

## CITY OF TUCSON PUBLIC HEARING NOTICE

County Assessor records indicate that you are an owner of property located within 300 feet of a parcel(s) that is being considered for a **Zoning Examiner Full Notice Special Exception**.

The Zoning Examiner, on behalf of the Mayor and Council, conducts a public hearing and considers testimony for each Special Exception in the City of Tucson. Persons attending the hearing are to observe rules of propriety, decorum, and good conduct and are to refrain from rude or slanderous remarks. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

Within five working days of the conclusion of the public hearing, the Zoning Examiner issues a written decision. An interested party may submit in writing an appeal of the Zoning Examiner's decision provided the written appeal is filed with the Department of Urban Planning and Design within fourteen days of date of the decision.

You may speak in favor or in opposition to the Special Exception during the public hearing. You may also submit a written approval or protest. A form is attached for your convenience.

### PUBLIC HEARING INFORMATION

Date: Thursday, August 14, 2008

Time: 7:30 p.m.

Location: Mayor and Council Chambers\* First Floor, City Hall, 255 West Alameda, Tucson, Arizona

### APPLICANT

Albert Moussa, PE

Holy Resurrection Antiochian Orthodox Church

6419 N. Miramist Way

Tucson AZ 85750

### PROPOSED SPECIAL EXCEPTION

Case No.: SE-08-12

Zone: R-1

Location: The southeast corner of Fifth Street and Sahuara Avenue

Proposed Development: A request for special exception approval to exceed the height limitation in the R-1 zone for a dome structure proposed as part of a new church.

#### Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: SE-08-12

Zona: R-1

Locación: La esquina suroriental de la quinta calle y avenida de Sahuara

Desarrollo Propuesto: Un pedido la aprobación especial de la excepción de exceder la limitación de la altura en la zona R-1 para una estructura de la bóveda propuesta como parte de una nueva iglesia.

Si usted desea este documento escrito en Español, por favor llame al número de teléfono: 791-5550

For further information, please call Judy Imhoff or Michael Wyneken at 791-5550 or write to Urban Planning & Design – Rezoning Section, P.O. Box 27210, Tucson, AZ 85726

\*To better serve everyone in the community, the Mayor and Council Chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

## ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Land Use Code, Chapter 23, Tucson Code, which can be found at <http://www.ci.tucson.az.us>)

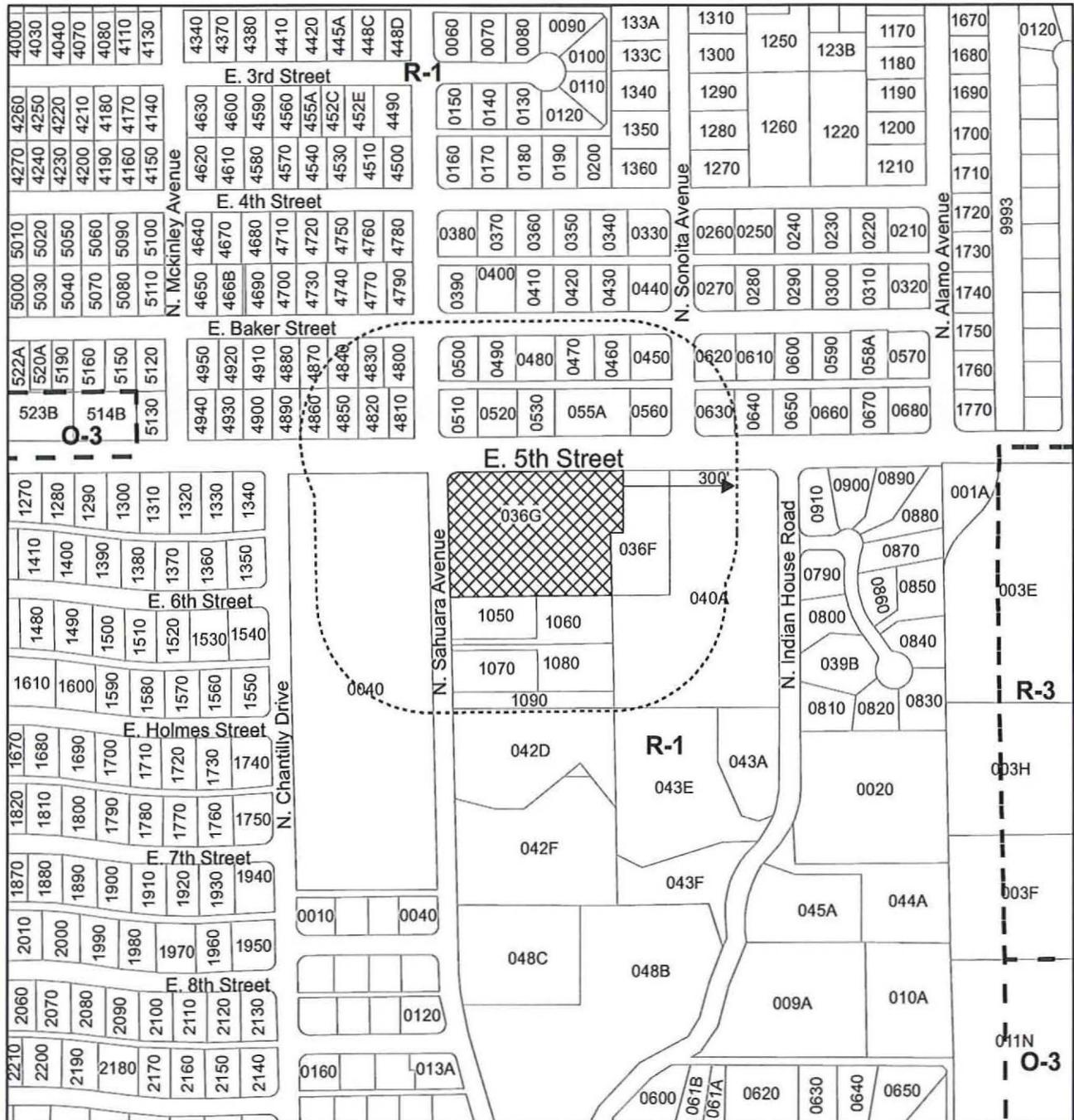
### Current Zoning:

