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May 18, 2006



CITY OF
TUCSON

DEVELOPMENT
SERVICES
DEPARTMENT

ZONING
ADMINISTRATION
DIVISION

Collin Sult
Snell & Wilmer, LLP
One South Church, Suite 1500
Tucson, AZ 85701-1630

SUBJECT: 308 W. Glenn: Beacon Group Expansion: Parking Requirements
Land Use Code (LUC) Information

Dear Mr. Collin:

Thank you for your letter dated April 26, 2006 regarding the above referenced project. The project is the Beacon Group (BG) expansion of its Tucson facility at 308 West Glenn Street. The property is developed with two existing buildings that total 36,200 square feet in gross floor area. The project expands the facility by adding a new 2-story 38,380 square foot building. The project will increase the site's total building floor area from 36,200 to 74,580 square feet. The BG Tucson facility provides day treatment and vocational training programs to persons with physical and developmental disabilities. After its expansion the facility programs will provide work for and serve 325 students, 80 teachers and 10 office personnel. Of concern are the parking requirements for the project.

The Zoning Administration Division has reviewed your letter, the program information available on the BG web site, the project development plan and the LUC regulations applicable to offstreet parking and land use classification. For zoning purposes, the programs provided by the Tucson facility places it firmly within the "Educational Use" land use class. In question is the particular subclass this educational use should be placed. When looking at the facility, its programs, and the special nature of its students, staff considers the facility similar in certain characteristics with two of the educational subclasses: "Elementary and Secondary Schools" and "Postsecondary Institutions".

For example, the BG Tucson facility provides the same vocational skills and studies taught by postsecondary institutions (trade schools). However, for parking purposes, your facility functions similar to a typical grade school. The LUC states that where a specific use conforms to the wording of two or more land use descriptions, the Zoning Administrator determines the most appropriate Land Use Class for that use (Sec. 6.3.2.3). Thus, it is the determination of the Zoning Administrator that parking requirements of the Beacon Group's Tucson facility, as described, is considered equivalent to that

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308 W Glenn
05/18/06

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of an "Elementary and Secondary School" (Grades K-8) and is to be determined by the ratio of one (1) space per ten (10) students plus one (1) space per 250 square feet of office floor area. Any change in student population will require review by the City of Tucson.

Please note, this zoning determination is appealable to the Board of Adjustment provided the appeal is initially made in writing and filed along with the appropriate fees with the Zoning Administration Division Offices, 2nd floor, 201 North Stone Avenue within (30) days of the date of this letter. Complete appeal filing and fees information can be obtained by contacting Russlyn Wells (ext. 1134) or Wayne Bogdan (ext. 1116) at (520) 791-4541. Also note, a copy of this letter must be attached to the project's site plan when submitted to the Development Services Department (DSD), 1st floor, 201 North Stone Avenue to complete the zoning compliance review process. If you should require further LUC information from the Zoning Administration Division, please contact William Balak (ext. 1168) or Wayne Bogdan (ext. 1116) at (520) 791-4541.

Sincerely,



Walter Tellez
Zoning Administrator

s:zoning administration/zoning/ZA/308 w glenn.doc

c: Viola Romero-Wright, City Attorney's Office

Development Services Department (DSD) - 201 North Stone Avenue
P.O. Box 27210 - Tucson, AZ 85726-7210
Telephone: (520) 791-4541 - Fax: (520) 791-5852
Website: www.ci.tucson.az.us/dsd
Email: DSD_zoning_administration@tucsonaz.gov

2/6/13

Walter Tellez - Proposed Peace Palace project: Zoning information requested

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From: Wayne Bogdan
 To: chuck@longrealty.com
 Date: 04/06/2006 11:13 AM
 Subject: Proposed Peace Palace project: Zoning information requested
 CC: Walter Tellez

(269)

April 6, 2006

Chuck Corriere, MBA
 Associate Broker
 Long Realty Commercial Real Estate
 3130 East Broadway Blvd., Suite 180
 Tucson, AZ 85716

Subject: Proposed Peace Palace project
 Land Use Code (LUC) Information

Dear Mr. Corriere:

