

254 C-2
6-3 (92)

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

26/19

308 W Glenn
05/18/06

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

From: David Rivera
To: Gehlen, Patricia; Gross, Craig; Tellez, Walter
Date: 08/15/2005 11:12:29 AM
Subject: Re: Retail uses with seating areas (1832 E Gth St)

That is correct. As long as the the seating area is defined on the plan and does not exceed the 25% floor area. That's what I recall.

David

>>> Walter Tellez 08/15/2005 11:06:27 AM >>>

I thought we had a long standing determination that retail uses (AM/PM's, Circle K's, Take out food/coffee) could have seating areas as long as less than 25%. I don't think we need a letter to allow Scot Cummings to do it at 6th and Campbell for pizza take out.

CC: Balak, William; Bogdan, Wayne

254 (95)

From: Wayne Bogdan
To: KSilvyn@rlaw.com
Date: 07/28/2005 9:38:29 AM
Subject: Curves, 2130 N Oracle, C-2: New Parking Lots

July 28, 2005

Keri L. Silvyn
Lewis and Roca, LLP
One South Church, Suite 700
Tucson, AZ 85701-1611

Subject: Oracle Road Properties: 115-05-091A, 1B, and 1D: Curves Cabaret New Parking Area.
Land Use Code (LUC) Information

Dear Ms. Silvyn:

Regarding your inquiry in letter dated July 19, 2005 on the above referenced project. The project involves the existing Curves Cabaret adult entertainment club at 2130 North Oracle Road, zoned C-2. Proposed is the acquisition and development of the above referenced parcels to provide new offstreet parking area for the club. Of specific concern is that the proposed expansion of the existing club site by new parking lot area could affect the property's nonconforming status for adult entertainment use.

The Zoning Administration and the City Attorney's Office have reviewed this matter within the framework of the existing LUC regulations relating to the nonconforming land use and adult entertainment regulations. Given the project proposes to provide additional offstreet parking for the club, bringing the club closer to LUC compliance, and not to expand the club's area for adult activities, the project does not affect the property's nonconforming status and may proceed. Also, the development of these lots for new offstreet parking is allowed in the C-2 zone, in and by itself, as principal use and when fully improved can be used for parking by anyone.

I hope this letter provides the information you desired, if not please let me know.

Sincerely,

Wayne F. Bogdan
Principal Planner
Zoning Administration
Development Services Center
City of Tucson

CC: David Rivera; Patricia Gehlen; Walter Tellez

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254 (96)

From: Craig Gross
To: Castro, Daniel; Gehlen, Patricia; McLaughlin, Peter; Rivera, David; St. Paul, Michael; Stevens, Terry; Thrall, Heather
Date: 06/21/2005 2:57:08 PM
Subject: Blood Donor Centers vs. Plasma Centers

GDA is submitting a proposal for a Red Cross Blood Donor Center in the C-2 zone. Per Walter, a Red Cross Donor Center (where blood is donated not sold) does not require compliance with the Special Exception requirement section 3.5.4.8.C. This is to be used for Blood Centers and Plasma Centers where blood, blood products or platelets are purchased on a commercial basis.

CC: Tellez, Walter

C-2
254
3.5.4.8.C
254
3.5.4.8.A
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From: William Balak
To: Amanda McCline
Date: 06/03/2005 10:40:58 AM
Subject: Re: Commercial Noise 6534 E. Tanque Verde

Amanda,

I checked on Sakura and the zoning is C-2 which does not have setback limits or limits on outdoor music. The police can cite for noise the neighbors can hear under Section 11-73.1 of the Tucson Code (Other noises prohibited: standards for excessive noise). Section 11-73.1 of the Tucson Code states that such activities (activity being any continuous or intermittent noise that lasts more than 15 minutes caused by radio, tv, tape deck, record player, or musical instruments) are prohibited if they produce clearly audible sound beyond the property line of the property on which the activity is conducted and they disturb the public peace, quiet or comfort of the neighboring inhabitants. Sounds like an easy police citation.

Bill

>>> Amanda McCline 06/02/2005 9:10:11 AM >>>
Hi Bill-

Just checking to see if you were able to find rules on commercial businesses playing loud music outside. To refresh your memory, I had a call from the Mayor's office- a constituent of Ward 2 has a complaint about Sakura Restaurant playing patio music late at night. I found out that live music is played at Sakura Sunday through Thursday 7:00-11:00 and Friday & Saturday 7:00-midnight.

