

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING July 30, 2014

DISTRICT 1

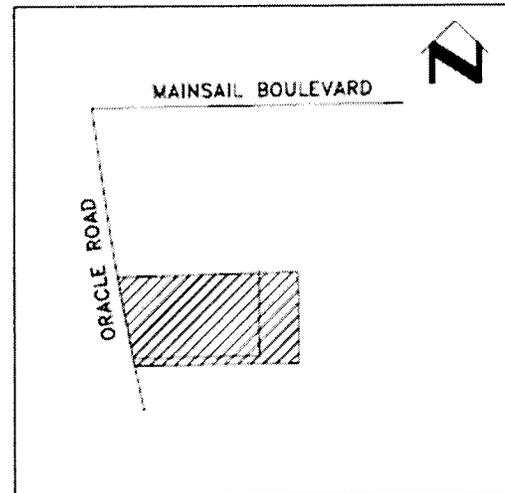
CASE Co9-14-03 Ali, et al.
N. Oracle Road Rezoning #2

REQUEST GR-1 (Rural Residential Zone)
to CB-2 (General Business Zone)
4.68 acres

OWNERS Assunta Ali, et al.
420 W. Magee Road
Tucson, AZ 85704

Trudy Larimore
3265 E. Lamb Drive
Tucson, AZ 85738

AGENT Catalina Development Group
Attn: Davin Benner
155 W. New York Ave.
Southern Pines, NC 28387



APPLICANT'S PROPOSED USE

An approximately 34 foot high, single story, 21,702 square foot Tractor Supply retail store with a 1,250 square foot hay barn and fenced outside storage area is planned for the project site.

APPLICANT'S STATED REASON

"The properties are proposed to be rezoned to CB-2 (General Business) to accommodate the outdoor display areas required for Tractor Supply Company retail stores."

STAFF REPORT SUMMARY

Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The request is consistent with the Comprehensive Plan designation and the use should benefit the area by providing an additional local retail opportunity in the rural community of Catalina.

COMPREHENSIVE PLAN

The subject property is designated as Multifunctional Corridor (MFC) by the Pima County Comprehensive Plan. A rezoning request to the CB-2 (GZ-1) (General Business) (Gateway Overlay Zone) zone complies with the MFC designation. The property is subject to Special Area Policy S-5, Oracle Corridor/Northern Gateway. The

policy regulates development in a Gateway Overlay Zone to preserve scenic qualities along major transportation corridors. The policy states:

Development standards shall preserve scenic quality along a major transportation corridor and enhance sense of entry into a metropolitan area; provide design criteria for visual standards, preserve the viewsheds of ridge lines, preserve native vegetation, and mitigate the negative impacts of strip commercial development.

Compliance with special area policy S-5 is achieved through Design Review Committee review and approval prior to the development concept permit.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located outside the MMBCLS.

SURROUNDING LAND USES/GENERAL CHARACTER

North	CB-1/CB-2	Catalina Plaza/Golden Goose Thrift Shop
South	CB-1	Stone Pavers Business/Cafe
East	GR-1	Residential Mobile Homes
West	CB-2	McDonalds/Bank

The subject property is located in Catalina on the east side of Oracle Road at the northeast corner of Oracle Road and Lamb Drive. The immediate surrounding properties are mostly commercially developed or planned commercial uses. There are a few residentially zoned properties adjacent to Oracle Road (Highway 77). North of the subject property is the Catalina Plaza which contains offices, a funeral home and restaurants. Further north is the Catalina Golden Goose thrift shop. To the south of the subject property is a paving stones sales store with outdoor storage. To the east of the subject property is residential mobile homes. The commercial development along Oracle Road contains a wide range of services including a Circle K, bank, dentist, health care, post office, laundromat, café, restaurants, boat sales and service, flower shop, hardware store, insurance office, hair emporium, and golf cart sales.

Tractor supply stores provide a wide range of supplies from clothing to farm equipment, livestock and pet supplies and feed. The store should benefit this rural area with goods to support the animal and private agricultural uses nearby.

PUBLIC COMMENT

Staff has not received any comments at the time of this writing.

PREVIOUS REZONING CASES ON PROPERTY

The rezoning site consists of two parcels. Parcel 222-21-0410 adjacent to Oracle Road was conditionally rezoned from GR-1 to CB-1 in 1998 by case Co9-97-53. The preliminary development plan approved with the rezoning demonstrated a fast food restaurant with a drive-thru. Three time extensions approved by the Board of

Supervisors, the most recent time extension approval was granted September 17, 2013 extending the time limits of the rezoning to June 16, 2018. The conditions of the rezoning remained mostly the same, but some modifications were made to update the conditions to reflect the current standard conditions. If the Board of Supervisors approve this rezoning request, the rezoning case Co9-97-53 will be closed.

The eastern parcel (222-21-024D) was conditionally approved (Co9-88-66) from GR-1 to CMH-2 under the Lago Del Oro Zoning Plan in September of 1988. The rezoning required a development plan for the mobile home park and the site was originally 12.25 acres. The property was split into nine parcels and developed under the GR-1 zoning designation. The rezoning will not expire, however, if an applicant decided to pursue the previous rezoning on the remaining parcels, all rezoning conditions would apply. If the Board of Supervisors approve this rezoning request, the portion of the rezoning under the current request will be closed. The remaining portion of the rezoning case (Co9-88-66) will not be closed and may be pursued through special Board action for the lot split.

PREVIOUS REZONING CASES IN GENERAL AREA

There has been a recent rezoning case for a dollar store approximately one mile north of the subject property on the west side of Oracle Road approved by the Board of Supervisors, June 3, 2014 from GR-1 to the CB-1 zone. There have been many other rezonings from GR-1 to CB-1 and CB-2 over the years along the Oracle Road corridor.

CONCURRENCY CONSIDERATIONS		
<i>Department</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes subject to conditions	Conditions recommended
FLOOD CONTROL	Yes subject to conditions	Condition recommended
WASTEWATER/ ENVIRONMENTAL QUALITY	Yes subject to conditions	Conditions recommended
PARKS AND RECREATION	N/A	N/A
WATER	Yes	None

PLANNING REPORT

The request is to rezone approximately 4.68 acres land from the GR-1(GZ-1) (Rural Residential) (Gateway Overlay Zone) zone to the CB-2 (GZ-1) (General Business) (Gateway Overlay Zone) zone to allow a 21,702 square feet retail Tractor Supply store with a 1,250 square feet hay barn and fenced outside storage area. The subject property is currently vacant.