Thank you for your letter dated March 23, 2006 and attachments regarding the above referenced project. The attachments included a program brochure and building plans. The project is the proposed Peace Palace facility. The purpose of the Peace Palace facility will be to teach the Maharishi Corporate Development Program, a human resource and corporate development related seminars. The facility in its conceptual phase will comprise a 12,000 square foot building on an approximate half acre site. The building will be designed to provide space for class and lecture rooms, a library, offices, dining facilities, meeting rooms, exhibition and display rooms. Based on this preliminary information, you are requesting zoning information applicable to the project as proposed.

The Zoning Administration Division has reviewed your letter, the attachments and the LUC regulations deemed applicable to the project. For zoning purposes, the Peace Palace facility, as proposed, is considered to be a "Educational Use: Postsecondary Institution" land use.

This land use is permitted in the following zones: O-3, C-1, C-2 subject to LUC Sec. 3.5.3.3:

3.5.3.3 Postsecondary Institutions. Teaching of only those operations or occupations which are allowed in the zoning classification of the property as permitted uses is allowed.

This use is permitted in the OCR-1, OCR-2 and I-1 zones without this restriction.

Please note, final LUC approval for the project will require the submittal and approval of the project's site plan to the Development Services Department, 1st Floor, 201 North Stone Avenue for the zoning compliance review process. Information on this review process can be obtained by contacting either David Rivera or Patricia Gehlen of the DSD Zoning Compliance Review Section at (520) 791-5555. Also note, a copy of this letter must be attached to the project's site plan when submitted to DSD for zoning compliance review. I hope you find this information helpful and should you require further information from the Zoning Administration, please email me.

Sincerely,

Wayne F. Bogdan
 Zoning Administration Division
 Development Services Department
 City of Tucson
 Ph: (520) 791-4541 ext. 1116

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~~210~~
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From: Ernie Duarte
To: Bogdan, Wayne; St. Paul, Michael; Tellez, Walter
Date: 04/05/2006 3:07:24 PM
Subject: Re: Follow up Boys & Girls Clubs

agreed.

>>> Walter Tellez 04/05/06 9:50 AM >>>

I think we can trust TUSD and the Boys and Girls Club. No more letters.

>>> Michael St. Paul 04/05/06 9:45 AM >>>

Bill gave me a copy of the letter. The conditions are rather specific (I'm sorry, this sounds like a silly bureaucratic question, because it is; but...) Shall we just have them refer to that letter or should we tell to just submit and we'll refer to the letter?

I think that we need a letter from them stating that this club is part of the school or that all the Boys & Girls Clubs on TUSD grounds are part of the school system. (See previous apology.)

michael

>>> Walter Tellez 04/05/06 7:31 AM >>>

We have approved before. Don't think we need info from TUSD each time.

>>> Wayne Bogdan 04/04/06 2:46 PM >>>

Good Memory,
See Attached 2003 letter...but we should still have them submit info on this new site to be prudent..
bogz

>>> Ernie Duarte 04/04/06 2:30 PM >>>

what was the zoning at Doolen Mid School at Grant, Country Club. They went in there also.

>>> Wayne Bogdan 04/04/06 2:27 PM >>>

Hi Michael,
Please call and tell them to send us a letter detailing the project as best they can. Specifically, they need to document (in detail) for us their relationship with TUSD (i.e. whether its just a rental agreement, or a joint use of facilities or programs or both, does TUSD provide any funding, any teachers, etc. etc.). A letter from TUSD verifying the relationship would be most helpful as well.
bogdan

>>> Michael St. Paul 04/03/06 12:04 PM >>>

Walter:

I had people for Tuesday's pre-sub who wanted to put a Boys & Girls Club on school grounds that belong to TUSD. There is a school there at 1945 S Couumbus Bl &/or 4335 E Calle Aurora. I said that I think that it all comes under TUSD.

David said that I was wrong and that they cannot put a membership organization in the R-1 zone. Craig said that he believes that they can.