She lives right behind this restaurant in The Meadows town homes. She is starting a petition.

Amanda
Ward 2

CC: Fran Johnson; Lisa Ross; Walter Tellez

254

98

From: Wayne Bogdan
To: MJM
Date: 03/24/2005 11:32:55 AM
Subject: Re: Personal Storage & the Old Results Fitness Building

CITY OF TUCSON

March 24, 2005

Michael Marks, AICP
MJM Consulting, Inc.
7002 E. 4th Street
Tucson, Arizona 85710

Re: 6444 E Broadway, C-1 - Former Results Fitness Building - New Personal Storage
Land Use Code (LUC) Information - Land Use Classification

Dear Mr. Marks:

Thank your for your email, dated March 20, 2005, regarding the proposed new use of the former Results Fitness Building for Personal Storage. The subject property is addressed 6444 E. Broadway Boulevard and zoned C-1. A project description is as follows. The purpose of the storage facility will be to store business related documents for the general public. The customers box the documents then bring it to the facility. An employee of the facility will then place the box on a storage shelf as opposed to a separate rentable storage space. When the customer wishes to retrieve the boxed documents, a facility employee will bring the box to the office area for the customer to pick up. Based on this information, you request this type of storage facility as "Personal Storage".

The Zoning Administration Division has reviewed your information along with the LUC regulations applicable to the land use classification. Based on this review, the storage facility is considered to be, as proposed, a "Commercial Storage" land use. This consideration takes into account the definitions of LUC Sec. 6.3.11.2 and Sec. 6.3.11.4:

6.3.11.2 Commercial Storage. Commercial Storage is the keeping of trade and personal goods by business and industrial establishments. Typical uses include cold storage plants, warehouses, and utility storage yards.

6.3.11.4 Personal Storage. Personal Storage is the renting or leasing of space for storage of personal effects. Typical uses include multiple unit storage facilities or miniwarehouses.

Per these definitions, Personal Storage is restricted to the effect of non business customers. The trades and goods of business customers, which includes office documents, fall under this category. Commercial Storage requires a minimum of C-2 zoning. The Commercial Storage use of the subject property then will require its rezoning from C-1 to C-2 by Mayor and Council action. If you should have any further questions for the Zoning Administration Division, please contact me by either phone (520) 791-5550 ext. 1116 or by email: wayne.bogdan@tucsonaz.gov.

Sincerely,

Wayne F. Bogdan
Principal Planner
Zoning Admin. Division

254 (99)

From: Craig Gross
To: Ford, Bill
Date: 02/24/2005 2:07:57 PM
Subject: Viro's Bakery 8301 E. 22nd St

Bill:

After discussing the situation with Walter Tellez, COT Zoning Administrator, the determination is that the property can maintain the existing retail parking requirement (1:200 sq. ft. GFA) and the variance provided the bakery portion is less than 25% of the gross floor area (GFA), as permitted in C-2 zone (sec 2.5.4.4.B) and the customer seating area is less than 25% of the gross floor area. Customer seating area includes both inside and outside seating areas and all must be addressed. If more than 25% of the GFA is devoted to the bakery use then specific criteria outlined in section 3.5.5 must be met. If more than 25% of the GFA is devoted to the customer seating area then the principal use becomes restaurant and the parking requirement increases to 1:100 sq. ft. GFA and additional parking will be required.

I have copied David Rivera with this message. Please continue to work directly with David to secure approvals and permits.

Craig

CC: Rivera, David; Tellez, Walter

February 9, 2005

WALTER 254
Your reference
copy
Construction
Service
C-2
IF YOU NEED
IT
MAY



CITY OF
TUCSON

ZONING
ADMINISTRATION
DIVISION

DEVELOPMENT
SERVICES
DEPARTMENT
(DSD)

Bob Patrick
R.G. Patrick, Ltd.
Land Planning & Development
5524 E. So. Wilshire Drive
Tucson, AZ 85711

SUBJECT: Tucson Plumbing – Land Use Classification
Land Use Code (LUC) Information

Dear Mr. Patrick:

Thank you for your letter, dated January 10, 2005, regarding the above referenced zoning matter. Per your letter, Tucson Plumbing is a construction service related business. The plumbing materials used in their business, is sold on a retail basis to their customers within the provisions of their service contracts. Plumbing materials are also available for sale to walk-in customers on a retail basis. Tucson Plumbing does not wholesale any of the plumbing materials they acquire, use and sell. Based on this information, you are requesting Tucson Plumbing be classified as "Retail Trade Use Group, Construction Materials Sales". If staff concurs, then you request confirmation that, in the C-2 zone, Tucson Plumbing would be allowed to store plumbing materials outside.