R-1     *RESIDENTIAL - SINGLE-FAMILY* – Primarily for the use of single-family residences. Schools, churches, and public buildings permitted.



# SE-08-12 Holy Resurrection - 5th Street

## Special Exception - Full Notice Procedure



0 200 400  
Feet

1 inch equals 400 feet

Area of Special Exception Request

**R-1** Zoning of Requested Area

Notification Area (300 foot radius)

Zone Boundaries

Plan(s): Broadmoor - Broadway Neighborhood Plan  
 Address: 5910 E. 5th Street  
 Base Maps: Sec.12 T.14 R.14  
 Ward: 6





**SE-08-12 Holy Resurrection - 5th Street**  
2005 Aerial



# MEMORANDUM

---

DATE: July 30, 2008  
For August 14, 2008 Hearing

TO: Peter M. Gavin  
Zoning Examiner

FROM:   
Albert Elias, AICP  
Urban Planning & Design  
Director

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND  
DESIGN REPORT  
SE-08-12 Holy Resurrection – Fifth Street, R-1 Zone (Ward 6)

**Issue** – This is a request by Albert Moussa, on behalf of the property owners, the Orthodox Christian Church of the Holy Resurrection, for approval of a special exception land use to exceed the height limitation of 25 feet in the R-1 zone for a dome structure, proposed as part of a new church. The project site is located on the southeast corner of Fifth Street and Sahuara Avenue (see Case Location Map). The preliminary development plan proposes a Byzantine style church with a central dome, approximately 43 feet in height.

Following the required public hearing before the Zoning Examiner, a decision will be reached to grant the special exception with or without conditions or to deny the special exception.

Section 3.2.7.3. of the *Land Use Code (LUC)* states:

Exceptions. The following structural elements may extend above the maximum allowed height, subject to any limitations listed.

- A. Ornamental elements of buildings or structures, such as steeples, spires, cupolas belfries, clock towers, and domes and domes, provided that such elements:
  - 1 Are not for human occupancy, and
  - 2 Do not exceed ten feet above the allowed structure height, except as follows:
  - 3 Ornamental elements of a building and structure proposed to exceed ten feet above the allowed structure height are subject to review by the Development Review Board in accordance with Sec. 5.1.8 and approval as a special exception by the Zoning Examiner in accordance with procedures set forth in Sec. 5.3.9 and Zoning Examiner Full Notice Procedure, Sec. 23A-53 and provided that:
    - a. The ornamental element is an integral part of the building's architecture, not for human occupancy.
    - b. Ornamental elements proposed to exceed ten feet (10 ft.) above the allowed structure height may not be used for commercial advertising.

- c. The applicant must demonstrate how the proposal minimizes impacts to existing land uses by including a viewshed analysis and an analysis of the project site grades and adjacent property grades as part of their submittal.
- d. Setbacks required for the architectural element will be one foot (1 ft.) for each additional foot in height by which it exceeds the base allowance of ten feet (10 ft.).

The applicant is proposing a central dome, approximately 43 feet in height, as part of a church structure. The height of the church structure is 25 feet, the maximum structure height allowed in the R-1 zone. The proposed dome exceeds the allowed height limitation of an additional ten feet for ornamental features, by 8 feet.

**Design Review Board Recommendation** – The applicant attended the Design Review Board (DRB) meeting on June 20, 2008, (Case No. DRB-08-06). The DRB voted 5 to 1 to recommend approval of the Special Exception Land Use requested. (See attached meeting minutes)

**Department of Urban Planning and Design Recommendation** – The Department of Urban Planning and Design recommends approval of the request Special Exception zoning, subject to the attached preliminary conditions.

### **Background Information**

In March 2005, the Mayor and Council directed staff to amend the *LUC* to allow increased heights of such ornamental building features. The Mayor and Council adopted Ordinance Number 10166 on June 21, 2005, amending the *LUC*. Prior to adopting the ordinance, the *LUC* allowed features such as belfries, spires, cupolas, clock towers and domes, to exceed the allowed structure height in a particular zone by ten (10) feet.

The *LUC* requires review by the Design Review Board and approval by the Zoning Examiner under the provisions of the Special Exception Full Notice Procedure, Sections 23A-52 and 23A-53 of the Tucson Code. SE-08-12 - Holy Resurrection represents the second request for special exception approval for an increase in height associated with an ornamental building element.

Existing Land Use: Undeveloped.