This has that none of the above feel to it. I need to call these people back. What shall I tell them?

michael

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From: Walter Tellez
To: Updike, John
Date: 03/08/2006 9:48:38 AM
Subject: Re: Fwd: Justice Courts ROE/ 240 N. Stone Bldg.

Appears to be government doing government related work. No Zoning issues and standard permit policy (IGA?).

>>> John Updike 03/08/06 9:13 AM >>>

Yes, the County, thru their contractor of choice, Desert Archeology, pursuant to a burial/repatriation agreement signed by the native american tribes, the County and the Arizona State Museum.

john

>>> Walter Tellez 3/8/2006 9:09:26 AM >>>

Yes, it is weird. Is this the County doing it?

>>> John Updike 03/08/06 9:06 AM >>>

See below. This property is zoned OCR-2 (across the street from us). Any violations you can think of in temporarily storing human remains on site?

Let me know, and I'll respond to County staff.

Thanks (this project just gets weirder and weirder!!).

john

>>> <Mike.Stofko@pw.pima.gov> 3/8/2006 8:44:50 AM >>>

John, since the building at 240 N. Stone will be used to store and analyze exhumed human remains, at least temporarily, we wanted to be sure that such use of that property was not in violation of any City zoning laws covering the property. Do you know? Thanks. Mike.

CC: Duarte, Ernie

1/10

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From: Wayne Bogdan
To: Howard @ Tucson Kong
Date: 10/07/2005 4:23:47 PM
Subject: RE: I-1 Variance

October 7, 2005

Howard Kong
Senior Analyst
CB Richard Ellis Brokage Services
3333 East Speedway Boulevard
Tucson, AZ 85716

Dear Mr. Kong:

Thank you for patience in waiting for staff's reply to your email requesting whether the variance process could be used to allow school grades 6-12 in the I-1 zone. Today, staff consulted with the City Attorney's Office on the question. And as you and I had discussed earlier the anticipated answer would be: No, it is the opinion of the City Attorney the variance process could not allow a land use in a zone its prohibited in. For zoning purposes, schools for the grades 6-12 are considered to be a "Educational Use: Elementary and Secondary School" land use. This land use is defined by LUC Section 6.3.4.6.A, which states:

6.3.4.6 Educational Use. Educational Use is a use providing a student with knowledge and instruction through a course or group of courses.

Educational Uses are divided into the following subclasses:

A. Elementary and Secondary Schools. Elementary and Secondary Schools are uses providing primary and secondary education for grades kindergarten through twelve (12), as required by the Arizona State Board of Education. Typical uses include elementary, middle, junior high, and high schools.

Because this land use is not listed as a permitted use in the I-1 zone (LUC Sec. 2.7.2.2.B), its a prohibited use (LUC Sec. 1.2.5). The following LUC regulations were reviewed by staff prior to making its decision:

1.2.5 LAND USES AS ALLOWED IN THE LUC. The LUC applies land use restrictions through the use of zoning categories or districts. The zones are described in Article II of the LUC, and districts are delineated on the City Zoning Maps. Within Article II, each zone lists the land use classes permitted within the zone and the conditions under which they are allowed. Only those land uses listed for that zone are permitted within the zone.

2.7.2 "I-1" LIGHT INDUSTRIAL ZONE.

2.7.2.1 Purpose. This zone provides for industrial uses, that do not have offensive characteristics, in addition to land uses allowed in more restrictive nonresidential zones.

2.7.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

B. Civic Use Group, Sec. 6.3.4

3. Educational Use: Instructional School "34"

4. Educational Use: Postsecondary Institution "34"

AP

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CB Richard Ellis | Brokerage Services
3333 E. Speedway Boulevard | Tucson, Arizona 85716
T 520 321 3336 | F 520 321 3331
howard.kong@cbre.com | www.cbre.com/tucsonspeedway

-----Original Message-----

From: Wayne Bogdan [<mailto:Wayne.Bogdan@tucsonaz.gov>]
Sent: Monday, August 15, 2005 10:56 AM
To: Kong, Howard @ Tucson
Subject: Re: I-1 Variance

