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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 you 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

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From: Walter Tellez
To: Balak, William; Gehlen, Patricia
Date: 12/09/2003 7:57:19 AM
Subject: Re: Pantano/22nd Commercial Storage Project, Eastside Loop Road

Storage for business uses is considered Commercial Storage. The LUC does not allow businesses to use personal storage units. So as long as site plan is noted, it's OK. Thanks.

>>> Patricia Gehlen 12/09/2003 7:50:54 AM >>>

I don't think that he wants to restrict personal storage. In addition, this is an expansion of a non-conforming use. Are you going to write him a letter stating he can't do personal storage? It is designed as personal storage in the sense that there are individual units for rent. They do not have vehicle access and it is unlikely that commercial users are going to carry all their commercial stuff in and out of a building and up and down stairs. Just my thoughts.

>>> William Balak 12/08/2003 4:08:10 PM >>>

This project is located in the Eastside Industrial Park and is zoned I-1(R). The "R" restricts the uses to PI uses and requirements which allows Commercial Storage but not Personal Storage. Bruce Call of AECM sent a letter on December 4, 2003 describing the type of storage that will occur at the site. He noted that the project is designed in accordance with the Commercial Storage requirements with air cooled units and high security to attract commercial users. The description, in his letter, of the type of storage would indicate the use is "Commercial Storage".

The Plan Notes should state that the use of the site is restricted to Commercial Storage and that the use of the any storage units for storage of personal effects or belongings is not permitted and is a violation of the Land Use Code.

CC: Gross, Craig

6.3.11.2 - Comm Storage
275 - I-1 zone

GA

3.5.10
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From: Walter Tellez
To: GEHLEN, Patricia
Date: 8/14/01 10:26AM
Subject: Re: above ground tanks for sale of propane to the public

Hi Trish, propane tanks at gasoline stations and equipment rental sites for filling of small tanks and cylinders are not subject to 3.5.10. review as any other accessory structure.

>>> Patricia GEHLEN 08/14/01 09:58AM >>>

Walter,

When I read section 3.5.10.2 of the code I get a little confused. Secion 3.5.10.2.A.1.a states that if propone is used for consumptive use on the site this section is not applicable. Since the tanks are to sell propane to the public this section applies. The next section, 3.5.10.2.A.2.a states that tanks may only be used for the purpose of servicing vehicles used or serviced in connection with principal use. This would imply that tanks for retail sale are not permitted. Please clarify. We have been approving these tanks on a regular basis. Should we continue or should we stop?

Patricia

CC: Gross, Craig