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# MEMORANDUM

## PUBLIC WORKS - DEVELOPMENT SERVICES

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DATE: May 1, 2015

TO: BOARD OF ADJUSTMENT District 2

FROM: Miguel A. Velez, Assistant Executive Secretary *MW*

SUBJECT: **Co10(2)15-02 Entregar Tres, LLC – East Irvington Road**  
Scheduled for public hearing on May 12, 2015

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**LOCATION:**

The subject site is located on the south side of East Irvington Road, west and south of Interstate 10, east of South Country Club Road and north of East Benson Highway. The property is zoned CI-1 (Light Industrial/Warehousing Zone).

**SURROUNDING ZONING / LAND USES:**

North	CR-3/CB-2/CI-1	Vacant Residential/RV Parking Lot/RV Sales
South	CI-1/TH/CB-2/CR-3	RV Sales and Service/ RV Park
East	CI-1	Factory Outlet Retail Sales/RV Parking Lot
West	City of Tucson	Residential Apartments and Subdivision/Vacant

**PUBLIC COMMENT:**

To date, no public comments have been received.

**PREVIOUS CASES ON PROPERTY:**

There have been no previous Board of Adjustment cases on this property.

**REQUEST:**

The applicant requests the following variances:

1. **To increase the allowable square footage of incidental signs to 132 square feet.** Section 18.79.110 of the Pima County Zoning Code restricts the maximum area for incidental signs to 20 square feet;
2. **To increase the maximum square footage allowed for a main wall identification sign to 228 square feet.** Section 18.79.110 of the Pima County Zoning Code restricts the maximum sign area to 30 square feet or 1.5 square feet for every lineal foot of building frontage, whichever is greater, but no more than 200 square feet.

## **TRANSPORTATION AND FLOOD CONTROL REPORT:**

This request does not require transportation review.

### **BACKGROUND:**

The site is located on 3220 East Irvington Road, approximately one-quarter mile west of Interstate 10. The subject property is approximately 8.56 acres and is zoned CI-1. It was originally recorded on April 26, 1985 as Sunbelt Commerce Center (Book 38, Page 71), allowing for commercial and industrial uses. This parcel is referenced as Block 2 in the Subdivision Plat. In 1998 a development plan was approved in P1297-173 for Camping Word, an RV sales and service provider. The property has been in continuous use since that time for RV sales and service, most recently as Lazy Days RV in 2011. This variance application is part of several permit applications submitted and issued by Development Services for future occupancy by the RWC Company, a commercial trucking sales and service company. A sign permit in P15CP01944 was submitted but denied as the requested amount exceeds the allowable area for both accessory and main wall ID signs.

The parcel is located in an area primarily zoned CI-1. There are two small parcels north of this property zoned CR-3 and CB-2. The CR-3 parcel is vacant. To the south there is mix of CI-1, TH, CB-2 and CR-3 zoning under a recorded development plan for Beaudry RV resort. The properties to the east are under development plan and are primarily zoned CI-1, with small sections of CR-3 and CB-2. The activity in this area is a large factory retail outlet facility. To the west is higher density residential under the jurisdiction of the City of Tucson.

The variance requests two exceptions from the Pima County Sign Code. The first request is to increase the allowable square footage of incidental signs to 132 square feet. Pima County Zoning Code restricts the maximum area for incidental signs to 20 square feet. The second request is to increase the maximum square footage allowed for a main wall identification sign to 228 square feet. Pima County Zoning Code restricts the maximum sign area to 30 square feet or 1.5 square feet for every lineal foot of building frontage, whichever is greater, but no more than 200 square feet.

The applicant indicates the RWC Group will be offering multiple services such as leasing, rental, sales and parts, which require identification on the building for their customers. The signage will be primarily located on their main canopy structure attached to the building. The canopy is oriented toward Bonney Avenue, which accessible only by turning off either Irvington Road or South Country Club. A recent site inspection of this property indicates the potential visual, lighting or noise effects appear minimal due to the proposed sign location and the surrounding commercial uses nearby.