Good Morning Howard,
I have forwarded your email to staff and the attnys for their review and comments. As soon as I get their feedback I will email back to you.
Wayne

>>> "Kong, Howard @ Tucson" <Howard.Kong@cbre.com> 08/15/2005 9:15:57 AM >>>
Wayne,

I am working with a Charter School that his being supported by the department head of the University of Arizona's College of Education. They are looking to launch a school to being Jan '06. We have identified a property that is zoned I-1 (3990 S. Evans Blvd). We understand that there is a special exception that allows grades 9-12; however the school would run from grades 6-12. Would a variance to allow grades 6-8 be permissible? What is the process to determine this?
Please advise. Thanks.

Howard Kong | Senior Analyst

CB Richard Ellis | Brokerage Services

3333 E. Speedway Boulevard | Tucson, Arizona 85716

T 520.321.3336 | F 520.321.3331

howard.kong@cbre.com <<mailto:howard.kong@cbre.com>> | www.cbre.com/tucsonspeedway <<http://www.cbre.com/tucsonspeedway>>

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and delete the transmission. Delivery of this message is not intended to waive any applicable privileges.

CC: Viola Romero; Walter Tellez

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From: William Balak
To: Walter Tellez
Date: 09/07/2005 9:30:05 AM
Subject: Re: church

I talked with Craig Gross about the modulares. Craig said the modulares can remain on wheels (with other supports as required) with the setup reviewed and inspected by the State, not the City. The Land Use Code does not have any requirements for a slab, screening or for removing the wheels.

If a manufactured home (as opposed to a modular commercial building) was being installed then LUC requirements like the wheels removed, a solid screen wall for the base, etc. would have to be met.

>>> Carol West 09/06/2005 4:17:15 PM >>>

I will forward your comments to our code people for their interpretation. Carol

>>> "DiAnne Cannella" <horseczy2@msn.com> 09/02/2005 9:49:50 PM >>>

I spoke with Phil today. The modulares are going to be exactly where they are now. It truly amazes me that the city is allowing them. Throughout the many years I was a Real Estate Broker, modulares were defined as pre-fabricated buildings that were set up or assembled on a concrete slab onsite, much like a regular constructed home would be.....they did not have wheels (or wheels that were allowed to remain on the building). Those with wheels were considered mobile homes, or onsite construction trailers or sales trailers....all of which were only permitted during construction. Per Phil, the wheels are remaining on the buildings, and will have dirt piled around them to hide them. Go figure.

DiAnne

----- Original Message -----

From: Carol West<<mailto:Carol.West@tucsonaz.gov>>
To: horseczy2@msn.com<<mailto:horseczy2@msn.com>>
Cc: Kathy Dixon<<mailto:Kathy.Dixon@tucsonaz.gov>>
Sent: Friday, September 02, 2005 11:24 AM
Subject: Re: church

I don't think the modulares are going to be placed where they are now. I don't know of any zoning violations. Kathy would have to speak to that.

Carol

>>> "DiAnne Cannella" <horseczy2@msn.com<<mailto:horseczy2@msn.com>>> 09/01/2005 5:09:39 PM

>>>

Hi Carol

thank you for replying. Did you go onsite when you met with Phil? Did you see the so-called screening plants? Kathy had said she was told that there were some zoning violations but did not know what they were. I would like to know.

Regarding the modulares, I don't care what they are going to be used for....they are an eyesore, period! They look like a shanty town, plus their placement is in plain view from my house and porch.....so inconsiderate.

DiAnne

----- Original Message -----

From: Carol West<<mailto:Carol.West@tucsonaz.gov><<mailto:Carol.West@tucsonaz.gov>>>
To: horseczy2@msn.com<<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>>>

Go 3.4.10 - Circle K...
3.4.10 - Arizona...
234A

273

Cc: Kathy Dixon<mailto:Kathy.Dixon@tucsonaz.gov<mailto:Kathy.Dixon@tucsonaz.gov>>
Sent: Thursday, September 01, 2005 2:30 PM
Subject: Re: church

This is not a rezoning, so I cannot require some of the things you desire. However, I did meet with the pastor today and asked him to contact you re. the fence. The modulars are to be located on the site, installed and repainted and will be used for Sunday School classes.

