



CITY OF
TUCSON
ZONING
EXAMINER'S
OFFICE

PRELIMINARY REPORT

October 4, 2018

Demion Clinco
Tucson Historic Preservation Foundation
P.O. Box 40008
Tucson, AZ 85717

**SUBJECT: C9-18-16 Rubinstein House – East Calle Fernando
R-1 to HLR-1 Historic Landmark (Ward 6)
Public Hearing: September 27, 2018**

Dear Mr. Clinco:

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case C9-18-16 Rubinstein House- East Calle Fernando, R-1 to HLR-1.

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This is a request by Demion Clinco, of the Tucson Historic Preservation Foundation, on behalf of the property owner, Evelyn Thomas, to designate the Rubinstein House at 3838 East Calle Fernando as a Historic Landmark. The Historic Landmark (HL) designation changes the zoning from R-1 to HLR-1 zoning. The rezoning site is located approximately 200 feet west of Alvernon Way and 650 feet south of 5th Street (See Case Location Map). There is no proposed development associated with the Historic Landmark designation proposal.

Planning Considerations – Land use policy direction for this area is provided by the *Alvernon-Broadway Area Plan*, *El Montevideo Neighborhood Plan* and *Plan Tucson*. The rezoning site is located within an Established Neighborhood as identified on the Future Growth Scenario Map of *Plan Tucson*. Existing neighborhoods are primarily developed and largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to maintain the character of these neighborhoods, while accommodating some new development and redevelopment and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability. *Plan Tucson* supports overlay districts such as Historic Landmark designation as a way to promote the preservation and enhancement of historic structures and districts.

The *Alvernon-Broadway Area Plan* policies seek to “... [p]reserve and improve the design quality of residential areas” through the use of design guidelines. The Plan defers to the *El Montevideo Neighborhood Plan* for more detailed policies. The *El Montevideo Neighborhood Plan* policies support preservation of the residential character of the neighborhood and recognition of the historical character of the neighborhood. Residents are encouraged to research information on the historical aspects of their homes. Policies support the use of historic districts and the National Register of Historic Places for the neighborhood. The HL is a tool for historic preservation.

Background Information – The application for this designation was reviewed by the Historic Preservation Office (HPO) and PDSD staff with a recommendation to the Tucson Pima County Historical Commission, Plans Review Subcommittee (TPCHC,PRS) to formally consider the nomination. The application was reviewed by TPCHC,PRS on August 9, 2018. The Subcommittee voted unanimously (5-0) to recommend approval of the nomination proposal as presented.

Description of the Proposed Historic Landmark – The Rubinstein House, designed and built in the Mid-Century Modern architectural style, is located in Tucson's Montevideo Estates (1930), and is listed on the National Register of Historic Places. Irving D. Rubinstein, contractor, hired Architect William Wilde to design his home, and Irving D Rubinstein commissioned and built his home.

The Rubinstein House is located on the eastern edge of the Montevideo subdivision. The residential design is based on William Wilde's comprehensive site design, referred to as "Space Planner". The "Space Planner" design concept is a combination of fence, landscaping and roof overhangs to screen undesirable views, provide shade from afternoon sun and permit a view of the mountains. The design emphasizes open interior spaces, an expansive uninterrupted south facing window wall, clearstory window system, and private exterior interconnected spaces.

Statement of Significance and Integrity – The subject property is compliant with the UDC Section 5.8.5 Standards for Establishing or Amending HLs. The following discussion is excerpted from the approved nomination proposal:

The Rubinstein House is eligible as a City of Tucson Historic Landmark for the following reasons. 1) the Rubinstein House is from a significant period in Tucson's history: Post-World War II Development (1945-1970) and is a distinct architectural style that is least 50 years old; 2) the Rubinstein House is an outstanding example of Modern design and is associated with significant historic events that have made a significant contribution to the broad patterns of our history in particular: Community Development in Tucson 1945-1975; 3) the Rubinstein House exemplifies the architectural period in which it was built and has distinguishing characteristics of an architectural style: Modern; 4) the Rubinstein House contributes historic, cultural, and social importance relating to the heritage of the Tucson community; and 5) the Rubinstein House relates positively to buildings in its immediate vicinity in terms of scale, size, massing, etc., such that its removal would be an irreparable loss to the setting and a diminishment to the architectural heritage of Tucson.

Zoning Description

Historic Landmark – A historic site or structure of the highest historic, cultural, architectural, or archaeological importance to Tucson that if demolished or significantly altered would constitute an irreplaceable loss to the quality and character of Tucson. A Historic Landmark is an outstanding or unique example of

architectural style; is associated with a major historic event, activity, or person; or has unique visual quality and identification. A Historic Landmark may be located within the boundaries of or outside a historic district.

Surrounding Zones and Land Uses:

All of the properties surrounding, and in the vicinity of the subject property, are zoned R-1 and are single-family residences.

