



CITY OF
TUCSON

Planning and Development Services Department (PDSD)
Zoning Administration Division
201 North Stone Avenue, Tucson, Arizona 85701

***** NOTICE OF DIRECTOR'S DECISION *****
EFFECTIVE May 15, 2013

REQUEST TO MODIFY DEVELOPMENT REGULATIONS

CASE NO. THE PROJECT

MDR-13-02 JUNCTION AT IRON HORSE, T13SA00101
504 E. 9TH STREET, C-3 AND R-3 zoning

The Project

The Junction at Iron Horse is a four-story, 232-bed student housing development proposed at the southeast corner of Ninth Street and Third Avenue, one block east of the Fourth Avenue business district and north of Iron Horse Park. The project includes an onsite surface parking lot and an outdoor pool. The site has C-3 (commercial) and R-3 (residential) zoning, and it is located within the Infill Incentive District – Greater Infill Incentive Subdistrict.

The project must comply with all *Land Use Code* criteria applicable to new construction. These criteria include, but are not limited to Sections 2.5.5 and 2.3.6, which provide the development criteria for residential development in the C-3 and R-3 zones, respectively; Section 2.8.12 which provides the criteria for modification of development regulations in the Greater Infill Incentive Subdistrict of the Infill Incentive District; and Section 3.2.6, which provides the perimeter yard (i.e., building setback) requirements. The project must also comply with Development Standard No. 6-01, Solid Waste and Recycle Disposal Collection and Storage.

The Applicant's Request

The applicant is requesting the following modifications of development regulations (MDR):

1. Reduce the required perimeter yard (i.e., building setback) on the north side from 55 feet and 3 inches to 40 feet;
2. Reduce the required perimeter yard (i.e., building setback) on the south side from 24 feet and 6 inches to 23 feet and 9 inches;
3. Reduce the required perimeter yard (i.e., building setback) on the east side from 79 feet and 9 inches to 75 feet and 7 inches; and
4. Allow the use of Automated Plastic Containers (APCs) for the collection of recyclable material, in lieu of 8 cubic-yard containers, as shown on the submitted plans.



Staff Review

The applicant's project generally complies with the provisions of the Infill Incentive District established in *Land Use Code* Section 2.8.12

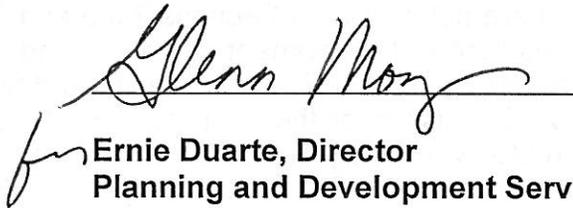
PDSD DIRECTOR'S DECISION:

Modification requests # 1,2, 3 and 4 above are granted, subject to the following:

- 1) The submitted design is conditionally approved, with the understanding that revised elevation drawings with additional architectural details must be submitted to and approved by the Planning and Development Services Department (PDSD), prior to building permit approval; and
- 2) The streetscape design shall comply with the MDR plan dated May 15, 2013;

and with the understanding that

- A. A private agreement "agreement" will be executed between the developer and Iron Horse Neighborhood Association (IHNA), or representatives thereof, regarding commitments requested by the IHNA and agreed to by the developer;
- B. The developer will provide a copy of the executed agreement to the PSDS Director in a timely fashion;
- C. A copy of the agreement will be placed in the MDR file associated with the case; and
- D. The City of Tucson is not responsible for enforcing any provisions of the agreement.


for **Ernie Duarte, Director**
Planning and Development Services Department

This MDR decision rendered by the Planning and Development Services Director may be appealed to the Mayor and Council on the grounds that the decision is not in conformance with the criteria established in the Land Use Code by 1) filing a notice of intent to appeal with the City Clerk's office (791-4213) within fourteen (14) days after the date of this decision (i.e., no later than May 29, 2013), and 2) filing the complete appeal materials with the City Clerk's office within thirty (30) days of this decision (i.e., no later than June 14, 2013).

For further information, please contact staff member Joanne Hershenhorn at (520)837-6976 or Joanne.Hershenhor@tucsonaz.gov