Carol

>>> "DiAnne Cannella"
<horseczy2@msn.com<mailto:horseczy2@msn.com<mailto:horseczy2@msn.com<mailto:horseczy2@msn.com>>>>

09/01/2005 12:35:45 PM >>>

I would greatly appreciate it if you would inform me as to what is going on with this monster next door! What is the status of those old, ugly modular structures? It has been a month and a half since I asked for your help....they are now removing the construction fence as I write.....is anything being done? Yes, I am very frustrated! This pastor continues to lie! He just told us he "doesn't remember" promising a fence along my house area! The elevation of the church, facing my home, is not as it was presented to us. The "so called" screening plants are so tiny they will never screen, nor will the ocotillas that are placed some 30 feet apart. Do I not have any rights or protection??
DiAnne Cannella

234B

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From: Walter Tellez
To: Gross, Craig
Date: 07/27/2005 3:49:22 PM
Subject: Re: Fwd: Ormsby Park 899 W. 24th Street

Park is the principal use, I would think all structures ok for principal height.

>>> Craig Gross 07/27/2005 3:40:11 PM >>>
what do you think? a City Manager waiver or should we worry about it?

>>> Mary Muszynski 07/26/2005 3:52:14 PM >>>

Craig,

The contractor has told me that the sun shade structure is taller than the R1 height allowance. The structure is 27' at the high point.

What is needed to apply for a waiver?

Thank you,

Mary

Mary Muszynski
Landscape Architect
Capital Development & Planning Unit
Parks and Recreation Department
791-4873 x 223

CC: Duarte, Ernie

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CITY OF TUCSON

MEMORANDUM

DATE: December 15, 2004

TO: Jim Perry
Information Technology
Administrator

FROM: Walter V. Tellez
Zoning Administrator

SUBJECT: Police and Fire Station Communication Towers

This is in response to your request concerning the applicability of zoning for City of Tucson communication towers. Zoning regulations do not apply to poles or towers for the purpose of dispatching communication for Public Safety Fire and Police, and Public Service Water and Transportation.

Please let me know if I can be on any further assistance.

Cc: Jessie Sanders, Deputy Director, DSD
Craig Gross, Administrator, DSD

Zoningadministration/walter/citytowers

2697



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MEMORANDUM

DATE: March 3, 2004

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.3.6, R-3, Apartments Operated by Church, 724 N. 10th Ave.
Land Use Code: Zoning Administrator Determination

A church owned and operated apartment complex renting the apartments to private individuals remains an apartment complex because no occupants are supervised or specifically released to the address by the state after serving their sentence in the correctional system. The pastor allows his residents to voluntarily attend on-site religious services however the site is not used as a church specifically.

s:zoning administration/za determination/LUC 2.3.6.doc

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From: Walter Tellez
To: pmayne@dot.state.az.us
Date: 12/15/2003 2:22:14 PM
Subject: Re: SR 77, Tucson Cemetery Assoc., ADOT parcel 10-1376

Mr. Mayne,

I am Walter Tellez, Zoning Administrator for the City of Tucson. You are correct that the acquisition of land from the cemetery will make the site legal nonconforming for zoning purposes. Please let me know if I can be of any further assistance.

>>> <pmayne@dot.state.az.us> 12/11/2003 3:31:44 PM >>>
Dear Mr. Glock,

The A.D.O.T. is in the process of acquiring land for a sidewalk project at the northwest corner of Miracle Mile & Oracle Rd. It's a strip take totaling 3,146 sq. ft and is around 800 ft. in length so you can see the depth isn't very great. Our take is still outside the current cemetery wall, We believe the cemetery is unreasonable in asking for a very high price per square foot. One of their arguments is that our take will put them in violation of the setback limits even though we have advised that this would be an acceptable non-conforming use.

We would like the City's concurrence on the non-conforming use issue since this has the potential of going to condemnation.

