CONSERVATION CONCEPT PLAN/ENVIRONMENTAL ISSUES**

**Comprehensive Plan Regional Environmental Policies — Conservation Lands System**

In December, 2001 the Board of Supervisors incorporated the Maeveen Marie Behan Conservation Lands System (MMB-CLS) into the Comprehensive Plan 2001 Update as the Regional Environmental Policies. The MMB-CLS is the heart of the Sonoran Desert Conservation Plan (SDCP). On June 21, 2005, the Board of Supervisors amended the Comprehensive Plan Regional Environmental Policies and the MMB-CLS to reflect recommendations from the SDCP Science Technical Advisory Committee that were based on new scientific and technical data. As adopted, Conservation Guidelines associated with the MMB-CLS establish conservation objectives for a variety of projects (e.g. rezoning actions, comprehensive plan amendments, Type II and Type III conditional use permits, etc.) that require a discretionary decision by the Board of Supervisors. Conservation objectives include:

1. Important Riparian Areas — 95% undisturbed natural open space
2. Biological Core Management Areas — 80% undisturbed natural open space
3. Special Species Management Areas — 80% undisturbed natural open space
4. Multiple Use Management Areas — 66-2/3% undisturbed natural open space

The westernmost portion of the subject property (**approximately 40% of the total site area**) is located **within the BIOLOGICAL CORE MANAGEMENT AREA** of the SDCP's Biologically-Preferred Reserve System. The **remainder of the property is OUTSIDE OF** the MMB-CLS.

**Staff Commentary on Biological Impacts**

Staff has reviewed this application and finds that, as long as it is placed on the site in conformance with the submitted conceptual site plan: 1) its approval is not expected to affect any resources essential to Pima County's biological conservation priorities; and 2) it would not be in conflict with the Regional Environmental Policies of the 2001 Comprehensive Plan Update. The property has already been developed under past uses and has been significantly impacted; no additional material impacts will result from the approval and operation of this conditional use permit.

**Facts Confirmed by the Pima County Geographic Information System (GIS)**

The following facts are confirmed by the Pima County GIS and the Sonoran Desert Conservation Plan maps with respect to this conditional use permit request:

**Cactus Ferruginous Pygmy Owl.** The subject property is located within an area that was designated as former critical habitat and is part of draft recovery area. It is within Survey Zone 2. This site is located within the Priority Conservation Area (PCA) for this species.

**Western Burrowing Owl.** The subject property is not located within the Priority Conservation Area for this species.

**Pima Pineapple Cactus.** The subject property is located within a general area outside of the known range for the Pima Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

**Needle-Spined Pineapple Cactus.** The subject property is located within a general area that is outside of the known range for the Needle-Spined Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

**DEPT. OF TRANSPORTATION & FLOOD CONTROL RECOMMENDATION:**

The Department of Transportation and the Regional Flood Control District have both reviewed this application and provided specific comments and recommended special conditions. Same have been incorporated into the Hearing Administrator's formal recommendation above.

attachments

cc: Carla Blackwell, Director, Development Services  
Dan Ice, Chief Building Official  
Chris Poirier, Planning Official  
Tom Drzazgowski, Chief Zoning Inspector  
Lauren Ortega, DSD/DOT  
Ann Moynihan, RFCD  
TK Family, LLC, Owner & Applicant



## Conditional Use Permit Application

Property Owner: TK Family LLC Phone: 520-275-5929  
Owner's Mailing Address, City, State & Zip: 8400 E CRESTHILL DR. TUCSON AZ 85750  
Applicant (if different from owner): Jeffrey T Witthoft Phone: 520-349-9119  
Applicant's Mailing Address, City, State & Zip: 6890 E Sunrise Drive 120-102  
Applicant's or Owner's Email Address: jeff@aircommsolutions.com  
Property Address or Tax Code: 114-57-083A  
Type of Use Proposed for the Property: Amendment Existing C.U.P. # P17CU00001  
Preserving the existing building share & character with a Family Neighborhood restaurant  
and craft house. Please see attached document.

Amendment Proposal  
Discuss the proposed use and it's compatibility with the surrounding area:  
to Existing C.U.P # P17CU00001 Please see attached document and Site plan.

☒ The applicant agrees to contact the Regional Flood Control District to discuss the proposal prior to application submittal.

☒ The applicant agrees to contact United States Fish and Wildlife Service at scott\_richardson@fws.gov and provide a written notice that an application for a conditional use permit has been submitted a minimum of 15 days prior to the public hearing date.

### This application is for a (Select one):

☒ Type I Conditional Use ☐ Type II Conditional Use ☐ Type III Conditional Use

### Terms and Conditions

☒ I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)

03-08-2019  
Date: \_\_\_\_\_

## Amendment Proposal To Existing C.U.P. #P12CU00001

The Barnyard Crafthouse and Eatery  
11011 E TANQUE VERDE RD TUCSON, AZ 85749

### Record Details

#### Owners

TK FAMILY LLC TK FAMILY LLC

#### Project Description:

CUP TYPE FOR RESTAURANT IN RVC

#### Owner:

TK FAMILY LLC

8400 E Cresthill Dr

Tucson Arizona 85750

### Parcel Information

Parcel Number: 11457084A Book: 114

#### Legal Description:

PTN W2 N279' S329' W2 E2 SE4 SE4 1.01 AC SEC 36-13-15

#### Parcel Area:

0.99

Thank you for your time. The Barnyard Crafthouse team has worked with staff side-by-side to set this restaurant up to be a huge success. Our vision is to become more than a business – We truly want to be a local gathering place for our neighbors. The Barnyard Crafthouse team did hold a neighborhood meeting on Saturday, June 10, 2017 at the Bear Canyon Library. In that same meeting Neighbors were given the opportunity to sample the smoked meats and smoke pork along with coleslaw and other sides. Lisa Kertesz also spoke to how kids and families would be able to participate in games and other little events while waiting to be seated or just plain entertainment. The majority of all the homeowners have asked to have a tour and or walk-through of what the barnyard is going to be and how it will operate. Here's a summary of what you will find at the Barnyard.

The Barnyard Crafthouse centers, around its landmark barn, honoring its history and rustic appearance while embracing modern upgrades. Our hope is to bring the community together over great food and drinks while enjoying the company of friends, neighbors and family under the majestic mesquites. Whether you're meeting friends to catch up, have a cocktail, listening to the live music, dining with family, holding an event. We promise fresh, handcrafted, local fair and a fun environment unmatched anywhere in Tucson.

- Customer access shall be limited to the existing driveway location onto Tanque Verde as shown on the submitted site plan

- This public driveway access and the public parking area shall be minimally surfaced with gravel or an acceptable alternative so as to control the generation of dust.
- Use of the private access easement along the property's eastern boundary is limited to employees, deliveries, and maintenance vehicles only. No customer access is allowed.
- The owner/applicant shall contribute \$14,000.00 to PCDOT Project No. 4TVTVL to fulfill their fair-share cost of DOT's planned street/intersection improvements and the extension of the center left-turn lane to accommodate this restaurant development.