*Analysis: Staff supports the variance. The justification for variance support is the strict application of the provision would work an unnecessary hardship and the variance will not cause injury to or adversely affect the rights of surrounding property owners and residents, as evidenced by the ongoing use since 1985, congruent commercial uses adjacent and in the area, and the lack of objections submitted by affected residents for the proposed variance.*

### **RECOMMENDATION:**

Staff recommends **APPROVAL** of the variance.

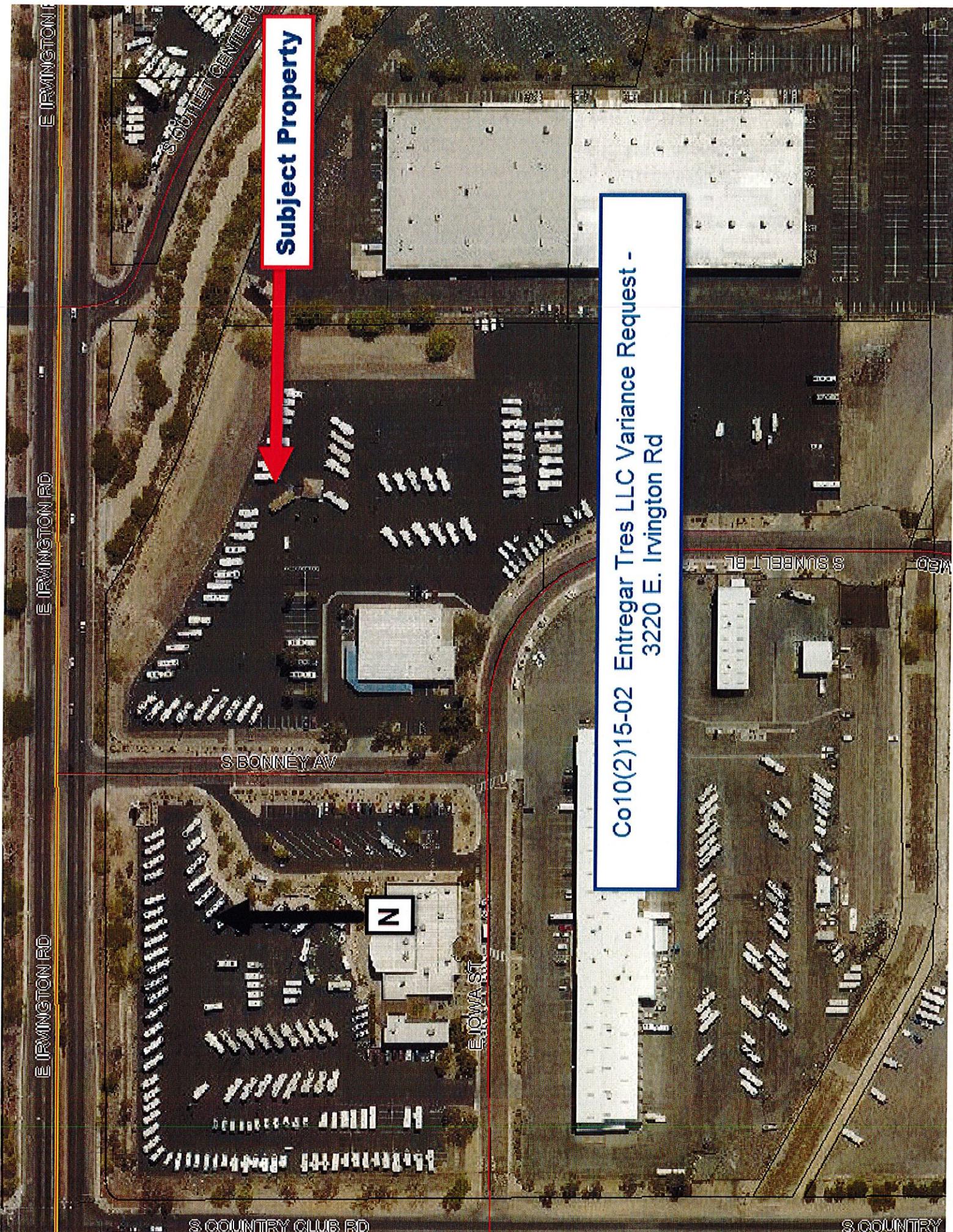
**Standards that must be considered by a board of adjustment when considering a variance request include:**

1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;
4. The variance is the minimum necessary to afford relief;
5. The variance does not allow a use which is not permitted in the zone by the Code;
6. The variance is not granted solely to increase economic return from the property;
7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;
8. The variance is in harmony with the general intent and purposes of the Code and the provision from which the variance is requested;
9. The variance does not violate State law or other provisions of Pima County ordinances;
10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;
11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;
12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.