If you have any questions or need additional information, please let me know. I can be reached at (602) 712-8738 or at pmayne@dot.state.az.us.

Thank You,
Pete

CC: Glock, Jim; McCrory, Michael; Rosen, Tobin

6.3.4.2 - General Use Cemetery
5.3.6 - Nonconforming
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MEMORANDUM

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DATE: October 3, 2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 3.5.3.7.A, Charter Schools
Land Use Code: Zoning Administrator Determination

Plans in for review of all charter schools shall include the maximum number of students allowed per the site and that number shall be listed on the Certificate of Occupancy. A revised plan must be submitted for review and approval in order to change the number of students listed on the C of O.

s:zoning administration/za determination/LUC 3.5.3.7.A.doc

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From: Patricia Gehlen
To: Castro, Daniel; David Rivera; McLaughlin, Peter; St. Paul, Michael
Date: 10/3/03 10:34AM
Subject: Fwd: Re: Charter Schools

Zoning Reviewers,

From here on out we will not be asking for copies of the state license for charter schools for the reasons listed in the attached e-mail. What we will do instead is add a note to the description line for the CofO (this is a screen in permits plus) which will state the maximum number of students the site plan has been approved for. This number of course will be less than the max occupancy load shown on the CofO due to teachers and support staff. Delma has shown me how to add to the description line. If you do not have access to the description line, one of the CSR's can help you. Please do this prior to signing the CofO application.

If you have any questions, let me know.

Patricia

CC: Duarte, Ernie; Gross, Craig; Jessie Sanders; Schuler, Randy; Tellez, Walter

Original Submitted to:
10/3/03
129 P

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From: Liz Miller
To: James Keene; Jose Ibarra
Date: 5/10/02 3:10PM
Subject: RESPONSE: Victory Outreach-Homeless Feeding Site

The Zoning Examiner advises that feeding the homeless by a church is considered a religious function and is allowed, as long as it is onsite with the church. This use was established approx. 17 years ago by a ruling of the Board of Adjustment. when Casa Maria began feeding the homeless. It was re-affirmed 10 years ago again by the Board of Adjustment when Armory Park challenged the interpretation. If there is indication that the Victory Outreach food service is not onsite, Zoning staff can go out and assess, but the most that could be done is to have them move the service back onto their site. FYI, Community Services advises that Victory Outreach is NOT part of the Caridad network, which is the network of faith based organization who are providing meals at location through out the county. (Caridad works directly with Prima Vera works to provide neighborhood clean up surrounding those sites.) Please call me if there are additional questions or follow-up needed. Thanks.

>>> Jose Ibarra 05/10/02 10:40AM >>>

Jim,

Victory Outreach on Grande Ave. is currently providing a feeding site for the homeless. Are they allowed under the zoning code and other city regulations, please respond.

CC: Emily NOTTINGHAM; Melissa Hartman; Richard Harper

Feb 2002
11/11/02
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CITY OF
TUCSON
PLANNING
DEPARTMENT

November 30, 2001

Rev. Kim Pflueger
Church of Mankind
1231 South Van Buren Avenue
Tucson, AZ 85711

SUBJECT: 1231 South Van Buren Avenue, Tucson, Arizona
Land Use Code (LUC) Information

Dear Rev. Pflueger:

The zoning information you requested, in your letter dated November 7, 2001 is as follows. The property addressed 1231 South Van Buren Avenue, known as the Church of Mankind, is currently zoned "R-2". The church intends to roast and sell coffee beans and use them as a fundraising project for the church. The roasting and sales will be limited to one day a week with the beans sold at the church. A fundraising project such as the proposed coffee bean roasting and selling is considered a incidental use to the principal religious use of the property and is a permitted use of land in R-2 zone.

Should you require further zoning information regarding this matter, please contact William Balak, Wayne Bogdan or myself at 791-4541.

Sincerely,

Walter Tellez
Zoning Administrator
Planning Department

s:\zoning\2001\1231 South Van Buren Avenue.doc

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From: Sarah More
To: Benny Young; Kathy Dixon
Date: 8/13/01 3:42PM
Subject: 241 N. Harrison Rd. / Holy Cross Church

Kathy,

A church can have a "sunday school" or nursery care during services, but a standard school (private or charter) is considered a separate use from the religious use. The school must meet the new Educational Uses land use code regulations that require, among other things, a 5 acre site.