### Surrounding Zones and Land Uses:

North: Zoned R-1; Single family residences (across 5<sup>th</sup> Street)  
South: Zoned R-1; Four undeveloped, single family residential lots)  
East: Zoned R-1; Single family residence  
West: Zoned R-1; TUSD – Sewell Elementary School

Previous Cases on the Property: none

Related Cases:

SE-05-24 Church of Jesus Christ of Latter Day Saints – Rees Loop, C-2 Zone. This was a request to allow construction of a steeple, 39 feet tall, on a proposed twenty-eight (28)-foot high church structure in the C-2 zone. The church, 16,500 square feet in size was to be on a 4.39-acre lot, located on the east side of Rees Loop, approximately three hundred (300) feet south of Rita Road. The applicant requested approval as a Special Exception Land Use to allow construction of a steeple that will have a total height of sixty-seven (67) feet as measured from design grade. On January 26, 2006, the Zoning Examiner approved the requested special exception. Building permit #T05CM02886 has been issued.

**Applicant's Request** – The applicant requests approval as a special exception land use that will exceed the height limitation by eight feet in the R-1 zone for a dome structure proposed as part of a new church.

**Planning Considerations**

Land use policy guidance for the requested special exception is provided by the *Sewell-Hudlow Neighborhood Plan (SHNP)* and the *General Plan (GP)*. The goals of the *Sewell-Hudlow Neighborhood Plan* are to allow for new religious facilities when development is designed in harmony with adjacent residential uses and when mountain views are preserved. The *General Plan* also supports development that reflects sensitivity to site and neighborhood conditions, and adheres to relevant site and architectural design guidelines.

The goal of the *Sewell-Hudlow Neighborhood Plan* architectural element, is to design architecture to be compatible with existing residences, to preserve mountain views, and to use other mitigation measures, such as building setbacks, to provide adequate buffering. Providing transitions in structure heights and varying rooflines may also mitigate visual impact to adjacent residential development.

The *General Plan* and the *Design Guidelines Manual* also provide policy direction and guidance to preserve the integrity of established neighborhoods by harmonizing new buildings with existing buildings. In addition, they provide policy to preserve and enhance the urban form and community image by promoting development that is compatible with Tucson's overall urban form, community character, and environmental setting and by maintaining views of mountain peaks.

The *Sewell-Hudlow Neighborhood Plan*, goal for parking and outdoor storage areas, is to enhance the visual impact of parking areas with more than four spaces. Policy 1 calls for providing landscaped earth berms, a dense screen of shrubs, or three-foot-high masonry walls, which will not impede storm water runoff. As such, there is an opportunity to employ water harvesting and 'heat island' reduction techniques through the planting of shade trees and

selection of hardscape materials. The *Design Guidelines Manual* also recommends using trees within parking lots. The planting of trees aids in reducing the heat island effect of concrete and asphalt, especially in and around parking lots; trees also visually screen adjacent development, provide shade for pedestrians, and improve the overall aesthetics of a development site.

The project site, situated 2,160 feet west of Wilmot Road and 2,750 feet east of Craycroft Road, is surrounded on four sides by property zoned R-1. Single family residences exist on the north side of Fifth Street. Two larger lot single family homes are located east and southeast of the property. Four undeveloped residential lots abut the majority of the south property line. Sewell Elementary school is located immediately west of the site, across Sahuara Avenue. Two existing religious establishments are also located on Fifth Street, in the vicinity of the project site. The Congregation Ashei Israel of Tucson is located on the southeast corner of Fifth Street and Craycroft Road. The Church of Saint Michaels and All Angels is located at the intersection of Fifth Street and Wilmot Road.

### **Design Considerations**

#### **Performance Criteria**

Section 3.2.7.3. of the *Land Use Code (LUC)* states:

Exceptions. The following structural elements may extend above the maximum allowed height, subject to any limitations listed.

- B. Ornamental elements of buildings or structures, such as steeples, spires, cupolas belfries, clock towers, and domes and domes, provided that such elements:
  - 3. Ornamental elements of a building and structure proposed to exceed ten feet above the allowed structure height are subject to review by the Development Review Board in accordance with Sec. 5.1.8 and approval as a special exception by the Zoning Examiner in accordance with procedures set forth in Sec. 5.3.9 and Zoning Examiner Full Notice Procedure, Sec. 23A-53 and provided that:
    - a. The ornamental element is an integral part of the building's architecture, not for human occupancy.

*The ornamental element of the proposed structure is a dome. The central dome is characteristic of Byzantine style architecture and an integral part of the proposed church structure. The central dome is designed to allow light into the sanctuary and is not for human occupancy.*

- b. Ornamental elements proposed to exceed ten feet (10 ft.) above the allowed structure height may not be used for commercial advertising.

*The proposed dome will not be used for commercial advertising.*

- c. The applicant must demonstrate how the proposal minimizes impacts to existing land uses by including a viewshed analysis and an analysis of the project site grades and adjacent property grades as part of their submittal.

*The applicant has provided a thorough viewshed analysis that includes photosimulations of view of the church from 14 off-site locations around the church property. The simulations illustrate that the dome and structure height, setbacks and curvature of the dome, assist in preserving the majority of view corridors through the site.*

- d. Setbacks required for the architectural element will be one foot (1 ft.) for each additional foot in height by which it exceeds the base allowance of ten feet (10 ft.).

*The proposed dome exceeds the base allowance of 10 feet in additional height by eight feet. The preliminary development plan (PDP) indicates that the face of the central dome structure will be setback 55.5 feet from the future Fifth Street curb. The LUC requires a minimum setback of 51 feet. The outer most face of the church structure is setback 34.5 feet from the future Fifth Street curb. The LUC requires a minimum setback of 21 feet.*

Land Use Compatibility – The applicant proposes a Byzantine style church that will seat approximately 300 people. The predominance of a central domed space, flanked by smaller domes and half-domes spanning peripheral spaces, are characteristics typical of Byzantine religious architecture. The proposed dome is located over the center of a ‘cross-shaped’ structure that is flanked with half dome shapes.

