

From: Michael Grassinger

Sent: Thursday, July 03, 2014 10:51 AM

To: Kelly Lee; 'fjhoward@ppmgmt.com'; rfinfrock@aquariantec.com; Jack Neubeck

Subject: RE: Hi Kelly, a couple of other things Re: Americana Apartments

Kelly,

I have discussed the zoning of the Americana Apartments with John Beall at the City of Tucson Planning and Development Services Department. The property was annexed into the City on October 2, 1952 and the original City zoning of R-4 was translated from the County zoning existing on the site at that time. Broadway village was annexed on June 24, 1946.

When the Broadmoor-Broadway Village Neighborhood Plan was adopted in 1988 the R-4 zoning was in place as shown on page 10 of the plan under Existing Zoning. I have found records of the R-4 zone being in place in 1986.

When the City of Tucson adopted the Land Use Code on July 1, 1995 the R-4 zone was eliminated. Since R-4 allowed both multi-family and office uses, property owners were given the option of having their properties zoned to R-3 or an office equivalent zone. This property was assigned the O-3 zone as the most directly comparable zone to replace the R-4 zone. As you can imagine, this affected a large number of property owners within the City. Records of this action are in the City archives and it might take hours or days to research this specific property.

The conclusion at this time is that the property has been zoned to allow either multi-family uses or office uses pre-dating the adoption of the neighborhood plan. John Beall also confirmed that existing ordinance zoning on a property supersedes any plan recommendations and the property owner is entitled to develop their property in accordance with the existing zoning.

Michael J. Grassinger, AICP

Principal

THE PLANNING CENTER

110 s church ste 6320

tucson az 85701

ph. 520.623.6146

fax. 520.622.1950