**Subject Property**



Co10(2)15-02 Entregar Tres LLC Variance Request -  
3220 E. Irvington Rd



E IRVINGTON RD

E IRVINGTON RD

E IRVINGTON RD

SOULET CENTER

S BONNEY AV



E IOWA ST

S COUNTRY CLUB RD

S COUNTRY

S SUNBELT BL



**Variance Application**

Revised 12/2013

(Please print or type) **NO PENCIL**

Property Owner: Entregar Trees, LLC Phone: 602.307.1081  
 Owner's Mailing Address: 6000 N 75th Ave City: Phoenix Zip: 85043  
 Authorized Representative: Floresco Services (Mark Jones) Phone: 520-623-7953  
 Rep's Mailing Address: 5505 S. Nogales Hwy. City: Tucson Zip: 85706  
 Property Address: 3220 E. Irvington Rd. City: Tucson Zip: 85714  
 Tax Code Number(s): 140 - 08 - 030F Zone: CI-1  
 Does the subject parcel have an active building or zoning code violation? NO  
 Owner or Applicant's Email Address: mjones@floresco.com

I, the undersigned, swear that all the facts in this application are true to the best of my knowledge, that I will appear in person at public hearing to present the request, that I have read and understood the board of adjustment guidelines and procedure for granting a variance, and that I am able and intend to apply for all necessary county permits for construction and use of the property within nine months of receiving an approval of my variance request.

Signature: [Signature] Date: April 6, 2015

**INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED**

\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*

Case Title: Entregar Trees LLC - Irvington Rd P15BA00092  
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD) Co10 15-02

requests a variance(s) to Section(s) 18.79 of the Pima County Zoning Code which  
 requires limited accessory storage in CI-1 zone

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY [Signature] DATE 4/7/15

See activity: P15CP01944

Job Name: RWC Group

Address: 3220 E. Irvington rd. Tucson 85714

Board of Adjustment District 2 Board Members,

Our request is to increase the sign area for incidental signs by 92 square feet.

Pima county code section 18.79.110 11. Incidental signs allows up to 40 square feet of incidental sign area.

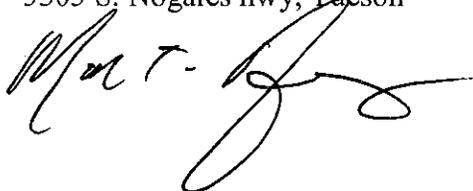
This property is has recently been purchased by the RWC Group a truck service company. Along with that they will be offering other services such as leasing, rental, sales and parts. Those services need to have identification on the building. These signs will be attached to the canopy structure and will be facing west along Boney Ave. a private drive. It is our belief that this request is appropriate given the size of the project and the services they offer. We would also like the board to consider that the Pima County Code has not been updated since 1985 normally there are periodic adjustments to the code to account for the changing times and so business' can keep up with what would be appropriate and would not cause companies to go thru the variance process as a method to secure permits.

1. The strict application would impose an unnecessary hardship due to the size of the building and property and that the signage will face a private street the 40 square feet restriction does not provide adequate signage.
2. This hardship is not from a condition created by the owner it is mainly due to the outdated code.
3. This is the minimum needed to afford relief.
4. This is a use that is allowed in this zone that is zoned CI-1
5. This variance is not to increase economic return it is just too adequately brand the property.
6. This will not cause injury or adversely affect the rights of the surrounding property owners.
7. This variance is in harmony with the intent of the code.
8. The request does not violate any State laws or other provisions of the Pima county code.
9. Do to the size of the project and the set back of the building to the main road the branding would not be reasonable or adequate under the current allowance.

There will be no freestanding signs that will be submitted for permitting at this time but may be requested in the future under the normal permitting process.