The Zoning Administration Division has reviewed the information provided by your letter, the Tucson Plumbing website www.tucsonplumbing.com, and the LUC regulations applicable to land use classifications. Staff notes that the business profile created by the sum of this information clearly fits more closely with the definition of LUC Sec. 6.3.5.9 "Commercial Services Use Group, Construction Service",

6.3.5.9 Construction Service. Construction Service is a use which provides construction activity to be performed at a construction site with related work performed on shop premises. Typical uses include construction companies, carpentry services, and plumbing services.

and not for "Construction Material Sales" per LUC Sec. 6.3.10.2:

6.3.10.2 Construction Material Sales. Construction Material Sales is the sale of lumber and other building materials. Typical uses include lumberyards, fence companies, and brick and block sales.

~~100~~
100

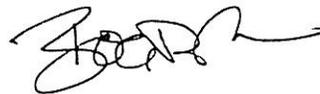
Given the specific language of these LUC definitions and the descriptions of the services provided by Tucson Plumbing, it is quite clear to staff the principal activity of the company is "Commercial Services Use Group, Construction Service" and not "Retail Trade Use Group, Construction Materials". Construction Service is an allowed principal use of land in the C-2 zone (LUC Sec. 2.5.4.2.A.8). However, all land uses within this zone are subject to compliance with LUC Sec. 2.5.4.6, which states:

2.5.4.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Outdoor display of finished products for rent or sale at retail or wholesale is permitted, unless prohibited by specific performance criteria.
- B. Unless modified by specific performance criteria or Sec. 2.5.4.6.A, land uses in the Commercial Services, Industrial, Restricted Adult Activities, and Wholesaling Use Groups shall be conducted entirely within an enclosed building.

Outdoor storage other than that allowed per LUC Sec. 2.5.4.6, requires a minimum of C-3 zoning. Please note that a copy of this letter must be attached to the project's site plans when submitted to the Development Services Department (DSD), 1st floor, 201 North Stone Avenue for 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,



Post Walter Tellez
Zoning Administrator

s:zoning administration/zoning/200/tucsonplumbing.doc

254 (10)

From: Walter Tellez
To: Warner, Anne
Date: 02/08/2005 2:12:19 PM
Subject: RE: 1101-1115 South Park

Anne,

If your client is a contractor, he is considered "construction service" which needs C-3 to have outdoor storage. See LUC 2.5.4.6.B which prohibits outdoor storage in C-2.

>>> "Anne Warner" <awarner@planningresources.net> 02/08/2005 1:30:35 PM >>>
Yes.

Anne Warner, RLA
Planning Resources
270 North Church
Tucson, AZ 85701
awarner@planningresources.net
520 628-1118
520 628-7637 fax

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

From: Walter Tellez [<mailto:Walter.Tellez@tucsonaz.gov>]
Sent: Tuesday, February 08, 2005 12:09 PM
To: awarner@planningresources.net
Subject: Re: 1101-1115 South Park

Anne,

Does he need outside storage?

>>> "Anne Warner" <awarner@planningresources.net> 02/08/2005 11:09:05 AM >>>
Walter -

I need your advice. I have a parcel at the above location, surrounded by C-2 to the south (Unocal station), residential on the north and west sides (R-2), and I-1 to the east and north west. On this particular parcel, the owner would like to rezone the property to allow a warehouse for heating and cooling equipment. The neighbors prefer C-2 rather than have more industrial zoning in the neighborhood, which I agree with, but after reading the code, I don't know if this use would be allowed. It would make everyone happy if it were. Can you let me know what you think about the appropriate zone? I appreciate your help and wisdom.