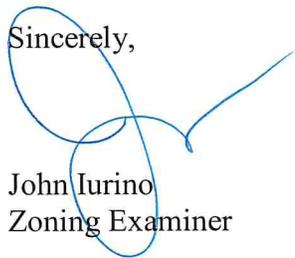
Public Hearing September 27, 2018

The Applicants' representative, Julia Date, Tucson Historic Preservation Foundation, spoke in favor of the rezoning application. No other person spoke. As of the date of the September 27, 2018 public hearing there were three (3) written approval and no written protests.

Conclusion – The Rubinstein House meets the historical standards for designation as a Historic Landmark. The *El Montevideo Neighborhood Plan*, the *Alvernon– Broadway Area Plan* and *Plan Tucson* all support neighborhood preservation. Approval of the requested HLR-1 zoning is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of the rezoning to HLR-1.

Sincerely,

John Iurino
Zoning Examiner

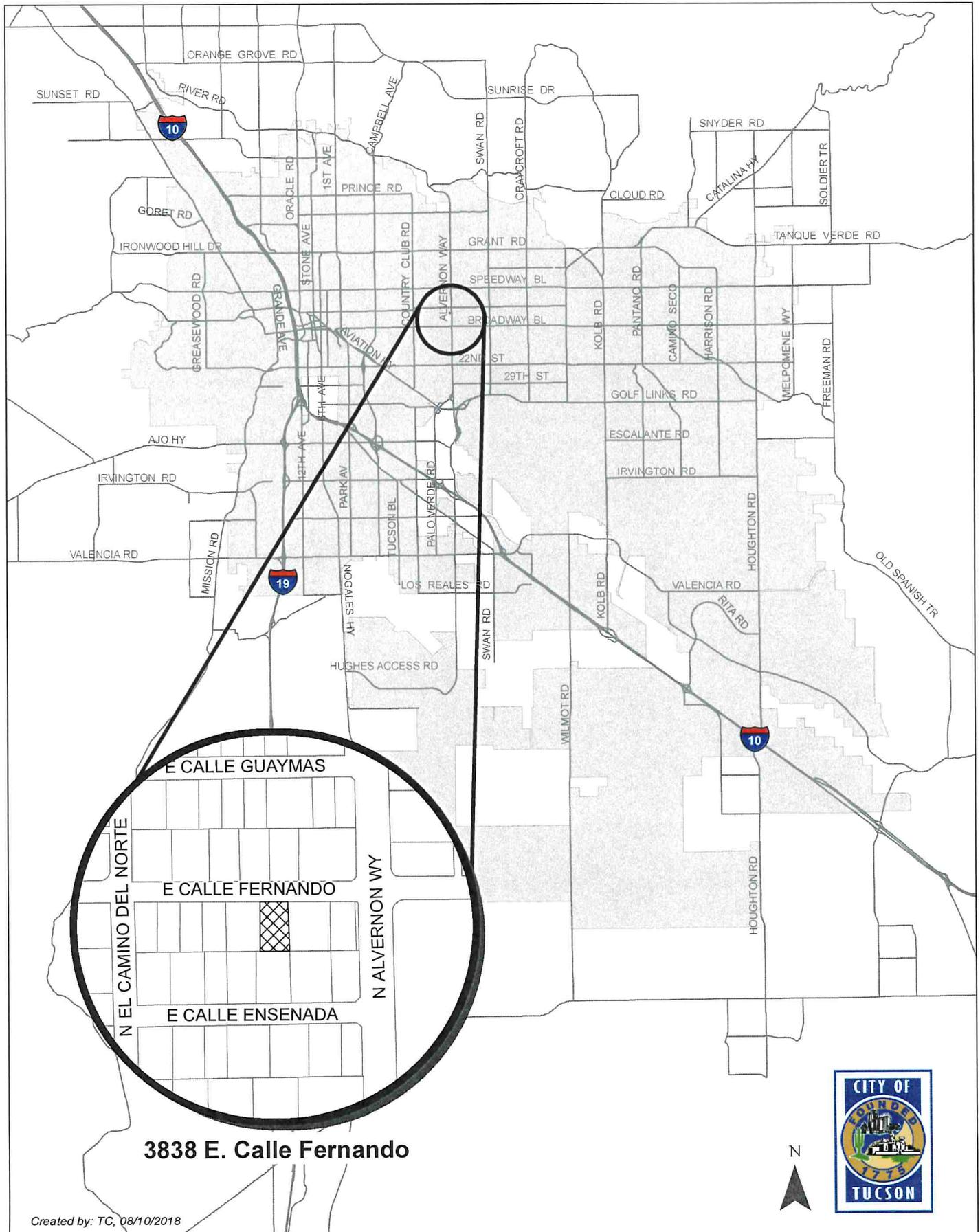
ATTACHMENTS:

Case Location Map
Rezoning Case Map

cc: City of Tucson Mayor and Council

C9-18-16 Rubenstein House - Calle Fernando (HL)