One shared access point is proposed off of Oracle Road for the Tractor Supply store and the Catalina Plaza located north of the subject property. Oracle Road (Highway 77) is designated as a Scenic Route on the Major Streets and Scenic Routes Plan which requires a 50-foot building setback and bufferyard Type "D". The display and parking areas with an increasing/decreasing 10 to 20-foot bufferyard Type "D" is proposed along Oracle Road within the 50-foot building setback. The proposed development will require approval and coordination with the Arizona Department of Transportation (ADOT) for access onto the State Route. A joint use agreement for the shared access will be executed and recorded. There is a current ADOT capital improvement expansion and along the Highway adding a third travel lane in each direction with a paved multi-modal path on the east side of Oracle Road. The site is located within the 2006 ADOT wildlife linkage area. Two wildlife crossing structures are planned in the ADOT Oracle Road expansion. The proximity of the closest proposed wildlife overpass is approximately $\frac{3}{4}$ of a mile to the south of the subject property which will allow wildlife movement between the Santa Catalina (east of Oracle Road) and Tortolita Mountains (west of Oracle Road). The previous rezoning to CB-1 had a condition (#14) that required a 110 feet natural area for wildlife movement along the southern property boundary. Since wildlife movement has been accounted for, the condition is no longer applicable.

The proposal demonstrates the main building at a height of 34 feet with 66 parking spaces. The required parking for the site is 80 spaces which does not meet the parking requirements for a "general retail use". The applicant will seek to reduce the required parking through an Individual Parking Reduction Plan in which a Traffic Impact Study will be prepared and submitted to the Department of Transportation for review and approval during the development concept permit (development plan and related construction documents). The development will connect to the sewer, and water will be provided by Lago Del Oro Water.

Staff supports the proposed use because it should be a benefit by providing retail services that support the local rural area's character and lifestyle. The area along Oracle Road has been planned for intensive development given the Multifunctional Corridor (MFC) designation by the Comprehensive Plan. The MFC designation proposes uses along major transportation corridors. The Comprehensive Plan states:

These (*MFC*) areas contain commercial and other non-residential use services and high density residential clusters in a linear configuration along major transportation corridors. Potential adverse impacts of strip commercial development are mitigated through application of special design standards, such as standards for building setbacks, open space, signs, parking, and landscaping. Special attention is given in site design to provide an atmosphere that is pleasant to the pedestrian.

Most of the site is intended to be graded with landscaping abutting the streets and a revegetated retention/detention basin proposed on the eastern portion of the property benefiting the neighboring residential properties. No viewsheds will be significantly impacted by the proposal. The site is not within the Maeveen Marie Behan

Conservation Lands System (MMBCLS) and there are no Pima pineapple cactus, saguaros, or ironwood trees on site.

The site will go through the Design Review Committee review and approval for adherence to the design guidelines and policies of the comprehensive plan and Gateway Overlay Zone. The applicant's preliminary development plan shows a proposed monument sign outside the bufferyard near the entry of the development. The sign shall be a component of the Design Review Committee (DRC) review.

TRANSPORTATION REPORT

The Department of Transportation has no objection to the rezoning request. Concurrency considerations have been met as the roads in the vicinity are operating below capacity. The applicants are requesting to rezoning the site to CB-2 to construct a tractor supply store with associated retail display area. Access to the site is via a shared access point with the property to the north directly onto Oracle Road. There is an easement known as Lamb Drive adjacent to the southern boundary of this site. Access to the easement is not requested. Oracle Road is under the jurisdiction of the Arizona Department of Transportation; thus, ADOT will need to approve the access point. A traffic impact analysis has been submitted and will need to be approved prior to the Certificate of Compliance. The PM peak hour trip generation is per 1,000 sf is 4.74 per the ITE Trip Generation Manual, 9th edition. The total weekday trip generation is 51.29 ADT per 1,000 square feet. This would equate to 1,113 ADT.

The Arizona Department of Transportation's Capital Improvements Program has planned improvements to expand Oracle Road to a six-lane divided roadway. The improvements to Oracle Road include an additional 12-foot wide travel lane in each direction, 10-foot wide shoulder, raised center medians and left-turn lanes, retaining walls, noise walls, traffic signal improvements, drainage improvements, a shared use path on the east side of Oracle Road, and wildlife crossing structures.

Oracle Road, is a paved, five lane wide, undivided, urban minor arterial highway maintained by the State of Arizona. Per the Pima County Major Streets and Scenic Routes Plan, Oracle Road is designated a Scenic Major Route. Oracle Road has a building setback specifically addressed in the Zoning Code, which is a 150 feet building setback from the centerline of Oracle Road per Table 18.77.030 of the zoning code. The existing and proposed right-of-way for Oracle Road is 200 feet. The most current traffic count on Oracle Road from 2005 is 26,959 ADT and the traffic capacity is 37,710 ADT.

Other major roads within the two-mile concurrency area include Golder Ranch Road (6,733 ADT, 2011); Wilds Road (963 ADT, 2011); Twin Lakes (1,281 ADT, 2008); Lago Del Oro Parkway (4,373 ADT, 2011). Twin Lakes and Lago Del Oro Parkway have capacities of 15,930 ADT, and Golder Ranch Road and Wilds Road have capacities of

13,122 ADT. These roads are all designated as urban collectors and are maintained by Pima County.

Gateway Overlay Standards require pedestrian and vehicular access within and through the property. A gateway review has been conducted by the Design Review Committee, and the conditions of that approval will need to be met as part of the development process. The Department of Transportation has no objection to the proposed rezoning subject to the addition of rezoning conditions #3A-D.

REGIONAL FLOOD CONTROL DISTRICT (RFCD) REPORT

RFCD have the following comments:

1. Per Pima County GIS and adjacent approved Development Plans, one regulatory watercourse crosses the parcel. Neither the floodplain nor the associated 25' Erosion Hazard Setback of this regulatory watercourse has been shown, as required. The applicant contends this wash is not regulatory and has split the flow between the Catalina Plaza storm drain with 89 cfs and a 15.8 cfs overflow from the upstream basin in Catalina Plaza. Further upstream, the Golden Goose Thrift Store Development Plan, approved in 2008, indicates the flow to be 154 cfs. Further downstream, where Pima County Regulated Riparian Habitat begins, there is an approved regulatory discharge of 286 cfs.
2. The first Site Analysis proposed a continuation of the 48" storm drain across the entire site, a portion of which would be upstream off-site, and a large detention basin. In the pre-application meeting, subsequent phone calls, and the comments on the first site analysis the District informed the applicant that floodplain avoidance and the use of an unlined channel should be explored as required by code, and as described in the Site Analysis the building should be placed as far west as possible. In addition, basins should not be oversized but meet balanced basin criteria (no change in flows) as required in order to ensure continuity of floodplain function. After extensive consultation regarding the flow and design requirements, the drain has been replaced with an open unlined channel and the basin significantly reconfigured. Furthermore, representative water harvesting basin locations have been shown. It is surprising that few have been shown on the downstream side adjacent to Oracle road where they could help alleviate the fill slope view to help satisfy Gateway overlay zone design issues. Final design parameters of the unlined open channel and basins that are shown conceptually on the preliminary development plan shall be determined at the time of development.
3. A Preliminary Integrated Water Management Plan (PWIMP) has been provided.
4. Water demand projections that were provided are based on Tractor Supply Stores throughout the country rather than the Arizona Department of Water Resources (ADWR) demand calculator as required by PCBOS Resolution 2008-72 and as recommended by the Site Analysis Requirements. The estimate provided is 500 gpd and 181,000 gallons or .55 acre feet per year. While this is valid ancillary information, entering the 40,891 square feet of sales area shown on the first PDP and 40,000 sf of detention area in the ADWR calculator results in just over 4 acre

feet per year. The higher number still suggests little to no negative impact, furthermore the basin size has been reduced. It is also notable that the applicant's proposed conservation measures contained in the PIWMP exceed the minimum mitigation requirements.

5. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. While the PIWMP correctly indicates that Lago del Oro Water Company is the service provider, no documentation of availability has been provided as required.
 - b. Per the ADWR Well Inventory the Lago del Oro well just across Oracle Road from the site at East Armstrong Lane had depth to groundwater at 220' in 1982. Just east of the site and a little further from Big Wash a private well had depths of over 300 feet. Per "Mason, Dale, 2014, Technical memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment model projection, Arizona Department of Water Resources" between the years 2010 and 2025 groundwater depth is predicted to change between minus 10 to minus 20 and be 15 to 250 feet below the surface by 2025.
 - c. The site is not located within a mapped subsidence zone.
 - d. The nearest Groundwater-Dependent Ecosystem is the Sutherland Wash almost 3 miles to the southeast.
 - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 3200-4800 feet.

Pima County's Water Resources Impact Assessment finds that, under existing conditions, the proposed project will not have access to renewable and potable water. However, the additional water use is not likely to have significant adverse impacts on shallow groundwater areas.

In conclusion, while design issues remain RFCD has no objection and finds that the project meets concurrency subject to the recommended rezoning conditions #4A-B in the standard and special conditions in this report.

WASTEWATER MANAGEMENT REPORT (RWRD)

Pima County Regional Wastewater Reclamation Department has no objection to the proposed rezoning and recommends the addition of rezoning conditions #9A-F in the standard and special conditions in this report.

ENVIRONMENTAL QUALITY REPORT

Pima County Department of Environmental Quality has no objection to the proposed rezoning and has the following comment:

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

CULTURAL RESOURCES REPORT

Pima County's Cultural Resources has no objection to the rezoning request and recommend rezoning condition #5. The subject property is undeveloped and is located within a zone of high archaeological sensitivity (SDCP) and within 500 feet of a recorded archaeological site. Although no archaeological sites have been recorded on the subject property, it has not yet been surveyed for cultural resources. Cultural clearance will be reviewed during the development concept permit.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Pima County's Natural Resources, Parks and Recreation have no comment or objection to the rezoning request.

ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT)

See attached letter from ADOT.

LAGO DEL ORO WATER

Lago Del Oro Water Company has not responded to this rezoning request.

GOLDER RANCH FIRE DISTRICT

See attached letter from Golder Ranch Fire District.

US FISH AND WILDLIFE SERVICE (USFW)

The U.S. Fish and Wildlife Service have reviewed the proposed North Oracle Road rezoning for the construction of a Tractor Supply Store (Co9-14-03). USFW have identified no issues related to threatened and endangered species that would be affected by this proposed rezoning.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within **five** years from the date the rezoning request is approved by the Board of Supervisors:

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Recording of a covenant holding Pima County harmless in the event of flooding.
 - C. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - D. Provide development related assurances as required by the appropriate agencies.
 - E. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

3. Transportation Conditions:
 - A. Written certification from the Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services prior to the approval of a development plan for this site.
 - B. The owner(s) shall provide offsite improvements if determined necessary by the Arizona Department of Transportation.
 - C. Shared access with the property to the north shall be provided as shown on the preliminary development plan.
 - D. The rezoning site is limited to one shared access point with the property to the north onto Oracle Road.

4. Regional Flood Control District Conditions:
 - A. The watercourse shall be conveyed in an unlined open channel.
 - B. Retention of the first ½ inch of rainfall shall be collected in water harvesting basins distributed throughout the downslope areas of the site.

5. Cultural Resources Condition: Prior to ground modifying activities by the property owner/developer, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property, and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

6. Adherence to the preliminary development plan as approved at public hearing.

7. In addition to the Design Review Committee (DRC) review and approval, the owner shall submit freestanding monument and building signs specifications for DRC approval.

8. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the

owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

9. Regional Wastewater Reclamation Conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
10. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
11. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or

conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I).”

Respectfully Submitted,



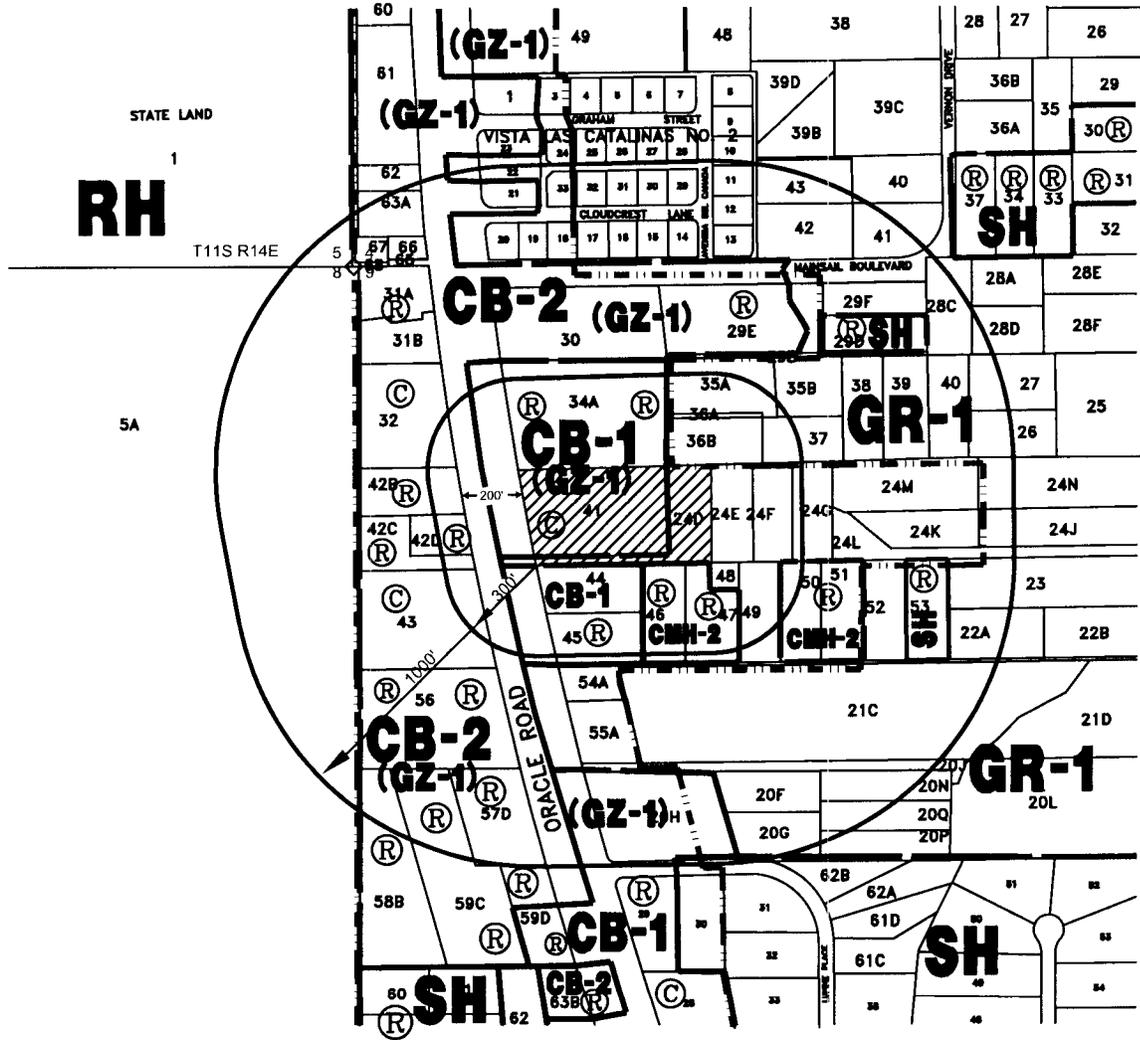
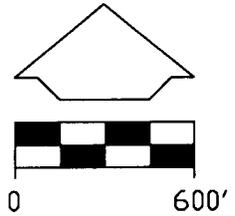
Terril L. Tillman, Senior Planner