The *Land Use Code* limits the height of religious use structures to 25 feet in the R-1 zone. Except for a bell tower, located at the west corner of the structure, and the central dome, the proposed height of the church structure is 25 feet. The proposed tower height is 35 feet and within the ten additional feet allowed by the *Land Use Code* for ornamental elements. The proposed central dome is approximately 43 feet in height at the center or highest point of the dome.

The preliminary development plan (PDP) indicates that the face of the central dome structure will be setback 55.5 feet from the future Fifth Street curb. The combination of the setbacks and the curvature of the dome assist in preserving view corridors through the site.

Two single family homes are located east and southeast of the property, at a higher elevation than proposed church property. Because the homes are on higher ground, the impacts to views from these residences are expected to be minimal. A trash enclosure is shown on the PDP at the south boundary of the property, between the south and west parking lots. Four undeveloped residential lots abut the south property line. Staff recommends that the enclosure be relocated a minimum of 50 feet from any surrounding residential property line. In addition, Environmental Services staff is in the process of amending Development Standard 6-01.0 to require two single or one double enclosure for both refuse and recycle waste containers. Staff recommends that the size of the relocated trash enclosure(s) should be sized to accommodate the two types of containers.

Both the bell tower and the central dome will be topped with crosses, 3 feet 8 inches and 4 feet 10 inches in height, respectively. The proposed church structure is located in the Single Family Residential (SFR) District of the Tucson Sign Code. The applicant should be aware that all religious symbols are considered signs in the Tucson Sign Code and that the Code allows for 20 square feet of signage per street frontage in the SFR District.

Drainage/Grading/Vegetation – According to the PDP, the proposed landscaping is concentrated around the perimeter of the property, resulting in a large expanse of pavement without shade. Staff recommends incorporating one tree for every four parking spaces within the parking lot to reduce the heat island effect of exposed concrete and asphalt. Staff also recommends incorporating water harvesting techniques to capture rain water and provide supplemental water to landscaped areas in accordance with C.O.T. Water Harvesting Guidance Manual.

Road Improvements/Vehicular Access/Circulation – Two vehicular access points are proposed from Fifth Street and one entry point is proposed on Sahuara Avenue at the southwest corner of the project site. Parking on the site is to be located on the east and west sides of the sanctuary, as well as at the rear of the property. The Tucson Police Department recommends installing bicycle racks because bicycle lockers are more frequently vandalized.

Fifth Street is identified as a collector street on the *Major Streets and Routes Plan* map, with a future right-of-way width of 90 feet. Wilmot and Craycroft roads, are identified on the *Major Streets and Routes Plan* map as arterial roadways with future right-of-ways of 120 feet. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate up to 1368 vehicle trips per day, depending upon the types of facilities, programs and services available through the church (i.e., assembly hall, sanctuary, meeting rooms, classrooms and dining, catering or party facilities, day care or extended care) Field inspection by staff indicates there are currently no billboards on the project site.

Conclusion – The proposed dome height conforms with the goals and policies of the *Sewell-Hudlow Neighborhood Plan*, the *General Plan* and the *Design Guidelines Manual*. The applicant has conducted an extensive visual impact analysis demonstrating that the visual impacts have been minimized with appropriate site planning and architectural design. Subject to compliance with the attached preliminary conditions, approval of the requested special exception is appropriate.

## Preliminary Conditions

PROCEDURAL

1. A site plan in substantial compliance with the preliminary development plan dated June 2, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment".
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. Owner/developer shall enter into a Sewer Service Agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system, and the timing of said improvements.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception.

LAND USE COMPATABILITY

8. The maximum height of the central dome to the top of the cross shall not exceed 44 feet.
9. All screen walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
10. Six (6) inch wide fence block or greater shall be used for perimeter screen walls.
11. The owner/developer will relocate the solid waste enclosure a minimum distance of fifty feet from any surrounding residential property.

### Preliminary Conditions

12. The property owner/developer shall provide a minimum of two single or one double wide solid waste storage/enclosure area/s for the purpose of storing one refuse and recycle container in each. Each enclosure should be designed per DS 6-01.3.0 & 6-01.4.0.

### DRAINAGE/GRADING/VEGETATION

13. To mitigate the heat island effect, one canopy tree shall be provided within the vehicular use area for each four motor vehicle parking spaces, or create a shade pattern by mature canopy trees, buildings, and other structures that covers fifty percent of the vehicular use area from 9:20 to 3:20 p.m. MST on June 21.
14. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
15. Rain water harvesting must be conducted at this site per the requirements in Land Use Code (LUC) section 3.7.1.1.A, requiring that landscaping should accomplish natural resources conservation; LUC Section 3.7.4.3.B requiring integration of grading, hydrology and landscaping to make the maximum use of stormwater for on-site irrigation; and LUC Section 3.7.4.5.B requiring that stormwater and runoff harvesting be used to supplement drip irrigation for both new and preserved vegetation. Techniques to design and implement water harvesting are described in the City of Tucson's Water Harvesting Guidance Manual. This document can be downloaded as a pdf file from the following website: <http://dot.ci.tucson.az.us/stormwater/>.