Anne

Anne Warner, RLA

Planning Resources

270 North Church

Tucson, AZ 85701

awarner@planningresources.net

520 628-1118

520 628-7637 fax



MEMORANDUM

254 102

DATE: September 9, 2004

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.5.4, Tucson Code 7-351, Dance Hall Ordinance
Land Use Code: Zoning Administrator Determination

The Zoning Administrator, in consultation with the City Attorney's office determined that TC Section 7-251(b)(1) only applies to University sponsored events and not to fraternities associated with the University or other similar events open to the public.

Not requiring Dance Hall licenses for events such as wedding receptions or similar events is based on the distinction between public and private events with private events not open to the public meeting Section 7-251(b)(1).

s:zoning administration/za determination/LUC 2.5.4.doc

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From: Walter Tellez
To: Torres, Aline
Date: 09/08/2004 9:59:59 AM
Subject: Re: Audio Express

Hi Aline,
Only the area, inside or out, that has the auto use occurring on it needs C-2. Does not include parking, loading or p.a.a.l.'s. Parking areas needs only C-1. This is how we originally did Costco and K-marts with auto repair. I have told Trish and David R. already.

>>> Aline Torres 09/08/2004 9:50:34 AM >>>

Hi, Walter - Glenn would like me to get something in writing from you regarding the Audio Express rezoning request. Our question was if they should rezone the building square footage or a portion of the site covering the parking, loading, access areas. Can you please provide us with some form of written statement? Thanks.

CC: McCrory, Michael; Moyer, Glenn; Romero, Viola

C-1 = 2.5.3
C-2 = 2.5.4
6.3 5.5
127

254
107

From: Heather Thrall
To: Walter Tellez
Date: 08/10/2004 9:07:37 AM
Subject: Re: Interpretation = type of activity for spray on truck bed liners

Thank you Walter.

>>> Walter Tellez 08/10/2004 7:34:32 AM >>>

It would be auto repair, if a paint booth is not required. If required, it would be Trade Service Major.

>>> Heather Thrall 08/09/2004 4:15:38 PM >>>

Hi Walter,

Town of Marana would like to know what type of classification we give to the activity of spraying on truck bed liners. I advised I would classify it to possible auto body/paint which needs a C -3. I thought it would fall under a trade service Major, rather than just auto repair.

Do you concur? Please advise. Thanks, HT

63077...

254
105

From: William Balak
To: Melinda Jacobs
Date: 07/27/2004 11:21:06 AM
Subject: Re: Supercarniceria & La Villa Markets

Melinda,

The meat markets are considered retail uses and the addition of a grill would not change the use. Both meat markets are cooking outside on a regular basis so the area with the grill must be shown on a revised site plan because it is considered an expansion of the business and blocking the use of some parking spaces. The C-2 zone where both stores are located would permit outdoor uses so if the store owners revise their site plans and can meet parking, they will be able to keep the grills outside. One of the stores has the grill in the handicapped area which is another major violation. We have opened violation cases on both stores.

I talked with the Pima County Health Department and their regulations cover only the food preparation and sanitary conditions not the smoke or odors. I was told the DEQ does not deal with smoke from cooking facilities. The EPA will get involved if there is substantial amounts of smoke as when they filed a complaint about Pinnacle Petes.

Bill

>>> Melinda Jacobs 07/21/2004 2:39:24 PM >>>

Bill,

I need an update... also, if they are now cooking on their premises doesn't this change their use and are now considered a "restaurant".

Please advise.... the neighbors continue to complain. Thanks!

Melinda

>>> William Balak 4/13/2004 3:18:33 PM >>>

Melina

I will check their plans and let you know.

Bill

>>> Melinda Jacobs 04/13/2004 3:16:30 PM >>>

The Ward V office received a complaint from one of the neighbors regarding these two meat markets. Supercarniceria located @ S. 6th Avenue/Illinois & La Villa Market located at S. 6th Avenue & Ohio both offer to grill the meat that their customers buy from them. They have a grill on the premises. Is this legal?? Please advise. Thanks for your help!

Melinda

Melinda Jacobs
Aide to Councilmember Steve Leal
City of Tucson
Ward V
(520) 791-4231
(520) 791-3188 FAX

CC: BJ Viestenz; Richard Diaz; Walter Tellez

SEARCHED
SERIALIZED
INDEXED
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254
100

From: Walter Tellez
To: Krausman, Patricia
Date: 07/23/2004 3:34:11 PM
Subject: Re: Car Sales Incidental to Car Repair Shop

OK if they send letter saying no more then 12 per year. One per month average seems incidental.