Rezoning Request: From R-1 to HLR-1



3838 E. Calle Fernando

C9-18-16 Rubenstein House - Calle Fernando (HL)

Rezoning Request: From R-1 to HLR-1



Subject Property

Address: 3838 E. Calle Fernando
Base Maps: Twp.14S Range14E Sec. 09
Ward: 6



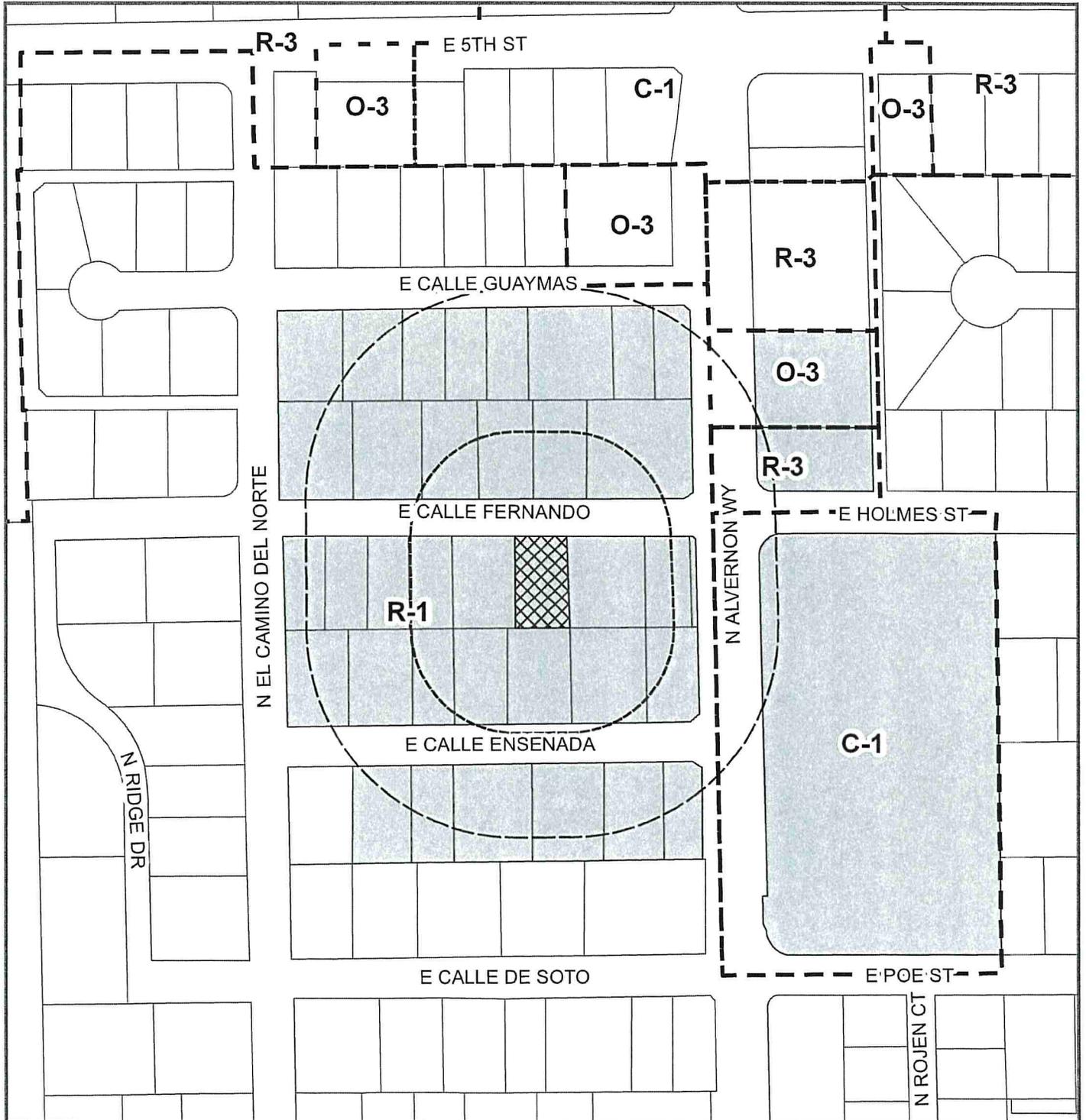
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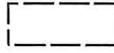
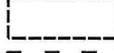
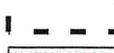
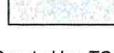
1 inch = 200 feet



C9-18-16 Rubenstein House - Calle Fernando (HL)

Rezoning Request: From R-1 to HLR-1



-  Subject Property
-  Notification Area (300-foot Radius)
-  Protest Area (150-foot Radius)
-  Zone Boundaries
-  Properties Notified

Address: 3838 E. Calle Fernando
Base Maps: Twp.14S Range14E Sec. 09
Ward: 6