To comply with the above-referenced LUC sections, rainwater harvested from building roofs, sidewalks, and parking lots shall be employed to assist in supporting landscaped areas including parking lot tree wells, landscape buffers, sidewalk plantings, and other vegetation locations at the site. Site plans shall include Water Harvesting Plan & Detail sheet(s) showing all water harvesting locations at the site including common areas, perimeter buffer areas and any retention/detention basins and should include the length, width and finished depth of the water harvesting areas, curb openings, raised walkways, use of mulch, and drainage arrows showing runoff routing to each water harvesting area and information on where overflow will be routed.

**PUBLIC FACILITIES AND SERVICES REPORT FOR August 14, 2008**  
(as of June 30, 2008)

**SE-08-12 Holy Resurrection – Fifth Street, R-1 Zone (Ward 6)**

**CITY AGENCIES**

**Development Services – Zoning Review:** See attached comments dated June 16, 2008.  
**Environmental Services:** See attached comments dated June 18, 2008.  
**Development Services – Landscape:** See comments dated June 18, 2008.  
**Urban Planning & Design – Land Use:** See attached comments dated June 20, 2008.  
**Office of Conservation & Sustainable Development:** See attached comments dated June 24, 2008.  
**Development Services – Sign Code:** See attached comments dated June 24, 2008.  
**Tucson Police Department:** See attached comments dated June 30, 2008.

**No Objections Noted**

**Development Services – Engineering.**  
**Transportation – Engineering.**  
**Transportation – Traffic Engineering**  
**Development Services – Zoning Enforcement**  
**Urban Planning and Design – Historic Preservation Officer**  
**Tucson Parks and Recreation**  
**Tucson Fire Department**  
**Tucson Water Department**

**NON-CITY AGENCIES**

**PAG-TPD:** Estimated traffic generation of proposed development: 1,368 vehicle trips per day.

**No Objections Noted**

**Arizona Department of Transportation**  
**Pima County Wastewater**  
**Pima County Transportation and Flood Control**  
**Pima County Parks and Recreation**  
**Tucson Electric Power**  
**Tucson Unified School District**

## Development Services Department

# PRO - Property Research Online

## Plan Review Detail Results

**Permit Status:** ACCEPTED **Activity Number:** T08SE00012  
**Permit Type:** An application for special exception approval to exceed the height limitation in the R-1 zone, for a dome structure proposed as part of a new church.  
**Site Address:** 5910 E 5TH ST **Applicant Name and Address:**  
 ALBERT MOUSSA, PE  
 6419 N MIRAMIST WAY  
 TUCSON AZ  
 85750

Review Completed	Reviewer's Name	Type of Review	Review Status
--	ANY	ENGINEERING	Waiting for action
<b>Comments:</b> none			
06/12/2008	JIMHOFF1	DOT ENGINEERING	This has been completed
<b>Comments:</b> TDOT Engineering has no objections.			
06/12/2008	JIMHOFF1	PIMA CNTY WASTEWATER	This has been completed
<b>Comments:</b> TO: Judith Imhoff, Planner City of Tucson FROM: Don Willhoit Sr. CEA, Capacity Management Section Pima County Regional Wastewater Reclamation Department  SUBJECT: HOLY RESURRECTION CHURCH - 5TH STREET Special Exception SE-08-12  The Capacity Management Section of the Pima County Regional Wastewater Reclamation Department (RWRD) has reviewed the above referenced submittal to extend the height of an architectural ornamental element and offers the following comments for your use:  As this particular request has no bearing on the public sewer system, the RWRD has no comment on the proposed special exception.  If you wish to discuss the above comments/conditions, please contact me at 740-6779.			
06/16/2008	STEVE SHIELDS	ZONING	This has been completed
<b>Comments:</b> CDRC TRANSMITTAL  TO: Development Services Department Rezoning Section FROM: Steve Shields Lead Planner  PROJECT: Holy Resurrection 5910 E. 5th Street, R-1 Special Exception - SE-08-12  TRANSMITTAL: June 16, 2008			

The proposed religious use, located at 5910 E. 5th Street is zoned is R-1. The Proposed use falls under the Civic Use Group, Sec. 6.3.4, Religious Use "12".  
 Development designator "12" requires or allows the following:  
 Minimum site area allowed = 20,000 square feet  
 Site area provided = 140,757 square feet  
 Floor Area Ratio allowed = 0.40  
 Floor Area Ratio proposed = 0.13  
 Lot Coverage allowed = 60%  
 Lot Coverage proposed = 59.6%  
 Interior perimeter yard indicator = CC  
 Maximum building height allowed = 25 feet  
 Building height proposed = 25 feet with two (2) architectural features that exceed the allowed ten (10) feet above the allowed structure height see LUC Section 3.2.7.3.A.1.2.

Per LUC Section 3.2.7.3.A.1.3 Ornamental elements of buildings and structures proposed to exceed ten (10) feet above the allowed structure height are subject to review by the Design Review Board in accordance with Sec. 5.1.8 and approval as a special exception by the Zoning Examiner in accordance with procedures set forth in Sec. 5.3.9 and Zoning Examiner Full Notice Procedure, Sec 23A-53 and provided that:

Zoning has reviewed this proposal for compliance with The City of Tucson Development Standard Land Use Code (LUC) and has no further comment or recommendations.

If you have any questions about this transmittal, please call Steve Shields, (520) 836-4956 or email Steve.Shields@tucsonaz.gov.

