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MEMORANDUM

DATE: April 11, 2006

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 3.5.4.20.C.4, Cell Towers in the SCZ, Gateway Route, HPZ, ERZ, and HDZ
Land Use Code: Zoning Administrator Determination

LUC 3.5.4.20.C.4 restricting new towers within 400 feet of a designated Scenic Route or Gateway Route, within a designated Historic Preservation Zone, Environmental Resource Zone, or on a protected peak or ridge as identified in a Hillside Development Zone applies to private property, public property and any right-of-ways. This determination applies to private commercial uses on public property, which is subject to and not exempt from the LUC, and which we regularly apply to other governmental entities. The lease agreement with the wireless provider makes it clear that it is a lease, and not a franchise or license. This is not subject to the City Manager waiver approach.

s:zoning-administration/za determination/LUC 3.5.4.20.doc



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MEMORANDUM

DATE: March 6, 2006

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.8.8b, A-Frame Signs in Historic Preservation Zones (HPZ)
Land Use Code: Zoning Administrator Determination

The new sign code provisions will supplement the LUC provisions, so both get enforced and there is no conflict in the enforcement of both codes. Using the historic minor review procedure satisfies the purpose for the review. Fees for signs are set by the sign code and there is no separate fee for A-frame signs in historic districts therefore fees can not be charged for the minor review procedure.

s:zoning administration/za determination/LUC 2.8.8b.doc

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From: Walter Tellez
To: Gross, Craig
Date: 02/15/2006 12:59:34 PM
Subject: Re: Adkins property

Should be OK. See LUC 3.2.10.2.B.2 and 3.2.11.2.B.2. McCrory has also allowed some City purchases the same as condemnations to make a site legal nonconforming.

>>> Craig Gross 02/15/2006 12:39:58 PM >>>

Walter, the City wants to buy a portion of the common area of a subdivision adjacent to the Atkins property on Craycroft (they don't want to condemn it) to expand the park. It is a triangular portion between the Adkins property and San Francisco Blvd. The subdivision association is willing to voluntarily sell it to the City. It is part of the La Sonrisa Townhomes originally platted for 28 lots but fully developed with 26 lots (partial lot combos). The zoning is HR-1. The original plat was 4.281 acres with a density of 6.54 RAC (which actually exceeds the maximum 6.25 allowed in R-1) but it was developed at 6.07 RAC. The portion of the common area that the City wants to buy is about .28 acres which means the project would end up with 26 units on 4.0 acres for a density of 6.5 RAC. Since the revised density would still be less than the original approved density do you think this would be OK? The area in question is natural open space not required by NPPO or other regs.

CC: Duarte, Ernie

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From: Sarah More
To: Doug Biggers; Randy Schuler
Date: 01/05/2005 6:11:26 PM
Subject: Re: Riallto Apartments T04CM04437

Doug, I haven't seen the plans, but I agree with Randy. Here's the citation:

Applicability. The Rio Nuevo and Downtown (RND) Zone is an overlay zone as defined in Sec. 6.2.18. The provisions of the RND zone apply to the following uses on all property, including public or private rights-of-way, any portion of which is located within the RND zone. No permit shall be issued by the City except in accordance with the requirements of this Section.

A. All new structures, including expansions to existing structures. The remainder of a structure that has been expanded is governed by provisions in force at the time of initial approval for the structure.

B. All improvements or alterations to the exterior of existing structures, if such improvements or alterations are visible from an adjacent public right-of-way.

If there is any question about applicability of the ordinance to your specific permits (which I haven't seen), please have Craig Gross or Walter Tellez make that call.

Assuming that it does need some sort of RN review, and that the facade improvements have already been reviewed by DRB, maybe there is a quick way to get this done. They are not going to review the interiors.

I know this may seem overly bureaucratic, but we are just trying to make sure that you aren't held up at the end of getting your plans approved for permits. Let me know if there is anything we can do to help you.