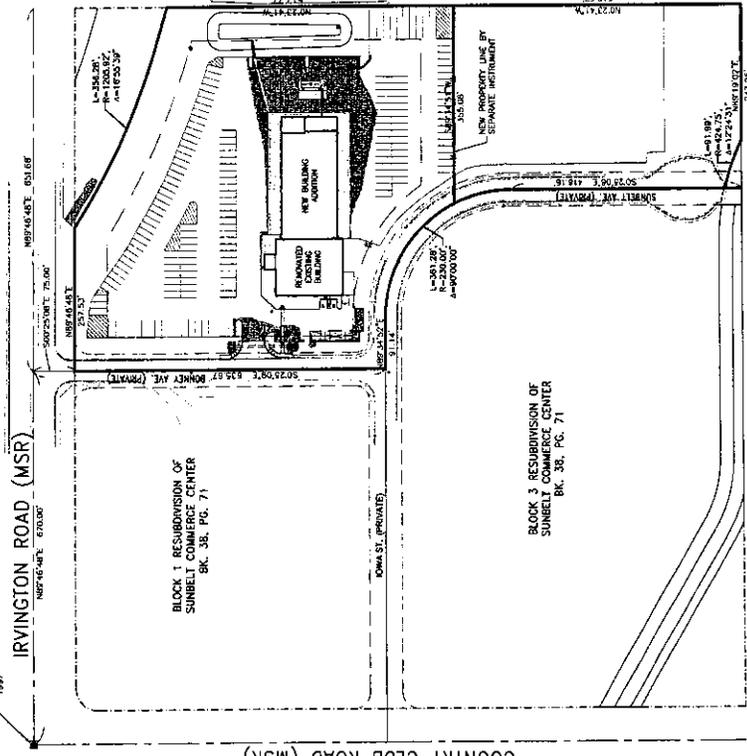
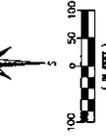
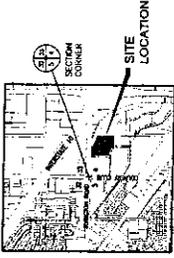
Thank you for your time and consideration

Mark Jones  
5505 S. Nogales hwy, Tucson



# SITE CONSTRUCTION PERMIT

FOR  
**RWC INTERNATIONAL**  
 PORTION OF BLOCK 2 OF SUNBELT  
 COMMERCE CENTER, PER BOOK 38,  
 PAGE 71, M&P, PARCEL NO. 140-08-030B  
 P14BS00010



**PROJECT LAYOUT**  
 SCALE 1"=100'

EXISTING	PROPOSED
PROPERTY BOUNDARY	PROPERTY BOUNDARY
RIGHT-OF-WAY	RIGHT-OF-WAY
LOT LINE	LOT LINE
SETBACK AS NOTED	SETBACK AS NOTED
EASEMENT AS NOTED	EASEMENT AS NOTED
GROUND CONTOUR	GROUND CONTOUR
CONCRETE CURB	CONCRETE CURB
CONCRETE SIDEWALK	CONCRETE SIDEWALK
PAVEMENT	PAVEMENT
ROCK REPAIR	ROCK REPAIR
BUILDING	BUILDING
UNDEVELOPED AREA	UNDEVELOPED AREA
FINISHED FLOOR ELEVATION	FINISHED FLOOR ELEVATION
SPOT ELEVATION ONE	SPOT ELEVATION ONE
SKERWALK	SKERWALK
SW	SW
Ø	Ø
CONDUITING	CONDUITING
W/OUT R/W FENCE	W/OUT R/W FENCE
UNITS OF PAVEMENT REMAIN	UNITS OF PAVEMENT REMAIN
PAVEMENT REMOVAL	PAVEMENT REMOVAL
LIGHT POST	LIGHT POST