06/16/2008	DAVE MANN	FIRE	Approved
<b>Comments:</b> none			
06/17/2008	JIMHOFF1	PARKS & RECREATION	This has been completed
<b>Comments:</b> Staff has no comments.			
Glenn Hicks Capital Planning and Development Parks & Recreation Dept., City of Tucson 900 S. Randolph Way Tucson, Az. 85716			
06/18/2008	JOSE ORTIZ	DOT TRAFFIC	This has been completed
<b>Comments:</b> Traffic Engineering has no objections.			
06/18/2008	ANDY VERA	ENV SVCS	This has been completed
<b>Comments:</b> ES request that the following condition be included: Provide a minimum of two single or one double wide solid waste storage/enclosure area/s for the purpose of storing one refuse and recycle container in each. Each enclosure should be designed per DS 6-01.3.0 & 6-01.4.0.			
If you have any questions you may contact Andy Vera at (520) 791-5543 ext 1212 or e-mail: Andy.Vera@tucsonaz.gov			
06/18/2008	PETER MCLAUGHLIN	LANDSCAPE	This has been completed
<b>Comments:</b> The landscape review section has no comment regarding the request.			
While Land Use Code requirements cover the policies listed below, the applicant should be aware of these policies, which are from the Sewell/Hudlow Neighborhood and pertain to landscaping/buffering:			
SEWELL/HUDLOW NEIGHBORHOOD PLAN BUFFERING POLICIES			

LANDSCAPING

Goal:

Enhance the visual continuity of the neighborhood by planting drought-tolerant vegetation of similar form and scale to vegetation existing in the area.

Policies:

1. All vegetation planted along major street frontages and along the perimeter of new developments should be low maintenance and drought tolerant. Allow for more dense planting within the interior of the project to provide a mini-oasis effect, if desired.
2. Drought-tolerant trees, of similar form and scale to trees existing in the area, should be planted along major street frontages. Understory vegetation, such as shrubs and groundcover, is also recommended.
3. When site conditions permit, preserve or relocate trees with a caliper of four inches or greater, including saguaro cacti and ocotillo.
4. Accent plants can be utilized at the intersections of major streets and for the primary entry areas of new developments.
5. Locate plants, such as thorny cacti, which present a hazard to pedestrians, a minimum of five feet from the edge of a walkway.
6. Enhance architectural features, including proposed structures, with drought-tolerant vegetation proportional in scale and mass to the architectural element. Landscaping could include trees, shrubs, and groundcover.

06/19/2008      JIMHOFF1      TUCSON WATER NEW AREA DEVELOPMENT      This has been completed

**Comments:**  
Water Assurance Letter, dated June 12, 2008 received.

06/20/2008      JUDITH IMHOFF      COMMUNITY PLANNING      This has been completed

**Comments:**

DEPARTMENT OF URBAN PLANNING & DESIGN  
SE-08-12 Holy Resurrection - Fifth Street  
R-1 Special Exception  
Sewell-Hudlow Neighborhood Plan  
06/16/08 drcorral

This is a special exception request to allow for Holy Resurrection Church, located at 5910 E. 5th Street, to exceed the height limitation by 13 feet, for the construction of a dome situated at the center of the cross shape of the church. The church is proposed to be located on an R-1 site which allows for a normal maximum roof height of 25 feet and allows for ornamental structures to exceed 10 feet. The dome is proposed to be up to 43.5 feet in height. This requires Special Exception approval through the Zoning Examiner Full Notice Procedure and compliance with the provisions set forth in LUC Section 3.2.7.3.A.3.a, b, c, & d. Land use guidance is provided by the Sewell/Hudlow Neighborhood Plan, the General Plan, and the Design Guidelines Manual.

Policy Summary

Land use policy guidance is provided by the Sewell-Hudlow Neighborhood Plan (SHNP) the General Plan (GP). The goals of the Sewell-Hudlow Neighborhood Plan are to allow for new, religious facilities when development is designed in harmony with adjacent residential uses and mountain views are preserved. This can be accomplished by transition of heights and varying rooflines to mitigate visual impacts on adjacent residential development. The General Plan also supports development that reflects sensitivity to site and neighborhood conditions and adheres to relevant site and architectural design guidelines.

Discussion

The Sewell-Hudlow Neighborhood Plan, architectural element goal is to design architectural elements to be compatible with existing residences and to preserve mountain views and to use other mitigation measures, such as building setbacks, to provide adequate buffering. The preliminary development plan shows the central dome to be setback 71.5 feet from the back of future curb on 5th Street. The minimum setback from all other property lines is approximately 60 feet. These types of setbacks preserve view corridors through the site.

The General Plan and Design Guidelines Manual also provide policy direction to preserve the integrity of established neighborhoods by harmonizing new buildings with existing buildings. In addition, they provide policy to preserve and enhance the urban form and community image by promoting development that is compatible with Tucson's overall urban form, community character, and environmental setting and by maintaining views of mountain peaks. The proposed dome with the cross will reach a maximum height of 43.5 feet in height or, will exceed 8.5 feet over the permitted 10 feet allowed for ornamental structures. However, because the top five feet consist of the narrowest portion of the dome (the cross) it will have the least impact on views on mountain peaks.