2012

Co9-14-03 ALI, ET AL — NORTH ORACLE ROAD REZONING #2

PIMA COUNTY COMPREHENSIVE PLAN
(C07-00-20)



Area of proposed rezoning from
Notification area _____

**CB-1[ⓐ](GZ-1) & GR-1 (GZ-1)
to CB-2 (GZ-1)**

BASE MAP 519

Notes Ref: C09-97-53

Tax codes 222-21-0410
& 222-21-024D

Date 05/29/14
 Drafter DS

File no. C09-14-003
 ALI, ET AL
 NORTH ORACLE ROAD REZONING #2

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Arizona Department of Transportation
Southern Regional Traffic Engineering
1221 S. 2nd Ave.
Tucson, AZ 85713

May 12, 2014

Mr. Terrill L. Tillman, Sr. Planner
Pima County Development Services
201 N. Stone Ave., 2nd Floor
Tucson, AZ 85701

Subject: State Route (SR) 77 (Oracle Road) North of Lamb Drive in Catalina
New Site Analysis Rezoning Application for a proposed Tractor Supply Store

Case: Co9-14-03 Ali, et al – N. Oracle Road Rezoning #2
4.68 acres, Tax Parcel IDs 222-21-0410 & 222-21-024D

Dear Mr. Tillman:

We have reviewed your submittal for the rezoning of 4.68 acres from GR-1 (GZ) (Rural Residential – Gateway Overlay) to CB-2 (GZ) (General Business – Gateway Overlay) zone at the referenced location in the community of Catalina. The Arizona Department of Transportation (ADOT) has "No Comment" regarding the requested rezoning.

ADOT will require the developer of this parcel to provide a shared-use access on SR 77 (Oracle Road) with the adjacent property to the north. Joint-Use Driveways are desirable for landowners of adjacent properties. Therefore, the site access on Oracle Road shall be a 40-foot "Joint-Use Driveway" with depressed curb to be located opposite the existing driveway to the McDonald's Restaurant. The centerline of the "Joint-Use Driveway" will be centered in the proposed median opening that will be constructed as part of the ADOT SR 77 widening project, which is scheduled for construction in the year 2014/2015. However, before ADOT can approve the location of the joint-use access, we will require a "Joint-Use Agreement" between the subject property owner and the property owner to the north. The "Joint-Use Agreement" shall be signed by all parties involved and must be recorded in the Pima County Recorder's Office.

~~MAY 15 2014~~

Mr. Terrill L. Tillman, Sr. Planner
May 12, 2014
Page 2

The developer will need to complete a "Highway Encroachment Permit Application" prior to commencing work in state highway right-of-way. The recorded "Joint-Use Agreement" must be included in the application for permit to access the state highway. Questions regarding the permit application should be directed to Ms. Sylvia Hanna, Tucson District Permits Supervisor. Ms. Hanna can be reached at (520) 388-4234.

We appreciate the opportunity to review the proposed Five-Year Rezoning Time Extension for Case No. Co9-97-53.

Sincerely,

A handwritten signature in black ink that reads "Maria Deal". The signature is written in a cursive, slightly slanted style.

Maria Deal
Transportation Engineering Specialist

C: Scott Beck, P.E., Southern Regional Traffic Engineer, ADOT
Steve Mishler, P.E., Tucson District Development Engineer, ADOT
Sylvia Hanna, Tucson District Permits Supervisor, ADOT

GOLDER RANCH FIRE DISTRICT

Community Services Division



TO: Terrill Tillman, Pima Co. Development Services/Plannin Division
FROM: Chris Kiel, P.E., Deputy Fire Marshal
DATE: May 21, 2014
PROJECT: Co9-14-03, Rezoning for Tractor Supply Store

The submittal is approved for the proposed rezoning. Please provide the following Fire Code information to the applicant to aid in the submittal of the future development plan.

1. **Fire Flow / Hydrants.** The fire flow required for this project is 1,500 gallons per minute for a 2 hour duration. This is a reduction due to the installation of an automatic sprinkler system installed throughout. The base fire flow requirement was 4,000 gpm for the single largest building of 21,702 square feet of potential Type V-B construction.

Fire hydrants connected to an approved water supply of 1,500 gpm for fire protection, either temporary or permanent, shall be installed and in service prior to combustible material delivery to the site. Temporary construction office trailers are considered combustible materials.

Submit a Water System Plan to the Fire Marshal for review and approval prior to the submittal of the building plans.

A 3-foot clear space shall be maintained around the circumference of fire hydrants. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall be provided.

The Developer is responsible for blue reflective street markers at each hydrant location.

All out of service hydrants shall be clearly marked or tagged as out of service. While the water lines are undergoing bacteriological cleansing and testing, the hydrants shall be marked as out of service. Out of service marking and tags shall remain until the hydrant has been inspected by the developer, approved by the Water Utility, and is in service. The Water Utility will notify the Fire Marshal when the hydrants are in service and available for fire flow testing.