Sarah S. More, AICP
Planning Administrator

Department of Urban Planning and Design
Mac Arthur Building - Third Floor
345 East Toole Avenue
P.O. Box 27210
Tucson, Arizona 85726-7210
Office Phone: (520) 791-4505
Fax: (520) 791-4522
Mobile Phone: (520) 603-2216
sarah.more@tucsonaz.gov

>>> Randy Schuler 1/5/2005 4:48:34 PM >>>
Thanks for getting back to me on this Doug. I will forward your reply to those folks that asked me to contact you, and ask that they contact you directly.

The plan that was submitted to Development services (T04CM04437) for review, appears to indicate a modification of the building exterior. Generally speaking any modification to the exterior of a building within Rio Nuevo Downtown requires review by the appropriate entities. Please see Rio Nuevo Ordinance 9780 for additional information.

Regards,
Randy

Randy Schuler, P.E.
Special Projects Manager

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City of Tucson, Development Services
520-791-5550 X1104
Please make note of my new e-mail address
randy.schuler@tucsonaz.gov

Visit our website at www.ci.tucson.az.us/dsd

>>> "Doug Biggers" <dbiggers@rialtotheatre.com> 01/05/2005 4:23:31 PM >>>
Randy,

We've gotten approval from those entities for the façade rehab, but why do we need to do this for the interior of the apartments? Please direct me to the code that specifies this. Thanks.

We are basically remodeling the apts; I don't think this needs to be micro-managed by any review boards, but maybe I'm incorrect.

Insofar as the Secretary of the Interior's Standards for Tax Credit work, we have submitted all proposed work to both SHPO and the National Park Service. SHPO has approved both facade and second floor work and NPS has approved the work pending resolution of an issue with the National Register regarding listing the Rialto Block and Theatre. I'll be back in Tucson Thursday evening and will check in with you on Friday morning.

Doug

On 1/5/05 1:40 PM, "Randy Schuler" <Randy.Schuler@tucsonaz.gov> wrote:

> Hello Doug,
>
> I was asked to remind you that the Rialto Apartments will require
> approval by the Design Review Board (DRB) and both the State and local
> Historic Commissions.
>
> If you haven't already done so I would recommend you contact Sarah
> Moore-520-791-4505,
> Marty McCune- 520-791-4504, and Russlyn Wells- 791-4541 at your
> earliest convenience.
>
> Thank-you,
>
> Randy
>
> Randy Schuler, P.E.
> Special Projects Manager
> City of Tucson, Development Services
> 520-791-5550 X1104
> Please make note of my new e-mail address
> randy.schuler@tucsonaz.gov
>
> Visit our website at www.ci.tucson.az.us/dsd

CC: Craig Gross; Jessie Sanders; Marty McCune; Russlyn Wells; Walter Tellez



MEMORANDUM

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DATE: January 11, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.8.7 Plans Review Meeting - Historical Commission
Land Use Code: Zoning Administrator Determination

The City Attorney's office concurred with the Zoning Administrator that if an applicant fails to appear, it is within the discretion of the Subcommittee whether to proceed without the applicant or continue the matter. If they choose to proceed, they may recommend approval or denial, or may recommend modifications on their own without any further consultation with the applicant.

s:zoning administration/za determination/LUC 2.8.7.doc

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From: Patricia Gehlen
To: Alshami, Laith; Blanca Espino; Bruckmeier, John; Castro, Daniel; Connor, Andrew; David Rivera; David Roberts; Eberbach, Elizabeth; Flick, Matthew; Gilbert, Patricia; Gross, Craig; Kalthoff, Marilyn; Linville, Joseph; Machado, Paul; Makus; McLaughlin, Peter; Montes, Susan; Rodriguez, Ferne; Saline, Jason; St. Paul, Michael; Tate, James; Vogelsberg, Jim; Williams, Doug
Date: 10/08/2004 8:29:50 AM
Subject: Overlay zones

Good Morning,

Effective this morning, the new overlay zone application and order form for labels are at the zoning counter. If an applicant needs to apply for an SCZ/HDZ/ERZ/WASH review, prior to submittal of the application, s/he is required to offer to meet with the public prior to application submittal. The applicant will need to order the labels which requires a non-refundable \$200 deposit. ***If the applicant applies for the overlay zone review, the \$200 is deducted from the fee.*** If/when an applicant want to order the labels, please fill out the application form, collect a \$200 check (made out to the City of Tucson), and bring it to me. Payment with a credit card is also possible.