If the school has been permitted prior to adoption of the ordinance, it would be allowed to continue as nonconforming. An expansion would trigger application of the new requirements.

To my knowledge, Planning has no open files on this property.

Sarah S. More, AICP
Planning Administrator
City of Tucson Planning Department
520-791-4571/fax 520-791-4130

visit our website at www.ci.tucson.az.us/planning

CC: Alice Western; Dan Newburn; Ernie DUARTE; Fiore Iannacone; Jim Glock; John Updike; Michael McCrory; Steve Pageau; Virginia Monyak; Walter Tellez; William Vasko

Nonconforming 5.3.6
3.4.10
133

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From: Michelle Pierson
To: Walter Tellez
Date: 4/11/01 7:52AM
Subject: Re: HOPE VI

Thank you!

>>> Walter Tellez 04/11/01 07:51AM >>>
Yes, check with Craig for any City Manager waivers that may be needed.

>>> Michelle Pierson 04/11/01 07:55AM >>>
Walter -

Does this mean we can just let them use the unit without any "paperwork"? If so, this would be great!!
Thank you.

Michelle

>>> Walter Tellez 04/11/01 07:37AM >>>
As long as CODAC is contracting with the City to provide public services, it is considered the same as a City use.

>>> Michelle Pierson 04/10/01 04:54PM >>>
Have you guys found anything out yet? Can we move CODAC into a unit on a temporary basis? Thank you.

ps - I spoke with our architect and he couldn't remember a letter and I know we don't have one either. Any help (in a timely fashion) you can provide is appreciated.

CC: Craig Gross; Michael McCrory

4-11-01
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The Sunshine City •

CITY OF TUCSON

CITY HALL
P.O. BOX 27210
TUCSON, ARIZONA 85726-7210.

DEPARTMENT OF PLANNING
791-4505 • 791-4571 • 791-4541
FAX (520) 791-4130 OR 791-2663

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December 28, 2000

Anne Warner, Principal
Planning Resources
270 North Church Avenue
Tucson, AZ 85701

Subject: 2675 North Wyatt Drive, R-1 - New TMC Medical Records and Hospice Facility
Land Use Code (LUC) Information

Dear Ms. Warner:

Thank you for your letter dated December 14, 2000 and documentation. The documentation included detailed project information, a copy of the master plan for the TMC Health Care Site, and a copy of the site's master parking plan with a use by use breakdown. The Master Parking Plan indicates that after the parking requirements for the existing uses within the site are met there remains an excess of 860 off-street parking spaces available for the site's new or future expansion. The new Medical Records and Hospice Facility is located in the northwestern most portion of the HealthCare site west of Wyatt Drive. The facility will be addressed 2675 North Wyatt Drive. The primary function of the facility will be to manage and retain the site's office, personnel and medical records.

The Planning Department has concluded its review of the information you have provided. Based on this information, the facility is considered to be for zoning purposes, an "Administrative and Professional Office" land use. Office use of this portion of the site will require rezoning its current R-1 zoning designation to O-3. The parking requirements for the facility must be provided by revising the Master Parking Plan and utilizing the site's available excess spaces. Rezoning information can be obtained by contacting Dorothy Montgomery or Glenn Moyer at 791-4571. Please note that a copy of this letter must be attached to any site plan submitted to the Development Services Department (DSD), 201 North Stone Avenue for the LUC compliance review process.

Should you require further zoning information, please contact Bill Balak, Wayne Bogdan or myself at 791-4541.