2. **Fire Apparatus Access.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved all-weather fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Approved fire apparatus access roads shall be installed and in service prior to combustible material delivery to the site.

An approved fire department key box shall be installed at an accessible approved location on the building. Door keys shall be provided and maintained in the key box as to provide access to all structures for fire-fighting and life-saving purposes.

3. **Automatic Sprinkler Systems Required.** All new occupancies shall install an approved automatic sprinkler system throughout. Water supplies for automatic sprinkler systems shall comply with the International Fire Code. The potable water supply shall be protected against backflow in accordance with the requirements of the International Fire Code, the International Plumbing Code, and the Water Utility. Backflow prevention devices shall be listed for fire protection service. Backflow prevention devices may be installed remote from the building or as a portion of the sprinkler system riser inside the building. Backflow prevention device shutoff valves shall be locked in the open position. The backflow prevention valves shall be electrically supervised by a tamper switch

installed in accordance with NFPA 72 and annunciated by the sprinkler system monitoring control panel. The main drain on automatic sprinkler systems shall be sized to allow for forward flow testing of the backflow prevention device.

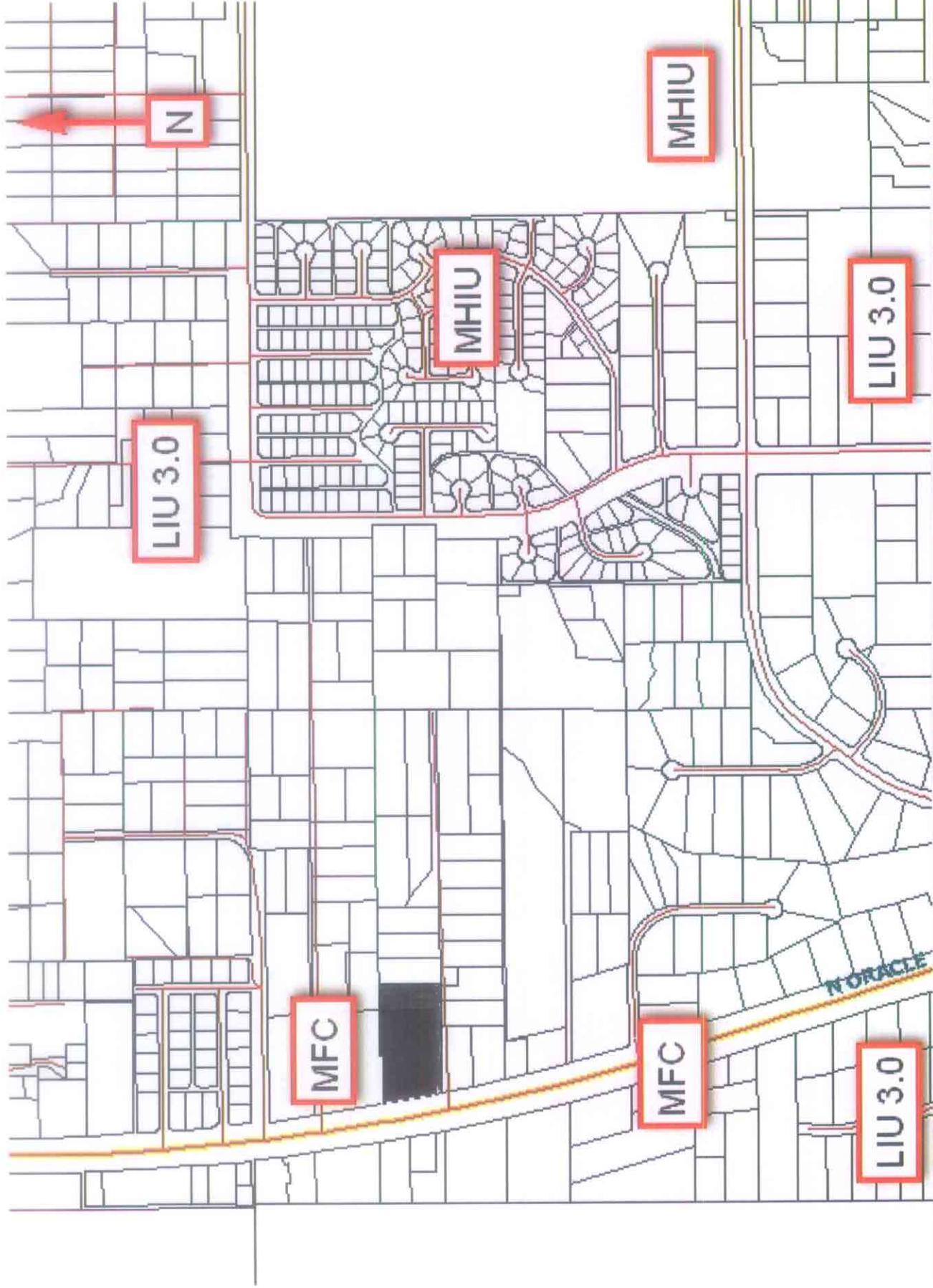
The building shall provide an exterior door leading directly into the room containing the fire sprinkler riser and shut off controls. New Fire Department Connections (FDC's) shall have approved locking caps installed.

Automatic fire sprinkler systems and fire alarm systems shall be monitored by an approved central station, proprietary supervising station, or remote supervising station. Fire protection system monitoring shall be in service prior to acceptance testing/inspection of the system.

4. **Street Signs and Address Posting.** Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage of vehicles. All structures under construction shall be clearly identified with an approved address and building number. Signs shall be of an approved size, weather resistant, and be maintained until replaced by permanent signs.
5. **Building Height.** The height of the building was not specified. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire apparatus access roads shall have a minimum unobstructed width of 28 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. Proximity to building - At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. See IFC Appendix D Section D105
6. **Secured Construction Sites.** Gated, secured construction sites shall provide an approved fire department padlock on the chain securing the site. The approved fire department padlock can be obtained from the fire inspector.

Please feel free to contact me if you have any questions or concerns regarding any of the above Fire Code review comments.