>>> Patricia Krausman 07/23/2004 3:29:13 PM >>>

I looked up the definition for "motor vehicle dealer", Chapter 28-4301 Definitions and it says "Motor vehicle dealer" means a used motor vehicle dealer (etc, etc)...excluding a person who comes into possession of a motor vehicle as an incident to the person's regular business and who sells or exchanges the motor vehicle." So, I think not?

>>> Walter Tellez 07/22/2004 8:48:37 AM >>>

Does the State require a dealer's license?

>>> William Balak 07/22/2004 8:45:59 AM >>>

I would call it auto sales so they need a new site plan and landscaping but let's see what walter thinks.

>>> Patricia Krausman 07/22/2004 8:41:39 AM >>>

Do you have a policy or has there been a determination on a case basis for car repair shops to be able to display cars for sale that are repaired, not paid for and not claimed? One of the cases I'm working (Aastro Transmission on Speedway) claims they've always had the right to have "incidental" car sales for cars that they have filed liens. They have two vehicles in front of their shop. They say they don't sell more than 10-12 a year and they do not allow any other type of sales.

CC: Balak, William; McCrory, Michael

L. B. ...
...

254
107

From: Walter Tellez
To: Gross, Craig
Date: 06/02/2004 7:17:58 AM
Subject: Re: nail salon

OK with me.

>>> Craig Gross 06/01/2004 4:38:42 PM >>>

Since the LUC doesn't specifically list nail salons as a personal service can we go back to the BA decision that nail salons are similar to retail at 1:200 for parking purposes?

Please make a note of my new e-mail address

craig.gross@tucsonaz.gov

CC: McCrory, Michael

6.3.10
3.34 - Telling
40

254 (108)

From: Walter Tellez
To: Sayler-Brown, Thomas
Date: 12/17/2003 4:23:27 PM
Subject: Re: Fascinations

Thomas,

For zoning purposes, Fascinations store at Speedway and Kolb is considered nonconforming. A Restricted Adult use is not permitted in the C-1 zone. To relocate Fascinations would require C-2 and compliance with LUC requirements for Restricted Adult Use.

Let me know if you need any further information.

Walter.

>>> "Thomas Sayler-Brown" <tsaylerbrown@sbbaarch.com> 12/17/2003 9:15:38 AM >>>
Walter,

We are designing a new Lowe's Home Improvement Warehouse on the northeast corner of Speedway and Kolb. This project will completely redevelop the site, excluding the offices at north and the retail building at the southeast corner. We will be rezoning the site from C-1 to C-2 for the garden center (C9-03-023).

Fascinations is currently located on the site adjacent to the vacant grocery store. I assume that Fascinations is considered an adult retail establishment but would like your confirmation of that. They have 2 years left on a 3 year lease and do not want to leave the site. The cost to force them out is extremely high.

1. If the site is fully redeveloped, can the Fascinations still be located on the site? We show a small retail building on the north side of the Lowe's building. It is set back 143' from the Kolb Road right of way. This is the building that Fascinations would want to occupy.
2. Are there any exceptions, grandfather clauses, etc, that come into play in determining that Fascinations can remain or that it is not a technically an adult retail establishment?
3. Is there ANY WAY that Fascinations can stay on this property? (I am assuming by what I see in the code that the business must be 1,000 feet away from the residential zone to the west...is that correct?)

Thanks, Walter.

Thomas Sayler-Brown

CC: Ernie Duarte; McCrory, Michael

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254
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254 (16)

From: John Updike
To: Walter Tellez
Date: 6/26/03 7:58AM
Subject: Re: 1310 W. Miracle Mile - Possible Interim Use

I'd like to think we could install the screening and landscaping in such a way as to be compatible with the ultimate requirements for the TPD substation installation in the main big box, so we have no wasted efforts. I'd advocate for that.

>>> Walter Tellez 06/26/03 07:36AM >>>

Both C-2 and I-1 allow a bus station/terminal. Will landscaping and screening be provided at Miracle Mile?