1. NEW RESTAURANT (ENCLOSED)
2. EXTG STORAGE BLDG
3. OUTSIDE KITCHEN
4. (425 SF RAMADA REMOVED)
5. (170 SF OUT-BLDG NOT DESIGNATED)
6. EXT'G RAMADA TO REMAIN
7. NEW BANDSTAND (with live In accordance with Pima county noise ordinance)
8. SHIPPING CONTAINER for noise dampening and storage
9. BOCCI COURT
10. WEST PATIO
11. EXT'G SOUTH PATIO (USABLE)

#### Interior operation

- Hours of interior operation: Sunday through Thursday, 8:00 AM to 10:30 PM; Friday and Saturday, 8:00 AM to 10:30 PM. This will allow us enough time to accommodate our guests for the televised UofA athletic games (i.e. football basketball)

#### Exterior operation

- Hours of exterior operation: Sunday through Thursday, 8:00 AM to 10:00 PM; Friday and Saturday, 8:00 AM to 10:00 PM.
- In accordance with Pima county noise ordinance exterior operation closed at 10:00 pm. Last call and last food service will be at 9:30 PM Monday through Sunday.
- Outdoor Live music, area music, and televisions will end prior to 10 PM Monday through Sunday.

Rural Metro Fire department and Pima County Health department have give approval.



**PIMA COUNTY**

DEVELOPMENT SERVICES

**LETTER OF AUTHORIZATION**

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

11011 E TANQUE VERDE RD TUCSON AZ 85750  
Property Address

AMENDMENT EXISTING C.U.P. # P17CU00001  
Type of Permit Applied for: (SFR/MH/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Adult Care/Secondary Dwelling/Assisted Living/Group Home)

[Signature]  
Signature of Applicant

03-08-2019  
Date

**AUTHORIZED BY:**

[Signature]  
Signature of Property Owner

03-08-2019  
Date

1. 4358 SF, NEW RESTAURANT (ENCLOSED)  
2. 48 SF, EXT'G STORAGE BLDG  
3. 601 SF OUTSIDE KITCHEN  
4. (425 SF RAMADA REMOVED)  
5. (170 SF OUT-BLDG NOT DESIGNATED)  
6. 61 SF EXT'G RAMADA TO REMAIN  
7. NEW BANDSTAND: 420 SF  
8. 1280 SF, SHIPPING CONTAINER STORAGE  
9. 1183 SF, BOCCI COURT  
10. 1960 SF, WEST PATIO  
11. 1565 SF, EXT'G SOUTH PATIO (USABLE)

EXISTING AREAS:

2447 SF  
48 SF  
590 SF  
425 SF  
170 SF  
61 SF

3741 SF SHOWN CUP PROCESS

$$11826 / 89404 = 13.23 \%$$

ALLOWABLE EXPANSION:

3741 (20%) = 748.2 SF ALLOWABLE  
NEW KITCHEN EXPANSION = 617 SF+-  
( BASED ON APPLICATION EXHIBIT INCREASE)

PROPOSED PROJECT:

3741 (20%) = 748.2 SF EXPANSION ALLOWABLE  
617 + SF EXPANSION PROPOSED

**PARKING:**

3035 SF PROPOSED GROSS RESTAURANT AREA  
3035 / 1000 (10) = 30 SPACES REQ'D  
SPACES PROPOSED : 49 SPACES

LOT BUILDING COVERAGE :

$$4330 / 89404 = 4.84 \%$$


**LEGEND:**

 EXISTING BUILDINGS AS PER CUP  
INITIAL APPLICATION

☒ PROPOSED ADDITION

(E) EXISTING

AMENDMENT PROPOSAL TO EXISTING C.U.P. # P17CU00001

 : ACCESSIBLE ROUTE

**ANC**  
American Design Consultants  
GEORGE E. HOLGUIN, AIA  
ADC west, LLC  
architects and planners  
8987 W Tanque Verde  
# 309-238  
Tucson, Arizona 85749  
520-751-4355 cell  
520-307-4101 cell  
(j.holguin@adcarchitects.com)

THE BARNYARD CRAFTHOUSE AND EATERY  
11011 E TANQUE VERDE RD  
TUCSON, ARIZONA

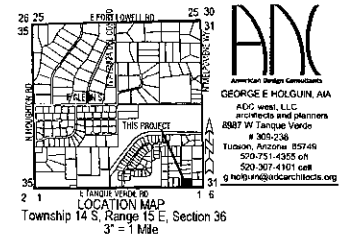
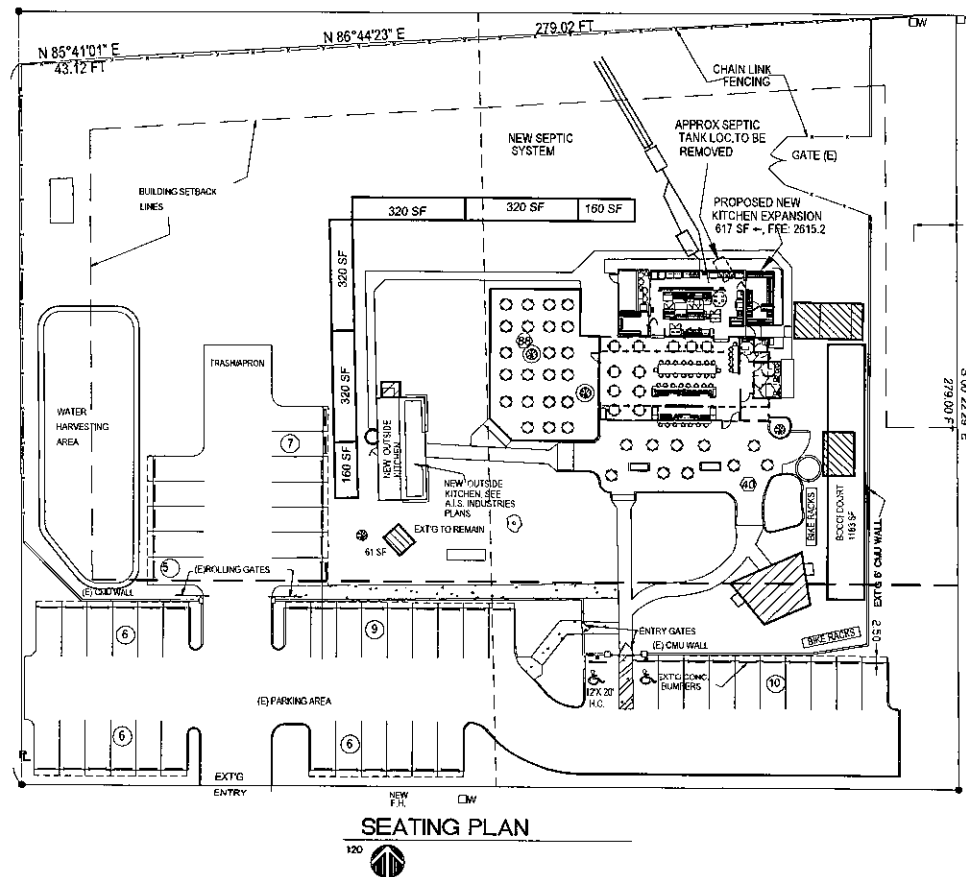
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CU-1

P17CU00001

NOTICE: COPYRIGHT: THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER SEC. 102 OF THE COPYRIGHT ACT, 17 U.S.C. AS AMENDED DECEMBER 1990 AND KNOWN AS ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT OF 1990. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE OVERALL FORM AS WELL AS THE ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS OF THE DESIGN. UNDER SUCH PROTECTION, UNAUTHORIZED USE OF THESE PLANS, WORK OR DESIGN REPRESENTED, CAN LEGALLY RESULT IN THE CESSATION OF CONSTRUCTION OR BUILDINGS BEING SEIZED AND/OR MONETARY COMPENSATION TO ARCHITECT, L.L.C.