Chris Kiel, P.E.
Deputy Fire Marshal
Golder Ranch Fire District
(520) 825-5968 ckiel@golderranchfire.org



1 'Parcels - Pima' selected 1 : 11,299 9,936 x 4,875 (ft)

Pima County Comprehensive Plan Designation: MFC (Multifunctional Corridor) Comprehensive Plan
Subregion: Northwest
Special Area Policy: S-5 Oracle Corridor/Northern Gateway

Multifunctional Corridor

MFC on the Land Use Plan Maps

- a. Purpose: To designate areas for the integrated development of complementary uses along major transportation corridors.
- b. Objective: These areas contain commercial and other non-residential use services and high density residential clusters in a linear configuration along major transportation corridors. Potential adverse impacts of strip commercial development are mitigated through application of special design standards, such as standards for building setbacks, open space, signs, parking, and landscaping. Special attention is given in site design to provide an atmosphere that is pleasant to the pedestrian.
- c. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
 - 1) Minimum - (none)
 - 2) Maximum - 44 RAC
- d. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's): Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements, however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.
 - 1) Minimum – 6 RAC
 - 2) Maximum – 18 RAC
- e. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
 - 1) GC Golf Course Zone
 - 2) TH Trailer Homesite Zone
 - 3) CR-3 Single Residence Zone
 - 4) CR-4 Mixed-Dwelling Type Zone
 - 5) CR-5 Multiple Residence Zone
 - 6) TR Transitional Zone
 - 7) CMH-2 County Manufactured And Mobile Home-2 Zone
 - 8) MR Major Resort Zone
 - 9) CB-1 Local Business Zone
 - 10) CB-2 General Business Zone
 - 11) CPI Campus Park Industrial Zone

S-5 Oracle Corridor/Northern Gateway (NW) [2-07]

General location: T11S, R14E, Sections 4 & 16; T12S, R13E, Sections 25 and 36.

Description: Standards to preserve scenic quality along a major transportation corridor and enhance sense of entry into metropolitan area; design criteria for visual standards, preservation of viewsheds of ridge lines and preservation of native vegetation; mitigate the negative impacts of strip commercial development.

Policies:

- A. Visibility of development within this area of Oracle Road shall be of low profile. No greater than 24 feet of building height shall be visible from Oracle Road.
- B. Parcels adjacent to one another but of different owners shall share access and signage in order to minimize curb cuts and minimize visual clutter.
- C. Large parcels under one ownership shall be developed as one development and shall be designed to promote internal circulation.
- D. Office, commercial and/or mixed-use developments shall be designed to promote internal circulation for pedestrians.
- E. Landscaping shall develop the transition to natural open space to office, commercial, and/or mixed-use development.
- F. Landscape buffering shall be required for all development along this section of Oracle Road.
- G. Development within this Gateway Route Special Area shall be approved by the Pima County Design Review Committee.

RECEIVED
JUL 17 2014

July 3, 2014

Dear Neighbors,

FY:

We would like to announce plans to develop a Tractor Supply retail store at the northeast corner of Oracle Road and Lamb Drive in the unincorporated community of Catalina in Pima County, Arizona. The subject properties are defined as parcels 222-21-0410 and 222-21-024D. The site is currently vacant, with current CB-1 zoning on parcel 222-21-0410 and GR-1 zoning on parcel 222-21-024D. The properties are proposed to be rezoned to CB-2 to accommodate the outdoor display areas required for a Tractor Supply Company retail store.

The proposed development consists of a 21,702-sf Tractor Supply Company store with related site improvements including a 1,250-sf hay barn, site landscaping, paved parking and concrete hardscape, utilities and drainage infrastructure. Tractor Supply Company is the largest retail farm and ranch store chain in the United States. The company operates more than 1,085 retail stores in 44 states, employs more than 15,000 team members and is headquartered in Brentwood, Tennessee. Today Tractor Supply is a leading edge retailer with revenues of approximately \$4 billion. Stores supply the unique products to support their customers' rural lifestyle, from welders and generators to animal care products and men and women's work wear. They also offer pet supplies, animal feed, power tools, riding mowers, lawn and garden products and more.

We invite you to join us for an open house at the training facility of the Golder Ranch Fire District located at 3885 East Golder Ranch Drive in Catalina, Arizona on Wednesday, July 9, 2014 at 6:00 pm. At that time, we will be available to answer any questions you may have and to inform you of further details. Also, on exhibit will be the Site Analysis prepared for Pima County. The Site Analysis includes a detailed site inventory and land use proposal of the project site. The site inventory serves to identify and describe existing characteristics and conditions of the site, and identifies both development constraints and development opportunities of the site prior to the actual site design process. The land use proposal enables the developer to set forth design concepts derived from the analysis of the site's characteristics, and to present sensitive design and mitigation techniques that respond to unique site characteristics and the character of the surrounding neighborhood.

We hope you can attend; we look forward to meeting all of you. Should you require any information prior to the meeting, or if you wish to receive an electronic copy of the Site Analysis, please feel free to email me at davin@granitebasinengineering.com.

Sincerely,



Davin Benner, P.E.
Granite Basin Engineering, Inc.

Terri Tillman

From: Davin Benner <davin@granitebasinengineering.com>
Sent: Friday, July 11, 2014 9:09 AM
To: Terri Tillman
Cc: ralph@baselinedevelopment.com; bill@baselinedevelopment.com; gavin@baselinedevelopment.com; Eva Newton
Subject: Public Meeting for Co9-14-03 Tractor Supply Oracle Road Rezoning

Hi Terri,

I wanted to report to you on our public meeting held on Wednesday, July 9th at 6:00pm. We only had one couple show up to the meeting, Peggy and Randy Thomas from 3325 East Lamb Drive. Since they were the only residents to attend the meeting, I gave them a full copy of the Site Analysis and we discussed some of the major elements of the project.

Their biggest concern was in regard to drainage. Just the other day, they were unable to access their residence on East Lamb Drive because the main drainage crossing was impassable. They were concerned that our project would increase peak runoff along this drainage making the current situation even worse. I explained that our project would be providing stormwater storage (detention) to mitigate increases in peak runoff due to the addition of impervious area on the site. I also pointed out that Pima County Regional Flood Control District intended to remove the restrictor on the storm drain inlet immediately upstream from our property, and that this would significantly increase flows along this watercourse.

As you know, we've had ongoing discussions regarding this drainage with PCRFCDD. Our initial design significantly reduced peak runoff downstream from the site, but PCRFCDD expressed concerns with the oversized stormwater storage area and extension of the existing storm drain across our property. The current site plan is functional and PCRFCDD is satisfied with the drainage design, but I am concerned that removal of the restrictor on the storm drain inlet (increasing peak flows along this watercourse) will be perceived as a problem caused by Tractor Supply.

It is apparent that there are existing problems with all-weather access along East Lamb Drive, and residents are already sensitive to the issue. Accordingly, it may be prudent for PCRFCDD to notify these residents prior to removing the restrictor on the existing storm drain inlet. Based on our understanding, the existing storm drain has been there for nearly 20 years with the restrictor on the inlet. I am concerned that Pima County (and possibly Tractor Supply) could be exposed to undue liability by removing the restrictor on the storm drain inlet, since this could be construed as an existing condition.

We are content with the current site plan and we intend to move forward with the project assuming the rezone is approved. I just thought it would be prudent to notify you and PCRFCDD of the one main concern brought up at the meeting. We are looking forward to the P&Z meeting on July 30 and BOS on August 18.