>>> John Updike 06/25/03 02:21PM >>>

We are exploring with officials of the Greyhound Corporation interim sites for their bus terminal to soon be demolished as a result of the 4th Avenue Underpass Project. One of the prospective sites is the subject, which comes into our possession this week on a purchase from GTC Land, LLC. Actually, it is the vacant pad site at the northeast corner of Miracle Mile and Flowing Wells that would be used by the bus company as a terminal. We are just entering the design phase for the unoccupied portion of the interior of the existing remainder K-Mart building for the new northwest TPD substation. We intend to retain our two existing commercial tenants in the space - they take up about 55,000 square feet (NCS Pearson and Migrant Glass). The pad site is paved parking, unnecessary for the two commercial tenants' operations.

We'd be looking at constructing a modular facility to accommodate passengers, with 10 bus bays with overhead canopy. The interior would not have a standard restaurant, but rather self-service vending machines. I'd expect Greyhound to be in this location for about 24 months at the worst, 12 months at the best. The land parcel is about 2.2 acres, so size isn't a problem. The zoning is C-2. The tax code no. for the parcel is 107-06-023E.

Can you put a bus station in C-2, or does that kind of use require a special exception process? I could be faced with having this operating bus station on the pad site at the same time as we come in for permits for the TPD station build-out, which will require the bus station area for parking. The intent is that Greyhound leaves before TPD would move in. Any complications there that you can think of (couldn't that just be a condition of the permit?)?

While I'm asking, the final destination of the greyhound station is still likely to be the northeast corner of 6th Avenue and Toole, zoned I-1. Any issues with a bus station in I-1 (I presume not)...?? Muchas Gracias in advance for any information/direction/guidance you can provide, Walter.

CC: Albert Elias; Ernie Duarte

transportation...
C-2 zone = 2.5.4
I-1 zone = 2.7.2
Landscaping/Screen 3.7.2
Retail Sales Big Box = 3.5.9.1.1K

254 (110)



CITY OF
TUCSON
PLANNING
DEPARTMENT

November 20, 2001

Joseph D. Warshauer
Oasis Gardens
2719 East Broadway Boulevard
Tucson, AZ 85716

SUBJECT: Land Use Code (LUC) Information

Dear Mr. Warshauer:

The zoning information requested in your letter dated November 7, 2001 is as follows. For the purposes of zoning, Oasis Gardens landscape contracting firm is classified as a Commercial Services: Building and Grounds Maintenance. This use is a permitted use of the land in the C-2 zone if no outside storage occurs. C-3 zoning is required for outside storage of materials, equipment, etc.

Building or Fire Code information relating to this project, such as Certificates of Occupancy, can be obtained by contacting a project manager at the Development Services Center, 201 North Stone Avenue, Tucson, Arizona 85701 at (520) 791-5550. Should you require further zoning information regarding this matter, please contact William Balak, Wayne Bogdan or me at 791-4541.

Sincerely,

Walter Tellez
Zoning Administrator
Planning Department

s:\zoning\2001\Oasis Gardens.doc

CITY HALL • 255 W. ALAMEDA • P.O. BOX 27210 • TUCSON, AZ 85726-7210
(520) 791-4505, 791-4571, 791-4541 • FAX (520) 791-4130 OR 791-2663
Website: <http://www.ci.tucson.az.us/planning> • E-Mail: comments_planning@ci.tucson.az.us

C-2 zone = 2.5.4
C-3 zone = 2.5.5
Comm/Bldg+grounds Maint. =
6.3.5.7 10

254
(11)



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

August 31, 2001

John Feneck
P.O. Box 18490
Tucson, AZ 85731-8490

Subject: 5447 Block S. Nogales Highway, Canyon Welding & Fabrication
Land Use Code (LUC) Information - DSD Project T01CM00952

Dear Mr. Feneck:

Thank you for your letter dated August 3, 2001 regarding the above project. The subject site is comprised of two adjacent properties (approximate address 5447 Block South Nogales Highway) identified by the Parcel Numbers 137-04-137 and 137-04-138, and zoned "C-2" Commercial. Aerial photos available to the Planning Department indicate the site is apparently vacant. You are requesting verification that the Canyon Welding & Fabrication business is an allowed land use at this site, as proposed. Additionally, you request the parking requirements for this land use.