Sincerely,


Walter Tellez
Zoning Administrator

s:zoning/2000/2675wyatt.doc

R-1 zoning 2.3.4
" " " 2.4.3
Residential = 5.3.2
PKS = 3.3.4

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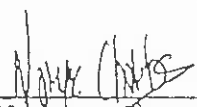
Notice of Decision
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Page 2 of 2

July 25, 1990

* ALL APPROVALS EXPIRE WITHIN 180 DAYS FROM THE DATE OF THIS *
* MEETING *
* * * * *

* The Building Safety Administrator may grant one additional *
* 180 day extension for good cause. *
* * * * *

* * * * *



Marye Chartos
Secretary for the Board of
Adjustment

If you wish further information, please call 791-4541.

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STAFF REPORT

DATE: July 25, 1990

TO: Board of Adjustment

FROM: Planning Department
Zoning Administration

C10-90-58 MANUEL A. LOPEZ/CATHOLIC DIOCESE OF TUCSON AND CASA
MARIA FREE KITCHEN, 352 EAST TWENTY-FIFTH STREET, R-2

APPLICANT'S REQUEST TO THE BOARD

The applicant, Mr. Manuel A. Lopez, neighborhood resident, president of the Santa Rita Park Neighborhood Association, and agent for several owners of real property in the Santa Rita Park neighborhood, is appealing the Zoning Administrator's determination that the principal use of the property at 352 East Twenty-Fifth Street, known as Casa Maria, is for zoning purposes, a religious use, and thus permitted in the R-2 zone (Attachment 1).

This requires:

- (1) The Zoning Administrator's determination in this matter be upheld, modified or reversed.

APPLICABLE TUCSON CODE SECTIONS

Section 23-506.(a) states that the Board of Adjustment shall hear and decide appeals where it is alleged that there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by the Zoning Administrator in the enforcement of this chapter.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED R-2; OUR LADY OF GUADALUPE CHAPEL/CASA MARIA FREE KITCHEN.

North: Zoned R-2; Vacant and Residential.

South: Zoned R-2; Residential.

East: Zoned R-2; Residential.

West: Zoned R-2; Residential.

Area or Neighborhood Plan

Old Pueblo South Neighborhood Plan

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BACKGROUND INFORMATION

On October 26, 1983 the Board of Adjustment on case C10-83-72 reversed the Zoning Administrator's determination finding that:
1) That our Lady of Guadalupe Chapel and Free Kitchen is a religious use, a church and place of worship which is a permitted use in the R-2 zoning; and 2) That feeding the hungry is a moral and an integral responsibility of religious organizations.

On November 19, 1986, in Case C10-86-149, The Diocese of Tucson appealed the Zoning Administrator's determination to the Board of Adjustment to allow an expansion to Our Lady of Guadalupe/Casa Maria Free Kitchen use to include laundry and shower facilities. The Board of Adjustment reversed the Zoning Administrator's determination that the proposed expansion was not a religious use.

PLANNING CONSIDERATIONS

Our Lady of Guadalupe Chapel and Casa Maria Free Kitchen is one of three buildings serving the Casa Maria religious community. The Hospitality House located at 401 East 26th Street and the Staff house located at 334 East 25th Street are across the City boundary line in South Tucson. The Chapel and Kitchen are located in a house on a 7,200 square foot R-2 Lot at the southwest corner of 25th Street and Third Avenue. The existing 800 square foot building is used for a weekly service and daily to prepare and distribute free food to the hungry.

The appeal is based on the contention that the Diocese of Tucson and other non-neighborhood residents and organizations provided false and misleading information to the Board of Adjustment at the time public hearing on this case, C10-83-72, and that the operation of the Free Kitchen has been detrimental to the neighborhood in which the use is located.

Staff has reviewed the decision on the Board of Adjustment case C10-83-72, the Zoning Administrator's determination and the material/information provided by the appellant and considers the use to be unchanged. Staff maintains the Board of Adjustment's determination that Our Lady of Guadalupe Casa Maria Free Kitchen is a religious use is still valid.

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RECOMMENDATIONS

It is recommended that the Zoning Administrator's determination be upheld.

Cecilia Cruz, Principal Planner
for
Walter Tellez, Zoning Administrator

Attachments:

1. Appeal to the Board of Adjustment from Manuel A. Lopez, dated July 2, 1990
2. Zoning Administrator's determination letter dated May 29, 1990