- OF -



THE BARNYARD CRAFTHOUSE AND EATERY  
11011 E TANQUE VERDE RD  
TUCSON, ARIZONA



## REVISIONS.

1	FIELD C REVIEW	05-21-18
2	ANALYSIS	
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DATE	09/17/14
PROJECT NO	W1724
CAD DWG FILE	W1724
DRAWN BY	CHRS
CHECKED BY	CH

SHEET TITLE:  
CONDITIONAL  
USE  
SITE PLAN  
AMENDMENT

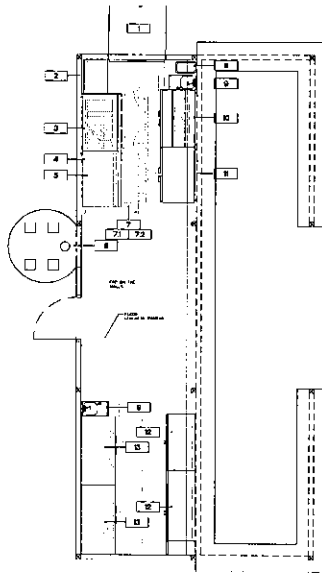
SHEET :

CU-1

P17CU00001

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- OF -



OUTSIDE KITCHEN EQUIPMENT FLOOR PLAN  
SCALE: 1/4" = 1'-0"

#### EQUIPMENT LIST

ITEM NO.	QTY	EQUIPMENT CATEGORY	MANUFACTURER	MODEL NUMBER	EQUIPMENT REMARKS
1	1	BROILER + SMOKE OVEN	AMERICAN GRILL	MAHABY	
2	1	WORK TABLE	ASB INDUSTRIES	T2320-88	
3	1	BROILER, UNDER-FRIED/GAS	ROYAL RANGE	RR-48	
4	1	CHEF BASE	EVEREST	ECB4004	
5	1	GRIDDLE, GAS	ROYAL RANGE	RR-48	
6	1	OVEN, PIZZA	UNIVEX	OCME30R	
7	1	HOOD EXHAUST	CAPTIVE-AIRE		
72	1	EXHAUST	CAPTIVE-AIRE		
72	1	BAK SYSTEM	CAPTIVE-AIRE		
8	1	TRASH CAN, SLAM JAM	BY OTHERS	BY OTHERS	
9	2	UNDERBAR HANDSINK	SK REBOUNCE	8045-C-48-SKTS-P-G	
10	1	REFRIGERATOR, SANDWICH/SALAD PREP	EVEREST	EPF4W12	
11	1	REFRIGERATOR, UNDERCOUNTER	EVEREST	ET18R2	
12	2	BACK BAR COOLER	EVEREST	EB046	
13	2	DISPENSER, BEER	EVEREST	EB002	

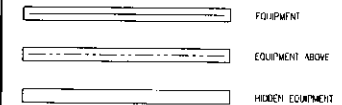
#### GENERAL NOTES:

- THESE PLANS ARE PROVIDED FOR THE PURPOSE OF INDICATING FOODSERVICE EQUIPMENT LOCATIONS AND REQUIREMENTS ONLY AND ARE NOT TO BE CONSTRUED BY THE GENERAL CONTRACTOR OR SUBCONTRACTOR AS TO RELIEVE THEM FROM THEIR RESPONSIBILITY OF COMPLYING WITH ALL APPLICABLE CODES. REFER TO ARCHITECTURAL DRAWINGS, MECHANICAL, AND ELECTRICAL DRAWINGS FOR BALANCE OF WORK NOT IN KITCHEN EQUIPMENT CONTRACT.
- IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR HIS ASSIGNED COORDINATOR TO INSURE THAT THE FOODSERVICE EQUIPMENT CONTRACTOR RECEIVES COPIES OF ALL ADDENDUM AND CHANGES TO ARCHITECTURAL DOCUMENTS WHICH ARE MADE PRIOR TO AND DURING CONSTRUCTION.
- GENERAL CONTRACTOR SHALL PROVIDE THE NECESSARY WALL BACKING FOR ALL WALL MOUNTED EQUIPMENT (SHELVING, POT RACKS, ETC.), AS INDICATED ON FOODSERVICE EQUIPMENT DRAWING.
- WHERE REQUIRED BY LOCAL CODES, FLOORS SHALL BE SLOPED TO FLOOR DRAINS TO COMPLY WITH SAID CODES.
- PLUMBING, ELECTRICAL, MECHANICAL, AND THE WORK OF ALL OTHER TRADES INVOLVED SHALL CONFORM TO PRESENT DAY CODES.
- ALL EQUIPMENT TO BE N.E.S.F. APPROVED OR EQUIVALENT.
- IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY AND COORDINATE WITH THE FOODSERVICE EQUIPMENT CONTRACTOR ANY DISCREPANCY OR OMISSION INCLUDING, BUT NOT LIMITED TO DIMENSIONAL LAYOUT ON THESE PLANS PRIOR TO START OF CONSTRUCTION. ALL TRANSACTIONS SHALL BE IN WRITING.
- FLOOR DEPRESSIONS & INSULATED FLOORING FOR WALK-INS ARE TO BE PROVIDED BY THE GENERAL CONTRACTOR AND AS DETAILED.
- GENERAL CONTRACTOR TO PROVIDE FINISHED CURBS FOR WALK-IN REFRIGERATOR/FREEZER COMPRESSOR/CONDENSOR UNITS (VERIFY LOCATIONS). SLEEVES SHOULD BE PROVIDED THROUGH CURBS AND FINISHED BUILDING ROOF FOR REFRIGERATION LINE SETS. SLEEVES AND PENETRATIONS THROUGH ROOF OR BUILDING WALLS SHALL BE FURNISHED AND INSTALLED BY THE GENERAL CONTRACTOR. CONSULT WITH A.I.S. INDUSTRIES, INC. FOR DIAMETER SIZE SLEEVE(S) REQUIRED. PENETRATIONS THROUGH FIRE RATED WALLS AND FIRE RATED GULKING SEAL SHALL BE BY THE GENERAL CONTRACTOR.

#### HEALTH DEPARTMENT NOTES:

- FOOD PREPARATION, DISHWASHING, STORAGE, AND RESTROOM AREAS TO HAVE:
  - DURABLE, EASILY CLEANABLE, AND PROPER COVERED BASE FLOORS.
  - SMOOTH, NON-ABSORBENT, AND EASILY CLEANABLE LIGHT-COLORED WALLS AND CEILINGS.
- ICE MACHINE BINS, CONDENSATE LINES, FOOD PREPARATION SINKS, DISHWASHERS, AND WATER/BEVERAGE DISPENSING SYSTEMS SHALL DRAIN INDIRECTLY INTO A FLOOR SINK.
- OPERATOR TO OBTAIN FOOD CERTIFICATE PRIOR TO OPENING.
- A HAND WASHING SINK SHALL BE PROVIDED IN THE FOOD PREPARATION AREA.
- ENTIRE FACILITY TO BE IN CURRENT COMPLIANCE WITH ALL COUNTY HEALTH CODES.