**SHEET INDEX**

C1.01	COVER SHEET
C1.02	SECTION PLAN
C1.03	CONSTRUCTION DETAILS
C1.04	CROSS SECTIONS & PROFILES
C1.05	

PALO VERDE COMMERCE  
 CENTER NO. 2  
 BK. 37, P. 6, 58

- GENERAL NOTES**
- ALL CONSTRUCTION AND TEST METHODS SHALL CONFORM TO C.O.P./PIMA COUNTY STANDARDS SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2003 EDITION, AND DETAILS EXCEPT AS NOTED THEREIN OR WITHIN THE SPECIAL PROVISIONS.
  - THE STAMPED SET OF APPROVED PLANS SHALL BE ON THE JOB SITE IN AN EASILY ACCESSIBLE LOCATION AT ALL TIMES DURING CONSTRUCTION.
  - A GEOTECHNICAL ENGINEERING EVALUATION, INCLUDING RECOMMENDATIONS FOR FOUNDATION DESIGN, HAS BEEN PROVIDED BY WESTERN TECHNOLOGIES, INC. JOB NO. 140-08-030B. THE CONTRACTOR SHALL VERIFY THAT ALL FOUNDATION RECOMMENDATIONS COMPLY WITH THE RECOMMENDATIONS CONTAINED IN SAID REPORT.
  - THE SOILS PROVIDED SHALL BE TESTED AND TEST ALL EXISTING WORK OPERATIONS, INCLUDING BUT NOT LIMITED TO: CLEARING, GRUBBING, SUBGRADE PREPARATION, STRUCTURAL AND TRENCH EXCAVATION AND BACKFILL, TOGETHER WITH PLACEMENT AND COMPACTION OF FILL.
  - CONTRACTOR SHALL VERIFY LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. CALL BLUE STAKES (1-509-762-5346) TWO FULL WORKING DAYS PRIOR TO EXCAVATION.
  - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS REQUIRED BY ORDINANCES AND REGULATIONS OF THE CITY OF TUCSON PRIOR TO STARTING EACH PHASE OF CONSTRUCTION AND PRIOR TO RECEIVING INSPECTION.
  - CONTRACTORS SHALL OBTAIN ALL PERMITS REQUIRED BY GOVERNMENTAL AGENCIES.
  - CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL REGULATIONS AND ORDINANCES OF THE FEDERAL ROADWAY DESIGN ACT OF 1970.
  - THIS PROJECT IS SUBJECT TO THE PROVISIONS OF THE WELLMAN-STAGER OCCUPATIONAL SAFETY ACT OF 1970.
  - ALL WORKS SHOWN ARE FINISH WORKS.
  - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALCULATE HIS OWN EARTHWORK QUANTITIES AND SUBMIT HIS BID BASED THEREON.
  - ESTIMATED EARTHWORK QUANTITIES FOR PERMIT PURPOSES ONLY. (NO ALLOWANCE FOR SHORINGS AND COUNTERSLOPING)
  - C.V. CUT = 015  
 C.V. FILL = 52
  - ALL ORGANIC MATERIAL SHALL BE REMOVED WITHIN THE CLEARING LIMITS FOR NECESSARY GRADING TO A DEPTH OF SIX (6) INCHES AND HAULED FROM THE SITE PRIOR TO GRADING.
  - BUILDING SITES SHALL BE CONSTRUCTED TO WITHIN 0.10 FOOT OF FINISH BUILDING GRADE. ALL EXISTING MATERIAL SHALL BE REMOVED TO A DEPTH OF SIX (6) INCHES AND STAKED BY THE SURVEYOR.
  - CONSTRUCTION IN ALL AREAS SHALL BE TO A MINIMUM OF 90% OF THE MAXIMUM DENSITY AS DETERMINED BY ASTM DESIGNATION 1-96, METHOD A. THOSE AREAS TO RECEIVE FILL ARE TO BE COMPACTED TO A DEPTH OF SIX (6) INCHES. BROADBENT SOURCE OF FILL MATERIAL SHALL BE APPROVED BY THE OWNER PRIOR TO THE COMMENCEMENT OF WORK. TESTS OF FILL MATERIAL WILL BE DONE AT THE OWNER'S EXPENSE.
  - THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, APPLY CONTRACTORS' LIABILITY INSURANCE AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL DAMAGES, LOSSES, INJURIES AND DEATHS, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
  - CONTOUR LINES ON THE GRADING PLAN ARE TO BE USED FOR ROUGH GRADING. SPOT ELEVATIONS ARE TO BE USED FOR THE GRADING.
  - THE DEVELOPER, ANY SUCCESSORS AND ASSIGNS, WILL HOLD PIMA COUNTY/CITY OF TUCSON, ITS OFFICERS, EMPLOYEES AND AGENTS, HARMLESS FROM ANY AND ALL DAMAGES, LOSSES, INJURIES AND DEATHS, INCLUDING REASONABLE ATTORNEY'S FEES, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.
  - AGGREGATE BASE COURSE SHALL CONFORM TO CURRENT PIMA COUNTY & CITY OF TUCSON SPECIFICATIONS, SSP SECTION 304.
  - ASPHALTIC CONCRETE SHALL CONFORM TO CURRENT PIMA COUNTY & CITY OF TUCSON SPECIFICATIONS, SSP SECTION 305, C.O.T. MIX #2.
  - ALL CONCRETE SHALL BE PERDOT SSP, SECTION 306K, CLASS S, 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, UNLESS OTHERWISE SPECIFIED.
  - CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS.
  - IF UNANTICIPATED CONDITIONS ARE ENCOUNTERED DURING THE COURSE OF CONSTRUCTION AND ARE BEYOND THE SCOPE OF THE DESIGN, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY AND THE NECESSARY CORRECTIVE IMPROVEMENT PLANS FOR REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
  - WORK COMMENCEMENT OF WORK: THE TRAFFIC CONTROL DEVICES SHALL BE POSTED AND MAINTAINED BY THE CONTRACTOR UNTIL SUCH TIME AS THE WORK IS COMPLETED. ALL WARNING SIGNS, BARRIERS, ETC. SHALL BE IN ACCORDANCE WITH THE STATE OF ARIZONA STANDARD TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE OF ARIZONA PURSUANT TO A.S.T.S. 28-450.
  - ALL PERMITS TO THESE PLANS MUST BE APPROVED BY DEVELOPMENT SERVICES PRIOR TO CONSTRUCTION.
  - ALL WORK SHALL CONFORM TO GRADING STANDARDS, CHAPTER 18B1: OF THE PIMA COUNTY ZONING CODE.