The Sewell-Hudlow Neighborhood Plan, parking and outdoor storage area goal is to enhance the visual impact of a parking area with more than four spaces. Policy 1 calls for providing landscaped earth berms, a dense screen of shrubs, or three-foot-high masonry walls, which will not impede storm water runoff. As such, there is an opportunity to employ water harvesting and 'heat island' reduction techniques through the planting of shade trees and selection of hardscape materials. The Design Guidelines Manual also recommends using trees within parking lots. The planting of trees aids in reducing the heat island effect of concrete and asphalt, especially in and around parking lots; trees also visually screen adjacent development, provide shade for pedestrians, and improve the overall aesthetics of a development site. As such, staff will recommend the incorporation of one tree per every four parking spaces within the parking lot and that water harvesting techniques be incorporated into the development in accordance with C.O.T. Water Harvesting Guidance Manual.

#### Recommendation

The proposed Special Exception addresses the policies and guidelines provided in the Sewell-Hudlow Neighborhood Plan, the General Plan and the Design Guidelines Manual with the following conditions:

1. Maximum height of the dome to the top of the cross shall not exceed 44 feet in height, and shall be limited to the central dome only.

##### Relevant Policies

- SHNP - Architectural Element Policy 1 & 3
- General Plan, Element 4, Policy 5
- DG. - I.B.2.b - Roof Parapet & Design

2. One canopy tree shall be provided within the vehicular use area for each four motor vehicle parking spaces, or shade pattern caused by mature canopy trees, buildings, and other structures on the vehicular use area from 9:20 to 3:20 p.m. MST on June 21 must cover fifty percent of the paved area.

##### Relevant Policies and Guidelines:

- SHNP - Parking And Outdoor Storage Areas, Policy 1
- GP Element 4: Supporting Policies 4.9,& 4.9C
- DG - I.B.3.c. - Placement of Trees

3. Submit Water Harvesting Plan & Detail sheet(s) at time of review submittal for Grading and Landscape Plans. Water Harvesting Plan will indicate concept design for stormwater runoff routing through publicly visible landscaped areas (i.e., front yards, common space, perimeter buffer areas) and details will illustrate design specifics (i.e, depth of basin, swale, curb openings, raised walkways, use of mulch, etc). City of Tucson Water Harvesting Guidance Manual has examples of water harvesting techniques.

##### Relevant Policies & Guidelines:

- GP - Element 14: Supporting Policies 4.1 & 4.3
- DG - I.B.3.b. - Water Harvesting

#### APPLICABLE PLAN POLICIES

#### SEWELL-HUDLOW NEIGHBORHOOD PLAN

#### III. PLAN GOALS/PLAN IMPLEMENTATION

##### PLAN GOALS

The Sewell/Hudlow Neighborhood Plan is intended to guide future development within the area, while protecting and enhancing existing neighborhoods. The overall Plan

goals are to:

- Preserve and protect the integrity of established low-density neighborhoods.
- Identify appropriate locations for new development.
- Protect and enhance vegetation and open space along the Alamo Wash and the Rosehill Wash.
- Provide safe and efficient circulation systems for all modes of transportation including pedestrian.

#### V. BUFFERING TECHNIQUES

One of the overall goals of the Sewell/Hudlow Neighborhood Plan is to preserve mountain views, whenever possible. Views of the Catalina, Rincon and Santa Rita mountains are visible from several points within the Sewell Hudlow neighborhoods. Since the mountain ranges surrounding Tucson provide a valuable scenic resource, the buffering policies and visual criteria address this issue by encouraging that views to mountain peaks be preserved.

#### PARKING AND OUTDOOR STORAGE AREAS

Goal:

- Enhance the visual impact of a parking area with more than four spaces, as well as nonresidential outdoor storage areas adjacent to existing residential uses.

Policies:

1. Provide landscaped earth berms, a dense screen of shrubs, or three-foot-high masonry walls, which will not impede storm water runoff, along street frontages to screen parking areas with over four spaces.
2. Provide a landscaped strip, including canopy trees and a minimum five-foot-high masonry wall, which will not impede storm water runoff, along the perimeter of new development when locating nonresidential uses adjacent to residential uses and high-density residential uses adjacent to medium and low-density residential uses.
3. Screen dumpster areas and utility or water pumping stations with masonry walls and landscaping.

#### ARCHITECTURAL ELEMENTS

Overall Goal:

- Design architectural elements to be compatible with existing residences and to preserve mountain views.

Policies:

1. Provide a transition of heights and/or densities for proposed development adjacent to less intensive residential uses, unless other mitigation measures, such as building setbacks, provide adequate buffering.
2. Locate balconies and windows to protect the privacy of adjacent residential development, when possible.
3. Provide view corridors to mountain peaks from at least one point from adjacent development; for example, roof lines can vary to allow a view to mountain peaks.

The General Plan

#### Element 4: Community Character and Design

Supporting Policy 4.9: Promote the planting of street trees to provide shade for the pedestrian and visual relief for the driver and bicyclist.

Supporting Policy 4.9.C: Allow shade structures as a substitute for trees in situations where shade can be provided more effectively through arcades and other architectural solutions or where a more formal effect is desired.

Policy 5: Promote neighborhood identity and visual character.

Supporting Policy 5.3 Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.

Policy 6: Promote quality in design for residential, commercial, industrial, mixed-use, and publicly-funded development.

Supporting Policy 6.6 Solutions and strategies included in the Design Guidelines Manual should be utilized to provide and improved level of community design.

General Plan - Element 14

Supporting Policy 4.1: Continue to incorporate water-conserving landscape elements in City of Tucson capital improvement and maintenance projects.