#### EQUIPMENT LEGEND



1. 4,358 SF, NEW RESTAURANT (ENCLOSED)
2. 48 SF, EXTG STORAGE BLDG
3. 601 SF OUTSIDE KITCHEN
4. {425 SF RAMADA REMOVED}
5. {170 SF OUT-BLDG NOT DESIGNATED}
6. 61 SF EXTG RAMADA TO REMAIN
7. NEW BANDSTAND : 420 SF
8. 1280 SF, SHIPPING CONTAINER STORAGE
9. 1,183 SF, BOCCI COURT
10. 1960 SF, WEST PATIO
11. 1565 SF, EXTG SOUTH PATIO (USABLE)

**EXISTING AREAS:**

2447 SF  
48 SF  
590 SF  
425 SF  
170 SF  
61 SF

3741 SF SHOWN CUP PROCESS



$$11826 / 89404 = 13.23 \%$$

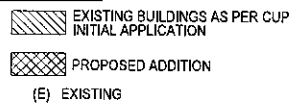
3741 (20%) = 748.2 SF ALLOWABLE  
NEW KITCHEN EXPANSION = 617 SF←  
(BASED ON APPLICATION EXHIBIT INCREASE)

3741 (20%) = 748.2 SF EXPANSION ALLOWABLE  
617 +/- SF EXPANSION PROPOSED

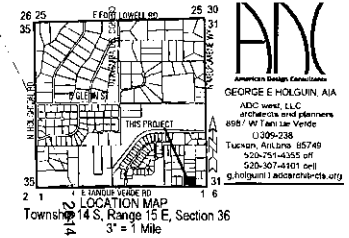
3035 SF PROPOSED GROSS RESTAURANT AREA  
3035 / 1000 (10) = 30 SPACES REQ'D  
SPACES PROPOSED : 49 SPACES

$$4330 / 89404 = 4.84 \%$$

 EXISTING BUILDINGS AS PER CUP  
INITIAL APPLICATION  
 PROPOSED ADDITION  
 (E) EXISTING

120 

: ACCESSIBLE ROUTE



THE BARNYARD CRAFTHOUSE AND EATERY  
11011 E TANQUE VERDE RD  
TUCSON, ARIZONA



EXPIRES 3/31/2021

1	PER P.C. REVIEW	05-21-14
2	ANALYSIS	

PROJECT NO.	W1724
AD DWG FILE	W1724
DRAWN BY	GMCS
CHECKED BY	GM

PROJECT TITLE  
CONDITIONAL  
USE  
SITE PLAN  
AMENDMENT

## SUBJECT

CU-1

P17CU00001

1 - OF - 2

NOTED, COPYRIGHT.  
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1. 2614 SF, NEW RESTAURANT
2. 48 SF, EXTG STORAGE BLDG
3. 590 SF OUTSIDE KITCHEN (SEATING AREA)
4. 420 SF NEW BANDSTAND PARTIALLY OCCUPIED)
5. 80 SF, SHIPPING CONTAINER STORAGE
6. 160 SF, BOCCI COURT
7. 1960 SF, WEST PATIO
8. 1000 SF, EXTG SOUTH PATIO
9. 320 SF, BEER GARDEN
10. 110 SF, WAITING AREA
11. 10 SF, BIKE RACKS
12. 160 SF, BAG TOSS