Regards,

Davin

23. **Rezoning Time Extension**

Co9-97-53, ALI, ET AL. - ORACLE ROAD REZONING

Request of Assunta Ali, et al., represented by Frank Ali, for a five-year time extension for a rezoning from GR-1 (GZ) [(Rural Residential) (Gateway Overlay)] to CB-1 (GZ) [(Local Business) (Gateway Overlay)] of 3.40 acres located on the east side of Oracle Road, approximately 600 feet south of Mainsail Boulevard (Catalina). The subject site was rezoned in 1998 and expired in 2013. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Recording a covenant to the effect that there will be no further subdividing or lot splitting of residential lots without the written approval of the Board of Supervisors.
6. Prior to the preparation of development related covenants and any required dedication, a title report evidencing ownership of the property shall be submitted to the Development Services Department, Document Services Section.
7. Transportation conditions:
 - A. Shared access with the property to the north and south shall be provided. Maintenance and access agreement shall be provided to staff for review and approval prior to approval of the Development Plan.
 - B. Elimination of direct access unless modification request is approved per Subdivision and Development Street Standards Chapter 9.
 - C. A written certification from the Arizona Department of Transportation stating satisfactory compliance with all of the requirements shall be submitted to the Development Services Department prior to approval of a Development Plan and/or Subdivision Plat.
 - D. ~~The property owner(s)/developer(s) shall provide offsite improvements determined necessary by Arizona Department of Transportation.~~
8. Flood Control conditions:
 - A. ~~Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District. At the time development is proposed, the property owner shall submit to the Pima County Regional Flood Control District a drainage report that includes (Hydrologic Analysis, Hydraulic Analysis and Erosion Hazard Setback Reduction Analysis) for review and approval. Based on this analysis, specific limitations may apply to the number of lots, the layout of the site or the number of structures in order to ensure that the provisions of the Ordinance are met.~~
 - B. ~~The property owner(s) shall grant flowage easements for drainage purposes, as determined necessary by the Flood Control District during the plan review process.~~
 - C-B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
9. Wastewater Management conditions:
 - A. The property owner(s)/developer(s) shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan, or request for building permit. On-site wastewater disposal shall not be allowed.

- B. On-site sewers shall be owned, operated and maintained on a private basis.
10. The proposed project shall be reviewed by the Pima County Design Review Committee pursuant to Comprehensive Plan Special Area Policy S-5 Oracle Corridor/Northern Gateway.
 11. Prior to ground modification activities by the property owner(s)/ developer(s), an on-the-ground archaeological and historic sites survey shall be conducted on the subject property, and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to the submittal of any tentative plat or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit shall be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
 12. Environmental Planning conditions:
 - A. Plants to be used for landscaping and revegetation shall be drought tolerant native species which are compatible with native vegetation endemic to the project area. Revegetated areas shall establish multiple height layers of vegetation that create a ground cover layer, a shrub mid-story layer, and a canopy layer. Under no circumstances shall the following exotic plant species be planted anywhere on the site:
 - Fountain grass (*Pennisetum setaceum*)
 - Buffelgrass (*Pennisetum ciliare*)
 - Johnson grass (*Sorghum halapense*)
 - Giant reed (*Arundo donax*)
 - Common crabgrass (*Digitaria sanguinalis*)
 - Pampas grass (*Cortaderia selloana*)
 - Red brome (*Bromus rubens*)
 - Mediterranean grass (*Schismus spp.*)
 - Tree of heaven (*Ailanthus altissima*)
 - African sumac (*Rhus lancea*)
 - Russian olive (*Eleagnus angustifolia*)
 - Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)
 - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
 - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)
 - B. ~~Should the Board approve the 5-year time extension~~ The owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owner(s) of the property within the rezoning site and Pima County may enforce this rezoning condition against the current and any future property owner(s). Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
 13. Building heights are limited to 24 feet and one story.
 14. Adherence to the preliminary development plan as approved at public hearing, except that the south 110 feet of the site, commencing from the south boundary northward, shall remain as natural area with allowance of an access drive within this area toward the Oracle Road frontage. Slopes exterior to the developed area shall be revegetated with drought tolerant native species which are compatible with native vegetation endemic to the project area.
 15. ~~Unless the U.S. Fish & Wildlife Service provides information to the contrary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. Or, heavy construction activity shall occur only between August 1 and January 31 of any given calendar year. If surveys are performed, results of these surveys and copies of any data collected shall be provided to the Development Services Department.~~

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-97-53, with modified standard and special conditions.

24. **Plat Note Modification**

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (Lots 1, 4, 9, 11, and 42)
Request of Nicholas Loffredo (Lot 1, approximately .96 acres), Donald Davern (Lot 4, approximately 1.04 acres), Wallace Petersen (Lot 9, approximately 1.31 acres), Leonard Loffredo (Lot 11, approximately .76 acres), and Keith Davern (Lot 42, approximately 1.00 acre) all represented by The WLB Group, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lots 1, 4, 9, 11, and 42 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject properties are zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and are located on the north and south side of Sabino Estates Drive, approximately 450 feet south of the Coronado National Forest. Staff recommends APPROVAL. (District 1)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

25. **Rezoning Ordinance**

ORDINANCE NO. 2013 - 43, Co9-13-06, Trubee - N. Bear Canyon Road Rezoning. Owner Tanya Trubee. (District 4)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2013 - 43.

PRESENTATION/PROCLAMATION

26. Presentation of a proclamation to Elena West, Director of Las Artes, proclaiming Saturday, September 28, 2013 to be: "MARY H. MELTON DAY"

It was moved by Supervisor Bronson, seconded by Supervisor Elias and unanimously carried by a 5-0 vote, to approve the item.

Chairman Valadez made the presentation to Elena West.

RECORDED BY: MRB
DEPT RECORDER
1562 PE-1



DOCKET: 15383
F 3: 2656
N OF PAGES: 7
SEQUENCE: 20091000519
05/26/2009
RES 16:39
PICKUP
AMOUNT PAID \$ 0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

RESOLUTION 2009-95

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING IN CASE **Co9-97-53 ALI, ET AL – ORACLE ROAD REZONING** LOCATED ON THE EAST SIDE OF ORACLE ROAD, APPROXIMATELY 600 FEET SOUTH OF MAINSAIL BOULEVARD (CATALINA); AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND TIME LIMITS SET FORTH IN SECTION 3 OF ORDINANCE NO. **1998-56**, AS AMENDED BY RESOLUTION NO. **2004-231**.