**GENERAL NOTES (CONTINUED ON SHEET 2)**

REFERENCE NO. P1027-173

SHEET 1 OF 5  
 DWG NO. C101

RESUBDIVISION OF A.L.S. MAP NO. 87-148  
 DATE: 08-26-14  
 SCALE: AS SHOWN

OWNER:  
 RWC INTERNATIONAL SERVICE SHOP  
 3220 E. WASHINGTON ROAD  
 TUCSON, ARIZONA 85714  
 (520) 882-0787

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF ARIZONA  
 No. 14243  
 DATE: 08-26-14

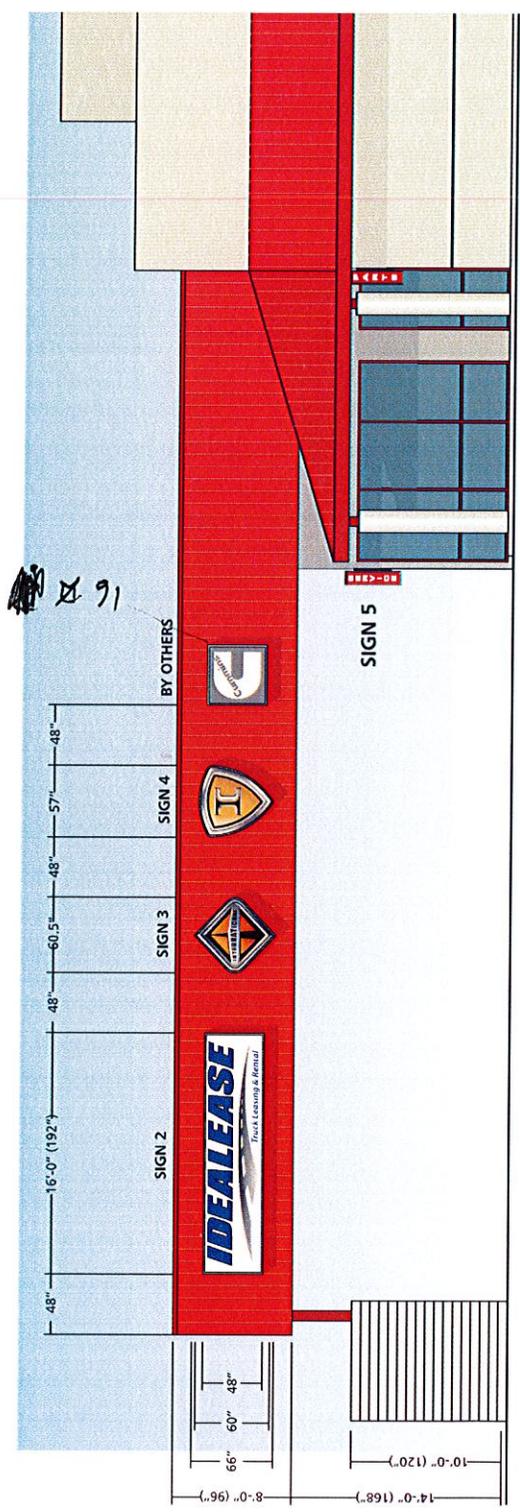
SITE CONSTRUCTION PERMIT P14BS00010  
 OF  
 RWC INTERNATIONAL  
 BLOCK 2 OF SUNBELT COMMERCE CENTER, PER BOOK 38, PAGE 71, M&P, PARCEL NO. 140-08-030B, LOCATED IN THE NORTHWEST 1/4 OF SECTION 4, T-18-S, R-14-E, GASBERRIA, PIMA COUNTY, ARIZONA