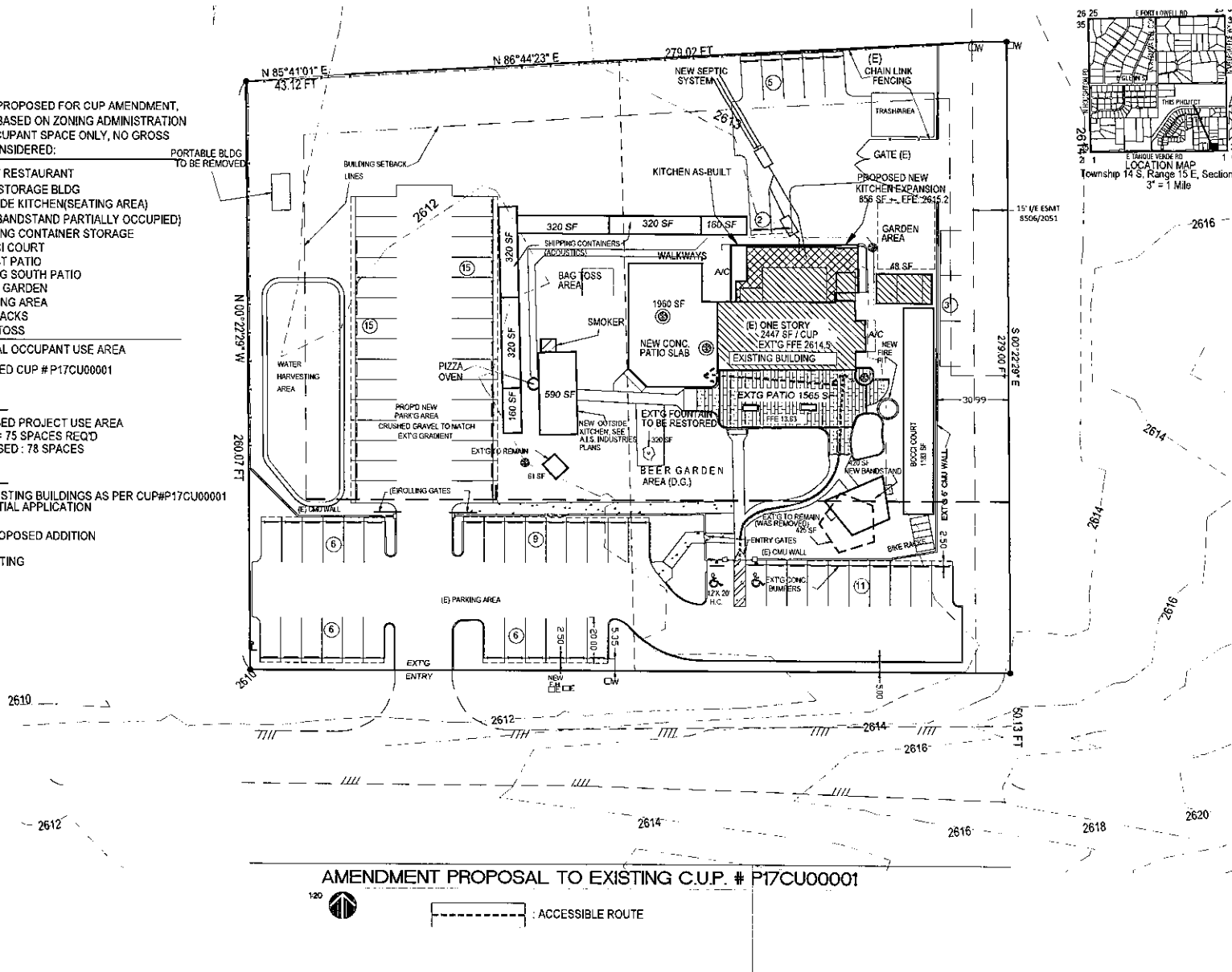
**PARKING :**

**LEGEND:**

EXISTING BUILDINGS AS PER CUP#P17CU00001  
INITIAL APPLICATION

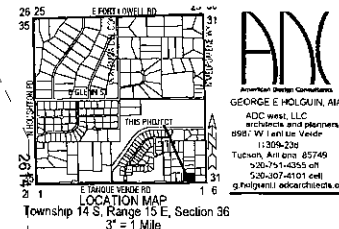
PROPOSED ADDITION

(E) EXISTING



AMENDMENT PROPOSAL TO EXISTING C.U.P. # P17CU00001

: ACCESSIBLE ROUTE



THE BARNYARD CRAFTHOUSE AND EATERY  
11011 E TANQUE VERDE RD  
TUCSON, ARIZONA



EXPIRES 3/31/00

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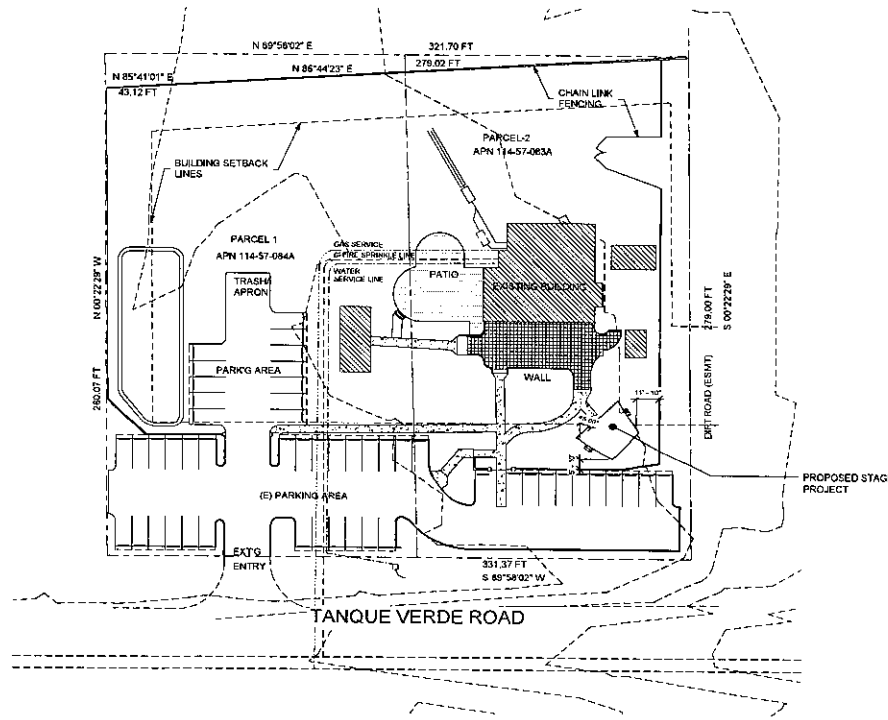
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AMENDMENT

CU-1

P17CU00001

1 - OF - 1

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① Site Plan  
1" = 30'-0"

**ARCADIS**  
1955 W Grant Rd. Suite 125R  
Tucson, AZ 85745 Phone: (520) 792-4613  
Sierra Vista, AZ 85635 Phone: (520) 452-9945

STAMP  
Preliminary  
Not  
For  
Construction  
EXP. 06/30/2018

Barnyard Crathouse Stage  
11011E, Tanque Verde Rd.

Site Plan

CHECKED BY: C. Hester  
DRAWN BY: A. Hester  
PROJECT NUMBER: 1872AHC

REVISION	DATE	REMARK

**A0.0**

SHT OF



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EXP. 06/30/2018

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REVISION:	DATE:	REMARK:
MARK:		

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Amendment Proposal To Existing C.U.P. #P12CU00001

The Barnyard Craffhouse and Eatery

11011 E TANQUE VERDE RD TUCSON, AZ 85749

Record Details

Owners

TK FAMILY LLC TK FAMILY LLC Project Description:

CUP TYPE FOR RESTAURANT IN RVC Owner:

TK FAMILY LLC

8400 E Cresthill Dr

Tucson Arizona 85750

Parcel Information

Parcel Number: 11457084A Book: 114

Legal Description:

PTN W2 N279' S329' W2 E2 SE4 SE4 1.01 AC SEC 36-13-15 Parcel Area:

0.99

Thank you for your time. This is an amendment to the all ready approved CUP #P17CU00001. The purpose of this resubmittal is to give definition to the total indoor and outdoor use area of 7324sf. To outline the 73 parking spots that are needed to accommodate the additional outside square footage. Show the Smoker placement that will provide the smoked meats for the restaurant. Barnyard Team has been working closely with staff and both agreed this is the best way to communicate this amendment for approval.

Great care has been taken to ensure the natural country setting is maintained. Softscape, plants, trees and flowers will abound while hardscape has been limited wherever possible. Guests will enjoy planters filled with flowers, vine covered trellises, crushed stone walkways and decomposed granite parking areas to limit water runoff and project a more park like environment. The property is enabled with wifi and soft music will accompany the diner's enjoyment during their time at the barnyard.

The Barnyard Craffhouse and Eatery, 11011 E. Tanque Verde Road, was conceived by friends to create a "Day in the Country" setting, matching the lifestyle and pace of neighbors and residents in the Tanque Verde Valley. Embracing the natural beauty of the former plant nursery, the design of a casual dining and gathering environment preserves the barnyard setting and trees that abound on the property. The establishment will be family friendly, allowing memories to be made in a fun and playful environment.

The Barnyard Craffhouse team has worked with staff side-by-side to set this restaurant up to be a huge success. Our vision is to become more than a business – We truly want to be a local gathering place for our neighbors. The Barnyard Craffhouse team did hold a neighborhood meeting on Saturday, June 10, 2017 at the Bear Canyon Library. In that same meeting Neighbors were given the opportunity to sample the smoked meats and smoke pork along with coleslaw and other sides. Lisa Kertesz also spoke to how kids and families would be able to participate in games

and other little events while waiting to be seated or just plain entertainment. The majority of all the homeowners have asked to have a tour and or walk-through of what the barnyard is going to be and how it will operate. Here's a summary of what you will find at the Barnyard.

The Barnyard Crafthouse centers, around its landmark barn, honoring its history and rustic appearance while embracing modern upgrades. Our hope is to bring the community together over great food and drinks while enjoying the company of friends, neighbors and family under the majestic mesquites. Whether you're meeting friends to catch up, have a cocktail, listening to the live music, dining with family, holding an event. We promise fresh, handcrafted, local fair and a fun environment unmatched anywhere in Tucson.

- Customer access shall be limited to the existing driveway location onto Tanque Verde as shown on the submitted site plan
- This public driveway access and the public parking area shall be minimally surfaced with gravel or an acceptable alternative so as to control the generation of dust.
- Use of the private access easement along the property's eastern boundary is limited to employees, deliveries, and maintenance vehicles only. No customer access is allowed.
- The 73 parking spots that are needed to accommodate the additional outside square footage. The Barnyard Team will follow the already approved Hearing Administrator's APPROVAL (August 28, 2017) guidelines. "6. This public driveway access and the public parking area shall be minimally surfaced with gravel or an acceptable alternative so as to control the generation of dust".

The owner/applicant shall contribute \$14,000.00 to PCDOT Project No. 4TVTVL to fulfill their fair-share cost of DOT's planned street/intersection improvements and the extension of the center left-turn lane to accommodate this restaurant development.

1. 2614 sf NEW RESTAURANT (ENCLOSED)
2. 48 sf EXTG STORAGE BLDG
3. 590 sf OUTSIDE KITCHEN (Smoker Placement) **Health department has approved**
4. 420 sf NEW BANDSTAND (with live In accordance with Pima county noise ordinance)
5. 80 sf SHIPPING CONTAINER for noise dampening and storage
6. 160 sf BOCCI COURT
7. 1810 sf WEST PATIO
8. 1000 sf EXT'G SOUTH PATIO (USABLE)
9. 110 sf Waiting area
10. 10 sf Bike racks
11. 160 sf Bag toss

Interior operation

- Hours of interior operation: Sunday through Thursday, 8:00 AM to 10:30 PM;

Friday and Saturday, 8:00 AM to 10:30 PM. This will allow us enough time to accommodate our guests for the televised UofA athletic games (i.e. football basketball)

Exterior operation

- Hours of exterior operation: Sunday through Thursday, 8:00 AM to 10:00 PM; Friday and Saturday, 8:00 AM to 10:00 PM.
- In accordance with Pima county noise ordinance exterior operation closed at 10:00 pm. Last call and last food service will be at 9:30 PM Monday through Sunday.
- Outdoor Live music, area music, and televisions will end prior to 10 PM Monday through Sunday.