The Planning Department has completed its review of your information, and the information provided by the business owner (Jorge Olguin) in letter dated July 6, 2000. Based on this review staff notes that a welding business, as a principal use, is a permitted use only in the "I-2" Industrial zone. However, a wholesale welding business as described (i.e. mobile welding, wholesaling of welding products, onsite storage of welding products, etc.) is a permitted use in the C-2 zone (LUC Section 2.5.4.2..J) subject to the following limitations. The business must have a building on the site and because this site is vacant land, the entire site must be brought into compliance with all LUC regulations applicable to a new use of land (e.g. landscaping, screening, parking, setbacks, etc.). All onsite welding must be restricted to inside the building, and to a floor area of not more than 25% of the building (LUC Section 2.5.4.4.B). Offsite or mobile welding (i.e. welding at customer locations) is permitted. The offstreet parking requirements for this land use can be calculated at the "Wholesaling Use Group - Business Supply and Equipment Wholesaling" ratio (1/2000 sq. ft., etc.). 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. If you require further zoning information from the Planning Department, please contact Bill Balak, Wayne Bogdan or myself at 791-4541.

Sincerely,

Walter Tellez
Zoning Administrator

s:zoning/2001/5447nogy.doc

2nd land use = 2.5.4.4.B
C-2 zone = 2.5.4
PKG = 3.3.4
I-2 = 2.7.3

97

254
112



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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

June 19, 2001

Joseph Tartaglia
8401 South Kolb Road, #386
Tucson, AZ 85706

Subject: 110 South Camino Seco, C-2 - Nail Polish Wholesaling and Light Manufacturing
Land Use Code (LUC) Information

Dear Mr. Tartaglia:

Thank you for your fax dated June 18, 2001 and floor plan. The subject property is addressed 110 South Camino Seco and zoned "C-2" Commercial. You are requesting the zoning approval necessary to allow use of the property for a nail polish wholesaling and light manufacturing business. The nail polish products are made by mix formula using products purchased from the manufacturer. The purchased products are 55% water and non-hazardous. The mixing process is not dissimilar from the same processes used by Home Depot, Sherwin Williams and Sears in their mixing and blending of paints to customer specifications. The finished products are sold wholesale.

The Planning Department has reviewed your information and floor plan. The floor plan indicates the total lease area is 866 square feet. The majority of the floor area will be used for office, bathroom, storage and shipping and receiving. 200 square feet of the lease area (23%) will be used for the actual mixing and blending of products. Given this information, staff notes the use, as proposed, is allowed in the C-2 zone subject to the restrictions of LUC Section 2.5.4.4.B, which I have already faxed, to you. The proposed mixing and blending of nail polish products is considered to be, for zoning purposes, a "General Manufacturing" land use. This zoning regulation states that a general manufacturing use is allowed in the C-2 zone only when secondary to the principal use of property for wholesaling and further provided the floor area dedicated to the manufacturing use is limited to not more than 25% of the total floor area. 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 zoning compliance review process. Should you require additional zoning information from the Planning Department, please contact Bill Balak or myself at 791-4541.

Sincerely,

Wayne Bogdan
Principal Planner

s:zoning/2001/110camino.doc

C-2 - 2.5.4.4
wholesaling: 6.3.13

6.3.6.4
John Moran
96

254
113



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April 17, 2001

Russ Undlin
7900-1 East Colette Circle
Tucson AZ 85710

Subject: 2537 North Oracle Road, Christian Prison Ministries (CPM) Adult Group Home, C-2
Land Use Code (LUC) Information

Dear Mr. Undlin:

Thank you for your letter dated March 27, 2001. Your letter provides timely response to our request, dated March 22, 2001, for additional information on the CPM Group Dwelling program (d.b.a. "The Bridge") at 2537 North Oracle Road. Per the additional information you provided, "The Bridge" is a faith based residential program serving not more than 12 male individuals recently released from the criminal justice system. The program provides shelter, food, clothing, laundry, some transportation, and job seeking assistance for the residents. The resident's participation in the program is post release and voluntary.

The Planning Department and the City Attorney's Office have concluded their review of the program as described. Based on your information which includes confirmation that "The Bridge" program has no supervisory function on behalf of the criminal justice system and the residents participate in the program on a voluntary basis, the program remains a "Group Dwelling" land use, for zoning purposes. A Group Dwelling is a permitted land use in the C-2 zone. Please note the Planning Department must be notified when and if the number of residents increase or the non adjudicated status of the residents change. If you any questions concerning this zoning information, please contact either Wayne Bogdan or myself at 791-4541.

Sincerely,

Walter Tellez
Zoning Administrator

s:zoning/2001/2537ora2.doc

cc: Michael McCrory, City Attorney's Office

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