**PRE PHYSICAL RESOURCE, INC.**  
 P.O. BOX 3086  
 TUCSON, AZ 85724  
 PHONE: (520)882-1769  
 FAX: (520)882-1765

DATE	18 FEB 15	FILE NAME	RWC1.CDR
SCALE	AS NOTED	SUPERVISOR	JONES
LOCATION	3220 IRVINGTON RD TUCSON AZ	PROJECT	RWC INTERNATIONAL
DESIGNER		DWG #	FP-326955
DATE	16 MAR 15	REVISION	3 MAR 15
DATE	27 MAR 15	REVISION	3 MAR 15
DATE	30 MAR 15	REVISION	3 MAR 15
DATE	30 MAR 15	REVISION	3 MAR 15

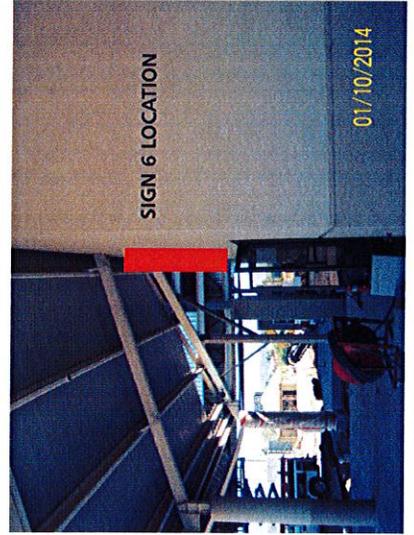
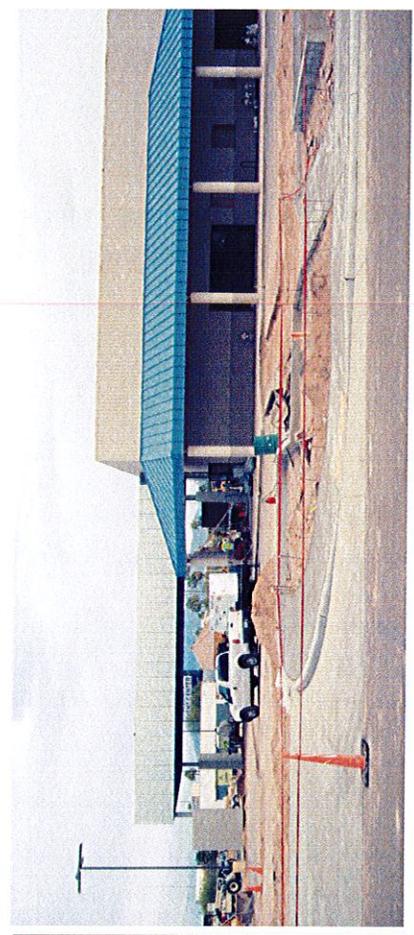


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SIGN 6

PARTIAL WEST ELEVATION @ CANOPY  
SCALE: 1/8" = 1'-0"