Rural Metro Fire department and Pima County Health department have given approval.

Barnyard Crafthouse and Eatery aspires to grow into a Village that serves the needs of neighbors while honoring the country setting. The main goal is to serve the community the highest quality food, and become the gathering place for the Tanque Verde Valley. Over time, the owners plan to be open for breakfast, lunch and dinner, boasting a menu of American fare, smoked meats, wood fired pizza, locally roasted coffee, regionally brewed beer and an expansive wine list. Families, cyclists, equestrians, musicians and those interested in outdoor games (bag toss, bocce, etc.) are all welcome.



## **BARNYARD**

### **crafthouse & eatery**

#### **STARTERS**

---

Spinach and Crab Dip	\$12.00
Lettuce Wraps	\$10.00
Chicken	
Mushroom	
Guacamole Board	\$12.00
Hummus Board	\$10.00
Brussels Sprouts	\$8.00
Pretzels with Smoked Gouda Fondue	\$10.00
Charcuterie Board	\$14.00
Chorizo Mussels*	\$12.00
Buffalo Cauliflower	\$8.00
Wings	\$12.00
Cowboy Sushi	\$10.00
Sashimi Ahi*	\$15.00

#### **SALADS**

---

The Wedge	\$9.00
Grilled Romaine Ceaser	
Ahi*	\$14.00
Chicken	\$12.00
Mango	\$10.00
Grilled Flank Steak*	\$14.00
Cobb	
Italian	\$14.00
American	\$12.00
Santa Fe	\$13.00
Red Quinoa Greek	\$12.00
Seared Scallop	\$16.00
Poke Bowls	
Ahi*	\$14.00
Salmon*	\$13.00
Veggie	\$12.00

#### **SANDWICHES**

---

Smoked Brisket	\$14.00
Smoked Pulled Pork	\$12.00
BLT	\$10.00
Soft-Shell Crab BLT	\$14.00
Cuban	\$12.00
Turkey Club	\$12.00
Thanksgiving	\$13.00
Reuben	\$13.00
Seared Ahi*	\$15.00
Grinder	\$12.00
Po' Boy	\$14.00

#### **BURGERS**

---

Black Bean	\$12.00
Gruyere, Carm. Onion, Truffle Aioli*	\$14.00
Gruyere, mushrooms, Truffle Aioli*	\$14.00
Bacon & White Cheddar*	\$14.00
Juicy Lucy*	\$11.00
Bourbon Bacon*	\$14.00
Black & Blue*	\$14.00
Smoked Salmon	\$14.00
Xalapa*	\$13.00

\*Regarding the safety of these items, written information is available upon request. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

## **TACOS**

---

Salmon	\$13.00
Mahi-Mahi	\$12.00
Pollo	\$10.00
Poke*	\$14.00
Carne Asada*	\$12.00
Lobster	\$16.00
Shrimp	\$14.00

## **SMOKED BONES**

---

Beef	\$14.00
Baby Backs	\$16.00
Chicken	\$12.00

Served with beans & coleslaw.

## **MESQUITE GRILLED**

---

Bone-In Ribeye*	\$26.00
Bone-In Chop*	\$18.00
Flank Steak with Chimichurri*	\$18.00
Trout with Citrus Beurre Blanc	\$18.00
Blackened Red Fish	\$18.00
Herb Grilled Mahi	\$18.00

## **PASTA**

---

Ramen Noodles	\$10.00
Lasagna	\$14.00
Vegetarian	\$12.00
Bolognese Pappardelle	\$16.00
Lobster Mac & Cheese	\$18.00

## **SIDES**

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Baked Sweet Potato	\$4.00
Coleslaw	\$3.00
Dill Potato Salad	\$3.00
French Fries	\$3.00
Fried Pickles	\$4.00
Homemade Chips	\$3.00
Mexican Corn on the Cob	\$5.00

## **DESSERTS**

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Homemade Ice Cream	\$6.00
Homemade Seasonal Pie	\$5.00
Peach Cobbler	\$6.00
S'mores Fondue	\$6.00
Hawaiian Mud Pie	\$8.00

\*Regarding the safety of these items, written information is available upon request. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

: ACCESSIBLE ROUTE





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# MEMORANDUM

## PUBLIC WORKS - DEVELOPMENT SERVICES

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**PUBLIC HEARING – April 4, 2019**

DATE: March 26, 2019

TO: Jim Portner, AICP, Hearing Administrator

FROM: Nick Coussoulis, Senior Planner

SUBJECT: **P17CU00001 ARIZONA IRONWOOD LLC – E. TANQUE VERDE ROAD**  
(TK Family LLC – Owner/Applicant)  
Type II Conditional Use – Restaurant

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### **LOCATION:**

The subject site is located on the north side of E. Tanque Verde Road, west of the Tanque Verde Loop and Tanque Verde Road intersection. The development site area, approximately 2.1 acres across 2 parcels, is zoned RVC (Rural Village Center).

### **SURROUNDING LAND USE OR CONTEXT:**

To the west of the property is CR-1 zoned residential, to the north is a combination of SR and CR-1 residential, to the east is RVC undeveloped land, and across E. Tanque Verde Road to the south are CB-1 and CB-2 zoned properties. One of which has a hay – feed store and the other remains undeveloped.

### **PUBLIC COMMENT:**

Staff has received two telephone calls on the case. The callers were requesting information regarding the case and the changes that are being proposed.

### **PREVIOUS CASES ON PROPERTY:**

There is an existing Type II Conditional Use Permit on this property for a restaurant with a significantly smaller footprint. The original first hearing administrator public hearing was dated May 29, 2017 and July 19, 2017.

### **BACKGROUND INFORMATION**

There is a historical development plan, project number CO1279104 (5/30/1979) for a plant nursery. This development plan encompasses the entire 2.1 acres.

The previous recommendation from the hearing administrator included standard and special conditions. Of those standard and special conditions it was stated that any request to expand the proposed restaurant more than twenty percent (20%) beyond the gross floor area shown on the submitted application materials shall require a new Type II conditional use permit. The max approved size was approximately 3147 sq ft.

#### **DEVELOPMENT SERVICES COMMENTS:**

This request is for an expansion of an existing approved conditional use permit for a restaurant. The maximum square footage approved under the existing approval is 3741 square feet. Due to changes in the type of product that applicant wants to offer to customers, the size of the project has changed and the new maximum square footage shown by the applicant is 7472 square feet. Additional parking spaces are required due to the proposed expansion and a minimum of 74 spaces are needed to meet the zoning code requirements. In the original submitted conditional use application from 2017, a total of 5 tables were shown in the submitted material. The current proposal shows 43 tables. In addition, there are areas proposed for bag toss, bocci ball, an outdoor stage for live music, a beer garden and an outdoor kitchen area where guest can congregate. As part of the outdoor kitchen a smoker is proposed as well as a pizza kitchen. The applicant is proposing six shipping containers as part of the expansion. These are labeled for "acoustics".