After we accept the application, there will be additional steps staff members will have to take to comply with the new Chapter 23A procedure...I bet you can hardly wait to find out what they are!

Patricia Gehlen
Zoning/CDRC Manager
Development Services Department
City of Tucson
(520) 791-5608 ext 1179
(520) 879-8010 Fax

CC: Duarte, Ernie; Jessie Sanders; Michael McCrory; Tellez, Walter

Overlay zones 218

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From: Patricia Gehlen
To: Michaels, Warren
Date: 04/18/2004 12:55:15 PM
Subject: Re: Lot Split Question

Hi Warren,
Sorry for so many voice mail messages. The quick answer to your question is "no" for combining a portion of the HR-1 lot with the HR-3 lot to meet the minimum lot size of 5,000 square feet for the HR-3 lot. We did discuss several other options concerning the other HR-3 properties you own in the area which would allow you to accomplish the same goal (5,000 square foot lot minimum). These options are best discussed with a map in hand so please let me know when you are available to stop so we may discuss them.

Patricia

>>> Warren Michaels <warren.michaels@direcway.com> 04/05/2004 1:01:18 PM >>>
Hi Patricia,

Thanks for your help on this. Here's the question;

1025 N. Euclide Ave is a single family house on a 9,143.75 sq ft lot zoned HR1. 1017 N. Euclid Ave is contiguous and is located directly south of the aforementioned parcel; it is a single family house of 1,472 sq ft on a lot shared with a 1,303 sq ft duplex (actually two duplex, but one is being demo'd). that lot is 10,656 sq ft and is zoned HR3.

Here's the question in all of this; Can I split off a 3.6 ft x 96 ft strip of the HR1 zoned lot and add it to the HR3 zoned lot so that the logical split for the single family house (1017 N. Euclid Ave) on the HR3 lot would total 5,000 sq ft? In other words, the logical split for 1017 N. Euclid Ave would equal 4,656 sq ft of the HR3 lot and 344 sq ft of the contiguous HR1 zoned lot. Will that meet the LUC?

Also, being that this type of split regarding a single family home was largely overlooked when it came to splitting an R3 lot, is there the possibility an administrative decision could be made so as to avoid bastardizing the HR1 with the taking of the 3.6 ft x 96 ft strip?

Thanks again for your help on this.

Warren Michaels

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MEMORANDUM

DATE: July 18,2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.8.8, Setbacks in Historic Districts
Land Use Code: Zoning Administrator Determination

A property owner in any of the local Historic Preservation Zones (HPZ) does not need signatures or an LDO if the property owner can successfully demonstrate that other structures exist in his development zone that are built closer to or on the property line according to LUC 2.8.8.6.C.2.

s:zoning administration/za determination/LUC 2.8.8a.doc

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From: Fiore Iannacone
To: Walter Tellez
Date: 12/2/02 10:14AM
Subject: 4th Ave Firehouse/1030 N 4th Ave.

To recap our discussion this morning;based on your review of the uses as proposed by WUNA for the subject property,[letter dated 8-26-02] ,legally this use would fall under the"Neighborhood Recreation" land use provision.As such,this land use is permitted in the HR-2 zone.Would restrictions apply relating to hours of operation and outdoor lighting similar to the 1029 N Euclid HPZ -01-39 case?The property include two lots,so I think parking shouldn't be a problem.Absent any need on the part of the City,we will proceed to formulate a lease agreement with WUNA for City Manager consideration.Thank you.

CC: George Parker; Jesus Manuel

R-2 = 2.3.5
Neighborhood Recreation =
6.3.7.3
Historic Preservation =
2.8.8