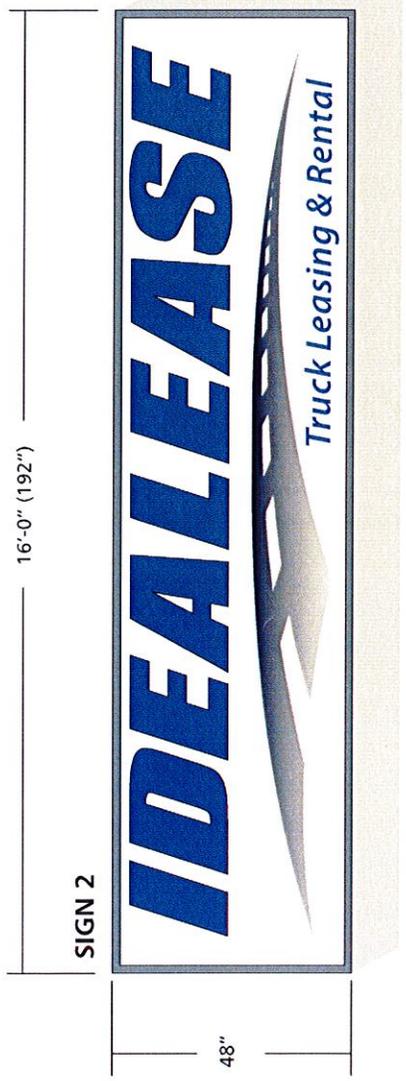


To Comply With Pima County  
Outdoor Lighting Code Chapter  
5 Section 501 Table 501.4  
Lighting Area \_\_\_\_\_ Off By  
Timer \_\_\_\_\_

DATE	18 FEB 15	FILE NAME	RWC1CDR
SCALE	AS NOTED	SUBMITTER	JONES
LOCATION	3220 IRVINGTON RD TUCSON AZ	PROJECT	RWC INTERNATIONAL
DESIGNER		DATE	10 MAR 15
PROJECT #	FP-326955	REVISED	15 MAR 15
PAGE	2	OF	6

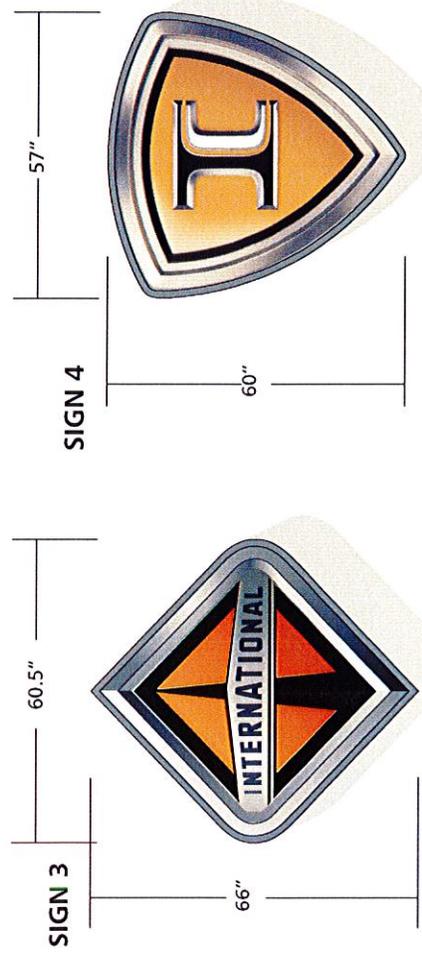


64A



SIGNS 2, 3 & 4  
FABRICATE & INSTALL ONE (1) EACH OF SIGNS  
2, 3 & 4 SINGLE FACE WALL DISPLAYS  
8" DEEP CUSTOM ALUMINUM CABINETS  
PAINTED DARK GREY - FACES 3/16" WHITE  
LEXAN w 1st SURFACE DIGITALLY PRINTED  
SCOTCHCAL DECORATION  
INTERNAL/HALO ILLUMINATION w WHITE LED

See attached Typical  
for mounting and  
construction



23.75A

27.5A

FLUORESCO IS A U.L.  
APPROVED CORPORATION  
U.L. LISTED AND APPROVED  
# OF CIRCUITS 1-20 Amp  
120v AMPERAGE 5