Supporting Policy 4.3: Continue to require xeriscape principles in landscape regulations and development standards, including the Low Water Use Drought-Tolerant Plant List.

Design Guidelines Manual

I.B.2.b: Roof and Parapet Design

Intent - Encourage attractive roofs and parapet lines.

Solution - Consider the appearance of the top of the building (the 'fifth elevation'):

- Include parapets to conceal rooftop equipment, chimneys, cooling towers, and solar panels
- Roof features and parapets should complement the character of adjoining neighborhoods

Design Guidelines

3. Buffering/Screening/ Landscape Design

b. Water Harvesting (I.B.3.b)

Intent - Conserve water resources and preserve drainage patterns, thereby reducing engineering and irrigation costs.

Solution - Design for water-harvesting to direct all excess runoff onto vegetated areas:

- Make 'saucers' around newly planted trees and shrubs
- Harvest runoff using surface grading

c. Placement of Trees (I.B.3.c)

Intent - Provide a pleasant microclimate for pedestrians and increase the aesthetic appeal of a development.

Solution - Carefully locate trees to provide shade, wherever possible, to pedestrians by:

- Placing trees no further than 25' apart, particularly along walkways
- Clustering trees at plaza areas or other public gathering places

s:\caserev\sp-excpt\se07-08\ SE SE-08-12 Holy Resurrection - Fifth Street.doc

06/24/2008	JIMHOFF1	ADOT	This has been completed
<b>Comments:</b>			
ADOT has NO COMMENT on this Project. Douglas Kratina			

06/24/2008	JIMHOFF1	OFFICE OF CONSERVATION & SUSTAINABLE DEVELOPMENT	This has been completed
<b>Comments:</b>			
No objections			

Conditions: Rain water harvesting must be conducted at this site per the requirements in Land Use Code (LUC) section 3.7.1.1.A, requiring that landscaping should accomplish natural resources conservation; LUC Section 3.7.4.3.B requiring integration of grading, hydrology and landscaping to make the maximum use of stormwater for on-site irrigation; and LUC Section 3.7.4.5.B requiring that stormwater and runoff harvesting be used to supplement drip irrigation for both new and preserved vegetation. Techniques to design and implement water harvesting are described in the City of Tucson's Water Harvesting Guidance Manual. This document can be downloaded as a pdf file from the following website: .

To comply with the above-referenced LUC sections, rainwater harvested from building roofs, sidewalks, and parking lots shall be employed to assist in supporting landscaped

areas including parking lot tree wells, landscape buffers, sidewalk plantings, and other vegetation locations at the site. Specifications for water harvesting shall be clearly delineated on site plans to ensure it is correctly implemented at all necessary stages of construction.

Consultation with the Office of Conservation and Sustainable Development regarding water harvesting principles, techniques and code requirements is required. Contact Ann Audrey at 837-6932, or Frank Sousa at 837-6581 to make an appointment.

06/24/2008 JULIE YBARRA SIGNS This has been completed

**Comments:**

The above referenced case is located in the Single Family Residential District of the Tucson Sign Code. All signs, including all religious symbols, will be included as signage; this district allows for 20 sq ft of signage per street frontage

06/25/2008 JIMHOFF1 TDOT STREETS This has been completed

**Comments:**

No objections from Streets  
Sandra Zurbrick

06/30/2008 JIMHOFF1 OTHER AGENCIES This has been completed

**Comments:**

No Comment.

Tim Bolton  
Principal Planner  
Arizona State Land Department  
Southern Arizona Real Estate Office

TEP Land Management has no comment at this time.

Shannon L. Breslin  
Sr. Environmental and Land Use Planner  
Tucson Electric Power Company  
4350 East Irvington Road, DS315  
Tucson, AZ 85702

The Tucson Airport Authority has reviewed the above referenced Special Exception request and has no concerns or comment.

Thanks you for the opportunity to review this request.

Sincerely,  
Dennis Cady, AICP  
Director of Planning

The Pima County Assessor's Office has no official comment on this matter. Thank you.

Bill Bugglin  
Senior Appraiser  
Land Section  
Pima County Assessor's Office

I am not an advocate of the bike lockers. I would much rather see bike racks, and not lockers. This church is by the Alamo wash and we have had a lot of problems with these bike lockers being broken into and they become homeless "condos".

CSO Becky Noel  
Tucson Police Dept

City Planning and Zoning:

Upon review of the provided materials, Davis-Monthan AFB has no concerns or comments

related to the request for special exception in reference to:

CASE: SE-08-12 Holy Resurrection - Fifth Street, R-1 Zone WARD #6

PROPOSED USE: Religious Use - SE requested for extended height of an ornamental architectural element.

Thank you for the opportunity to comment.

Karen Oden  
Engineer  
355 CES/CEVR  
Davis-Monthan AFB, AZ

06/30/2008 JIMHOFF1 PIMA ASSN OF GOVTS

This has been completed

**Comments:**

CASE: SE-08-12, HOLY RESURRECTION - FIFTH STREET

COMMENT: NO OBJECTIONS OR ADVERSE COMMENTS

Vehicle Trip Generation: Daily: 1368 PM Peak: 102

Please call if you have questions or need additional information.

KoSok Chae

06/30/2008 JIMHOFF1 TDOT RTA

This has been completed

**Comments:**

none

06/30/2008 JIMHOFF1 SCHOOL DISTRICT

Not Required

**Comments:**

none

**No FINAL STATUS record available for this Workflow**

---

**Conditions:**

none

---

[Back](#)

[Help](#)