The new proposal is substantially larger and more intense than the original proposal. Staff understands that the Tanque Verde Valley area is underserved with restaurants and gathering areas and this type of use would be a positive to residents in the area that do not want to travel further to the west for this type of service. Staff believes that careful consideration should be given to some of the items proposed and if the Hearing Administrator recommends approval of the conditional use permit, staff requests that the conditions listed below be included or modified to ensure that negative impacts to neighbors are minimized or eliminated. Staff has listed the areas where there could be concerns to immediate residents in the area;

1. **Outdoor Smoker and Pizza Oven** – The outdoor smoker and pizza oven are located in the outdoor kitchen near the center of the property. Both the smoker and the oven can produce odors and smoke which could impact adjacent residential properties.
2. **Beer Garden, Bag Toss and Bocci Court** – Outdoor uses have the potential to generate noise that can travel across property lines to neighboring adjacent properties.
3. **Use of Shipping Containers** – The use of shipping containers are proposed for acoustics. The use of the metal containers may or may not assist in the reduction of noise and may be perceived negatively if not aesthetically enhanced.
4. **Hours of Operation** – The proposed hours of operation are until 10:00pm or 10:30pm depending on the night of the week. Interior operations would not normally impact neighbors, but outdoor use in the evening may generate concerns from neighbors.
5. **Stage** – A stage with live music is proposed. Live music on a stage could impact neighbor's use of their property.

One final comment is whether or not a development plan should be required. There

is an existing development plan on the property for a nursery. There have been numerous commercial uses on this property over the years. Given the existing development plan and the area of the use, a new one is not required by the code. Furthermore, as the conditional use process provides the flexibility and allows the Hearing Administrator and/or Board of Supervisors to determine if a development plan should be required. Staff has informed the applicant, that they should be prepared to discuss in detail why a development plan should not be required. In addition, input from neighbors should be considered in determining if one should be required. The Hearing Administrator has broad discretion in determining what should and should not be required. This could include certain requirements of a development plan and others can be waived.

### **DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL DISTRICT**

The Department of Transportation and the Flood Control District have been provided a copy of the plans and submittal. Any comments and associated conditions recommended by the departments will be provided by to the Hearing Administrator.

### **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.

### **STAFF RECOMMENDATION**

Generally staff is supportive of a restaurant use on this property in the RVC zone. RVC is a business zone and a restaurant use is appropriate. The area of concern for staff is with the stage and the outdoor smoker and pizza oven. The Hearing Administrator may want to limit the hours of the stage and smoker to reduce impacts to neighboring property owners. It may be appropriate to limit the stage to only Friday and Saturday evenings and to provide restrictions on when the smoker is permitted to be on. According to the applicant, neighbors are supportive of the use. If neighbors are supportive and do not speak appear to speak in opposition to the request some of the conditions may not be needed.

Should the Hearing Administrator recommend approval to the Board of Supervisors staff is requesting the following conditions be included;

1. Adherence to all previous conditions of the conditional use permit except those specifically amended by the Hearing Administrator.
2. Areas not shown as use area on the conditional use site plan are not permitted to be used for a restaurant or gathering area. Barriers shall be installed to prevent use of the area.
3. Use of stage is permitted on Friday and Saturday only.

4. No expansion is permitted without a revised conditional use permit.
5. A bufferyard in accordance with the Pima County Landscape manual shall be provided.
6. Main Wall Identification Signage shall be limited to main restaurant building only. Other buildings may not contain signage.
7. Use of cargo containers is limited to 80 square feet in the most northeasterly cargo container. This area is for storage only. No other use of cargo containers is permitted.

c: Tom Drzazgowski – Chief Zoning Inspector  
Jeff Witthoft, Applicant

TABULATIONS/PROPOSED FOR CUP AMENDMENT.  
TABULATIONS BASED ON ZONING ADMINISTRATION  
ALLOWING OCCUPANT SPACE ONLY, NO GROSS  
USE AREAS CONSIDERED:

1. 2614 SF, NEW RESTAURANT
2. 48 SF, EXTG STORAGE BLDG
3. 590 SF, OUTSIDE KITCHEN (SEATING AREA)
4. 420 SF, NEW BANDSTAND PARTIALLY OCCUPIED
5. 80 SF, SHIPPING CONTAINER STORAGE
6. 160 SF, BOCCI COURT
7. 1960 SF, WEST PATIO
8. 1000 SF, EXTG SOUTH PATIO
9. 320 SF, BEER GARDEN
10. 110 SF, WAITING AREA
11. 10 SF, BIKE RACKS
12. 160 SF, BAG TOSS



