

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner  
Glenn Moyer, Planning & Development Services  
Delma Sanchez, City Recording Clerk

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1           ZONING EXAMINER: Good evening, ladies and gentlemen.  
2 My name is Linus Kafka, and I'm the Zoning Examiner for the City  
3 of Tucson. I conduct special exception hearings and rezoning  
4 hearings on behalf of the Mayor and Council, and I make findings-  
5 of-fact.

6           In the case of rezonings, I prepare a report along with  
7 my recommendation which I then send on to Mayor and Council. In  
8 the case of Zoning Examiner special exceptions, I render a  
9 decision. Tonight we have a zoning case, Mayor and Council  
10 special exceptions, and a Zoning Examiner special exception.

11           For the Zoning Examiner special exception, after I  
12 close the hearing, I'll prepare a decision within five working  
13 days. If I do not close the public hearing this evening, I'll  
14 continue it to a date not more than 30 days from now. In my  
15 decision, I'll recommend approval, approval with conditions, or  
16 denial of the application.

17           I'll e-mail the notice of the decision on application  
18 within three days after I render my decision, and this will be  
19 mailed to the Applicant, and all persons who request notice. My  
20 decision may be appealed by a party-of-record to the Mayor and  
21 Council in accordance with the Unified Development Code 3.4.3-j  
22 by submitting a Notice of Intent to Appeal to the City Clerk

1 within 14 days from the date of the decision with a copy  
2 delivered to the Planning & Development Services Department.  
3 The complete appeal materials must be filed within 30 days of the  
4 decision.

5 An Applicant may request a change in a condition of  
6 approval of a special exception land use. That request shall be  
7 reviewed by Staff for recommendation to me. The request shall be  
8 then considered at a public hearing in accordance with UDC,  
9 Section 3.9.2.

10 In the case of rezonings and Mayor and Council special  
11 exceptions, I'll prepare a preliminary report and a final report.  
12 After I close the hearing, I'll prepare a preliminary report  
13 within five working days. I prepare the final report two weeks  
14 after the close of the public hearing.

15 For those of you who wish to receive a copy of the  
16 preliminary report, and you're not already a principal listed on  
17 the case, those orange cards at the podium which you can fill  
18 out, and we'll get a copy of the report to you.

19 A copy of the final report will be available from the  
20 Planning & Development Services Department, and I'll send that  
21 report along to the Mayor and Council. They may consider my  
22 recommendation, along with other factors, and make their decision  
23 on that.

24 At the start of the hearing, at the start of each  
25 hearing, I'd like to have Mr. Glenn Moyer give me a presentation

1 on the case. After that, I'll have the Applicant come up to  
2 present the case.

3 After the Applicant presents, those wishing to speak in  
4 favor of the case may be called up, followed by people who oppose  
5 the case, or people who have no position, but which will wish to  
6 speak to some relevant regarding the case.

7 Since I cannot have any communications with parties  
8 involved in the case, now is the time to speak. When you do come  
9 up to speak, I'll call people up by a show of hand, you'll  
10 approach this microphone, and there's a sign-in sheet at the  
11 microphone which, if you'll sign in there, and put your name,  
12 that'll help us keep track of who's speaking on the transcript.

13 At this time, I'd like to swear in those wishing to  
14 speak this evening. So anyone presenting a case, or anyone  
15 thinking of testifying in a case, if you could stand right now  
16 and raise your right hand. Do you swear or affirm to tell the  
17 truth, the whole truth, and nothing but the truth?

18 (Affirmative.)

19 ZONING EXAMINER: All right. We have four cases on the  
20 agenda this evening. The first case is Case No. C15-15-04 the  
21 Limberlost and Fairview Annexation District. And if I could get  
22 the report on that, Mr. Moyer.

23 MR. MOYER: This is a request by the City of Tucson to  
24 establish original City zoning on approximately 113.2 acres of  
25 land recently annexed by the City of Tucson. Mayor and Council

1 adopted Ordinance 11308 annexing the Limberlost and Fairview  
2 Annexation District on September 24, 2014 (sic). Annexation  
3 became effective on October 24th, two thou- -- that's 2015. And  
4 the annexation became effective on October 24th, 2015.

5 Arizona State law provides that original to City zoning  
6 must be applied to recently annexed property within six months of  
7 annexation. Original City zoning may not allow uses or densities  
8 greater than those permitted on the existing County zoning.

9 The annexation district consists of land currently  
10 developed as a mix of manufacturing, manufactured housing,  
11 single-family residential, office and commercial uses. Annexa-  
12 -- annexation site is within the boundaries of Plan Tucson and  
13 the Catalina Foothills Subregional Plan.

14 The request to establish original City zoning is  
15 consistent with Plan Tucson direction which recognizes that the  
16 long-term prosperity and vitality of the city is focused on  
17 positive infrastructure expansion and providing for a rational  
18 pattern of land development.

19 The establishment of original to City zoning is  
20 supported by the policies of Plan Tucson, and the Catalina  
21 Foothills Subregional Plan. The Major Streets and Routes Plan,  
22 arterial street, arterial route designation for Wetmore Road and  
23 collector designation for Fairview Avenue will apply to those  
24 portions of Wetmore Road and Fairview Avenue lying within the  
25 annexation district.

1 Approval of the proposed translation of original City  
2 zoning is appropriate. As of today, the Planning & Development  
3 Services Department has received one written approval and one  
4 protest. That equates to a protest by area of 1.4% to the west,  
5 and zero percent to the north, south and east.

6 The protest calculation is important because if there  
7 is a protest of 20% or more in any one of the four quadrants  
8 around the annexation district, it would require a three-quarters  
9 majority vote of Mayor and Council to adopt the original City  
10 zoning.

11 ZONING EXAMINER: Thank you, Mr. Moyer. I have  
12 received the approval and protest forms. Mr. Czechowski,  
13 anything to add?

14 MR. CZECHOWSKI: No. Thank you.

15 ZONING EXAMINER: Okay. Do you find the Staff's  
16 translation of County CB-2 to City C-2; County MU to City MU;  
17 County TR to City O-3; and County SH to City SH is unproblematic?

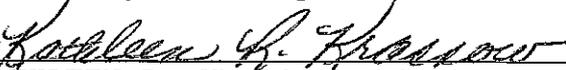
18 MR. CZECHOWSKI: Unproblematic.

19 ZONING EXAMINER: Okay. All right. And the extension  
20 of Major Streets and Routes Plan as well. Anybody here this  
21 evening here to speak on this case other than Mr. Czechowski?  
22 All right. Seeing no one, Case No. C15-15-04 is hereby closed.  
23 Thank you, Mr. Czechowski.

24 (Case No. C15-15-04 was closed.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 12/21/15

  
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KATHLEEN R. KRASSOW - Owner  
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