7472 SF TOTAL OCCUPANT USE AREA

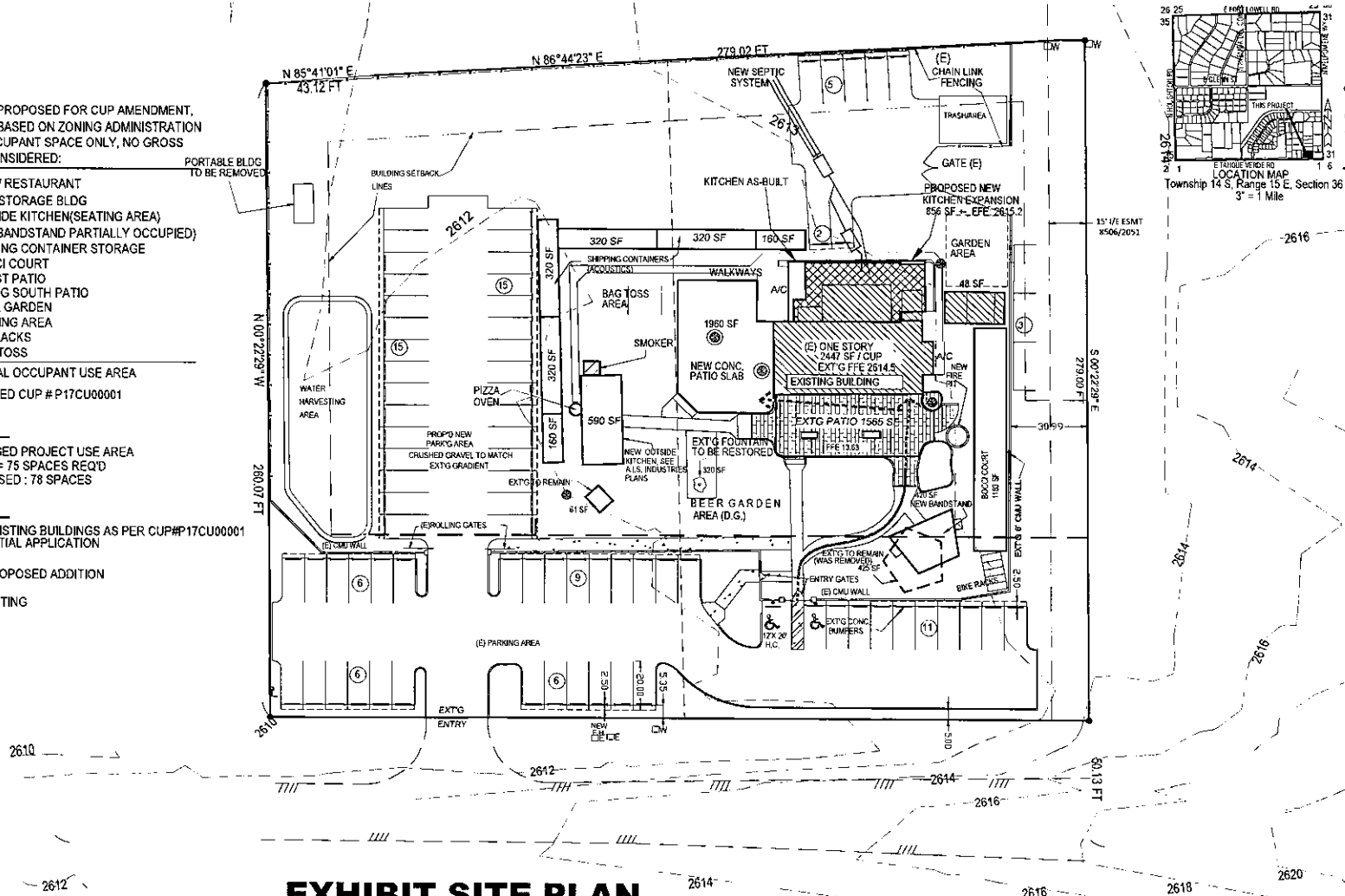
3741 SF APPROVED CUP # P17CU00001

#### PARKING:

7472 SF PROPOSED PROJECT USE AREA  
7472 / 1000 (10) = 75 SPACES REQ'D  
SPACES PROPOSED : 78 SPACES

#### LEGEND:

-  EXISTING BUILDINGS AS PER CUP#P17CU00001  
INITIAL APPLICATION
-  PROPOSED ADDITION
- (E) EXISTING

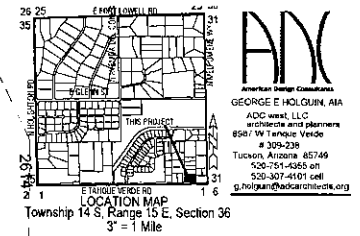


## EXHIBIT SITE PLAN

AMENDMENT PROPOSAL TO EXISTING C.U.P. # P17CU00001



 : ACCESSIBLE ROUTE



**ANX**  
Architectural Design Consultants  
GEORGE E. HOLGUIN, AIA  
AIA 2000, LEED AP  
architect and planner  
8501 W. Tanque Verde  
# 309-238  
Tucson, Arizona 85749  
520-751-5565 ext  
520-307-4101 cell  
g.holguin@architectanx.org

THE BARNYARD CRAFTHOUSE AND EATERY  
11011 E TANQUE VERDE RD  
TUCSON, ARIZONA



NO.	VISIONS	DATE
1	PLR P.C. REVIEW	05/01/18
2	ANALYSIS	01/10/19
3	CONCEPTS	03/05/19
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CONDITIONAL  
USE  
SITE PLAN  
AMENDMENT  
SHEET

CU-1

P17CU00001

NOTICE (COPYRIGHT):  
THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN "ARCHITECTURAL WORK" UNDER SEC. 102 OF THE COPYRIGHT ACT, 17 U.S.C. AS AMENDED DECEMBER 1990 AND KNOWN AS ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT OF 1990. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE OVERALL FORM AS WELL AS THE  
ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS OF THE DESIGN. UNDER SUCH PROTECTION, UNAUTHORIZED USE OF THESE PLANS, WORK OR DESIGN REPRESENTED, CAN LEGALLY RESULT IN THE CESSATION OF CONSTRUCTION OR BUILDINGS BEING SIZED AND/OR MONETARY COMPENSATION TO ARCHITECT, L.L.C.

I live directly next door, to the restaurant "The Barnyard" on Tanque Verde Road.

My main concern is the NOISE LEVEL.

(The restaurant has increased its proposed size, since its original plans in 2017.)

I believe The new proposed BAND STAGE should NOT be approved. I believe the sound of the music, on the band stage, cannot be contained and it is Way Too intrusive, for a residential neighborhood. There are homes on both sides of the restaurant and a whole residential neighborhood behind it. 🌸

The stage is 14 ft tall & with multiple canned lights for evenings.

We are open to Compromise, by having a band stage, built inside their restaurant, wherever they choose.

#2 noise problem.

Large screen TVs. They want 2-4 outside and 8 inside. That is alot of noise!

The outside kitchen (that is being proposed) should not be approved , with 2-4 TVs outside. They have No Way to contain the noise.

We ask, they only approve the outside restaurant, by putting the TVs inside the restaurant, where the noise Can be contained. Also the additional 8 TVs, inside the dining area, should only be used, when the doors are closed. Once again so the noise can be contained.

#3 concern is the Outdoor Smoker for meats.

Even I was Surprised, when the owner said , The Smoker would be smoking for 12-14 hours, at a time.

The smoke is very intrusive to the neighborhood. I don't want to smell smoke, week in and week out, Year after year.

I ask that there be No Smoker at all.

The noise (of the restaurant)

will be very loud from music and it travels through the area. A barrier of a Conex boxes, will certainly not stop the sound of music or TVs.

We have a right, to enjoy our homes and yards, without the restaurants' intrusive noise.

I ask that the restaurant incorporates some compromise, since they are building, in a single family residential neighborhood.

We have compromised, with the amount of outside table area, Beer garden, and additional parking, putting a restaurant where there has never been one.

I believe they should compromise as well.

Submitted by

Margie Robinson

2457 N Mesquite Thicket Ct.

520-204-2200

**From:** Sharon Loper  
**To:** Nicholas Coussoulis  
**Subject:** The Arizona Ironwood proposal  
**Date:** Tuesday, April 2, 2019 3:03:05 PM

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This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

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I have just got done talking with another neighbor who went to the [pima.gov](http://pima.gov) website and they found out more about what this establishment wants to add.

From what I understand, this establishment has no regard for the people who live here. I do not think the investors involved have reached out to the neighbors at all to find out how this will impact us.

I am now very concerned about what this will bring to the neighborhood. I live DIRECTLY on the fence line to the north of their place.

I have already heard that the proposed modifications will include items that will adversely affect our lives .

Adding a sound stage is not a good idea as there are people who actually live here and would not want to be hearing live bands until after dark. Noise Pollution is a problem. I certainly do not want to be subject to this intrusion on my privacy. I can't have my doors open as it is anymore due to the noise this place has created.

Outdoor smoker..... I see that it is already installed .... this before it has been approved? A bit presumptuous I would say. This is also air pollution for the rest of us who do not want to be smelling this all day long.

Enlarge the Parking Lot? Lights? This is not a good idea due to many reasons. Headlight glare imposing on the neighbors who live directly in line of sight. Are those lights going to shine on our properties also? I think those of us whose bedrooms face this place would be at risk of losing sleep. Car doors Slamming and people smoking.. what about me having to worry about beer bottles and cigarette butts being thrown over the fence? Will there be security? What about fights thanks to the beer garden proposal??? How can you keep us safe?

I am very concerned with enlarging the capacity for patrons that this may also create more accidents on Tanque Verde Road. People already drive fast on that road... There are children walking home from Emily Gray all the time. What about their safety?

The dirt road to the east of the place is already filled with huge potholes and dust all the time thanks to the large construction trucks that come in and out. My car will soon need new struts and suspension.... Are they going to pay for that? I also heard the they want to use our road for their delivery trucks and employees! WE live here and want to know that our road is not a thoroughfare for them. What are you going to do to prevent this pollution?

I am vehemently opposed to any acceptance of these proposed "enhancements" .... they are only for the restaurant with NO regard to the people who have to live here.

I can only hope that you take my concerns to heart over this.

Sharon Loper  
11053 E Tanque Verde Rd