WHEREAS, on December 18, 1997, the owner(s) of approximately 3.40 acres applied for a rezoning from GR-1 (Rural Residential) to CB-1 (Local Business);

WHEREAS, on June 16, 1998, the Pima County Board of Supervisors approved the rezoning, subject to standard and special conditions;

WHEREAS, on September 15, 1998, the Pima County Board of Supervisors adopted rezoning Ordinance No. 1998-56, as recorded in Docket 12260 at Page 5639, rezoning the approximate 3.40 acres described in rezoning case Co9-97-53 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;

WHEREAS, on June 12, 2003, the owner(s) of approximately 3.40 acres applied for a five-year rezoning time-extension;

WHEREAS, on March 16, 2004 the Pima County Board of Supervisors approved a five-year rezoning time-extension subject to existing and modified conditions;

WHEREAS, on June 9, 2008, the owner(s) of approximately 3.40 acres applied for a five-year rezoning time-extension;

WHEREAS, on January 13, 2009, the Pima County Board of Supervisors approved a five-year rezoning time-extension subject to additional and modified standard and special conditions; and,

WHEREAS, Ordinance No. 1998-56 allows the Board of Supervisors to amend the rezoning time limit by resolution.

ARIZONA COUNTY

NOW, THEREFORE, BE IT RESOLVED, that the Pima County Board of Supervisors hereby reaffirms the rezoning conditions represented in Section 2 of Ordinance No. 1998-56, as amended by Resolution No. 2004-231, as follows:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Recording a covenant to the effect that there will be no further subdividing or lot splitting of residential lots without the written approval of the Board of Supervisors.
6. Prior to the preparation of development related covenants and any required dedication, a title report evidencing ownership of the property shall be submitted to the Development Services Department, Document Services Section.
7. Transportation conditions:
 - A. ~~One (1) access point to Oracle Road shall be allowed. The access point shall be shared with the adjacent properties to the north and the south. There shall be provisions made for future internal site access and traffic circulation with adjacent properties to the north and the south. Shared access with the property to the north and south shall be provided. Maintenance and access agreement shall be provided to staff for review and approval prior to approval of the Development Plan.~~
 - B. ~~The location and design of access to the subject property from the Tucson-Florence Highway (Oracle Road) shall need written approval by the Arizona Department of Transportation prior to any plan approvals from Pima County. Elimination of direct access unless modification request is approved per Subdivision and Development Street Standards Chapter 9.~~
 - C. A written certification from the Arizona Department of Transportation stating satisfactory compliance of with all of the requirements for ~~access to the Tucson-Florence Highway (Oracle Road)~~ shall need to be submitted to the ~~Pima County Department of Transportation~~ Development Services Department prior to the ~~issuance of a certificate of occupancy~~ approval of a Development Plan and/or Subdivision Plat.
 - D. The property owner(s)/developer(s) shall provide offsite improvements determined necessary by Arizona Department of Transportation.

8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. The property owner(s) shall grant flowage easements for drainage purposes, as determined necessary by the Flood Control District during the plan review process.
 - C. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.

9. Wastewater Management conditions:
 - A. The property owner(s)/developer(s) ~~must~~ shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan, or request for building permit. On-site wastewater disposal shall not be allowed.
 - B. On-site sewers shall be owned, operated and maintained on a private basis.

10. The proposed project shall be reviewed by the Pima County Design Review Committee pursuant to Comprehensive Plan Special Area Policy S-5 Oracle Corridor/Northern Gateway.

11. Prior to ground modification activities by the property owner(s)/ developer(s), an on-the-ground archaeological and historic sites survey and appropriate mitigation measures shall be conducted on the subject property, and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County at the time of, or prior to the submittal of any tentative plat or development plan. ~~The mitigation plan shall be prepared and reviewed as described in the Pima County Site Analysis Requirements.~~ All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit shall be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

12. Environmental Planning conditions:
 - A. Plants to be used for landscaping and revegetation shall be drought tolerant native species which are compatible with native vegetation endemic to the project area. Revegetated areas shall establish multiple height layers of vegetation that create a ground cover layer, a shrub mid-

story layer, and a canopy layer. Under no circumstances shall the following exotic plant species be planted anywhere on the site:

Fountain grass (*Pennisetum setaceum*)
Buffelgrass (*Pennisetum ciliare*)
Johnson grass (*Sorghum halapense*)
Giant reed (*Arundo donax*)
Common crabgrass (*Digitaria sanguinalis*)
Pampas grass (*Cortaderia selloana*)
Red brome (*Bromus rubens*)
Mediterranean grass (*Schismus* spp.)
Tree of heaven (*Ailanthus altissima*)
African sumac (*Rhus lancea*)
Russian olive (*Eleagnus angustifolia*)
Salt cedar/Tamarisk (*Tamarix pertandra* & *T. ramosissima*)
Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
Lovegrasses (*Eragrostis* spp.) excluding Plains lovegrass (*Eragrostis intermedia*)

B. Should the Board approve the 5-year time extension the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owner(s) of the property within the rezoning site and Pima County may enforce this rezoning condition against the current and any future property owner(s). Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

13. Building heights are limited to 24 feet and one story.
14. Adherence to the preliminary development plan as approved at public hearing, except that the south 110 feet of the site, commencing from the south boundary northward, shall remain as natural area with allowance of an access drive within this area toward the Oracle Road frontage. Slopes exterior to the developed area shall be revegetated with drought tolerant native species which are compatible with native vegetation endemic to the project area (EXHIBIT B).
15. Unless the U.S. Fish & Wildlife Service provides information to the contrary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy-owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. Or, heavy construction activity shall occur only between August 1 and January 31 of any given calendar year. If surveys are performed, results of these surveys and copies of any data collected shall be provided to the Development Services Department.

NOW, THEREFORE, BE IT RESOLVED, that the Pima County Board of Supervisors hereby modifies the time limits represented in Section 3 of Ordinance No. 2001-139, as amended by Resolution No. 2004-231, as follows:

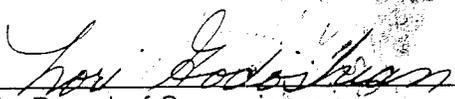
1. Conditions 1 through 15 shall be completed by June 16, 2008~~13~~.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Resolution until all conditions 1 through 15 are satisfied and the Planning Official issues a Certificate of Compliance.
4. The rezoning conditions of Section 1 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

* * *

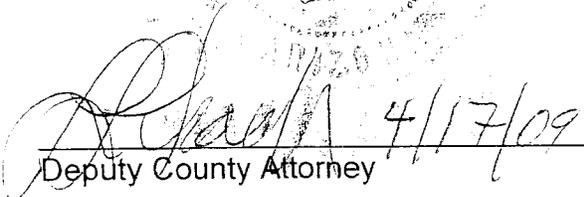
Passed and adopted this 19th day of May, 2009, by the Board of Supervisors of Pima County, Arizona.


Chairman, Board of Supervisors
MAY 19 2009

ATTEST:


Clerk, Board of Supervisors

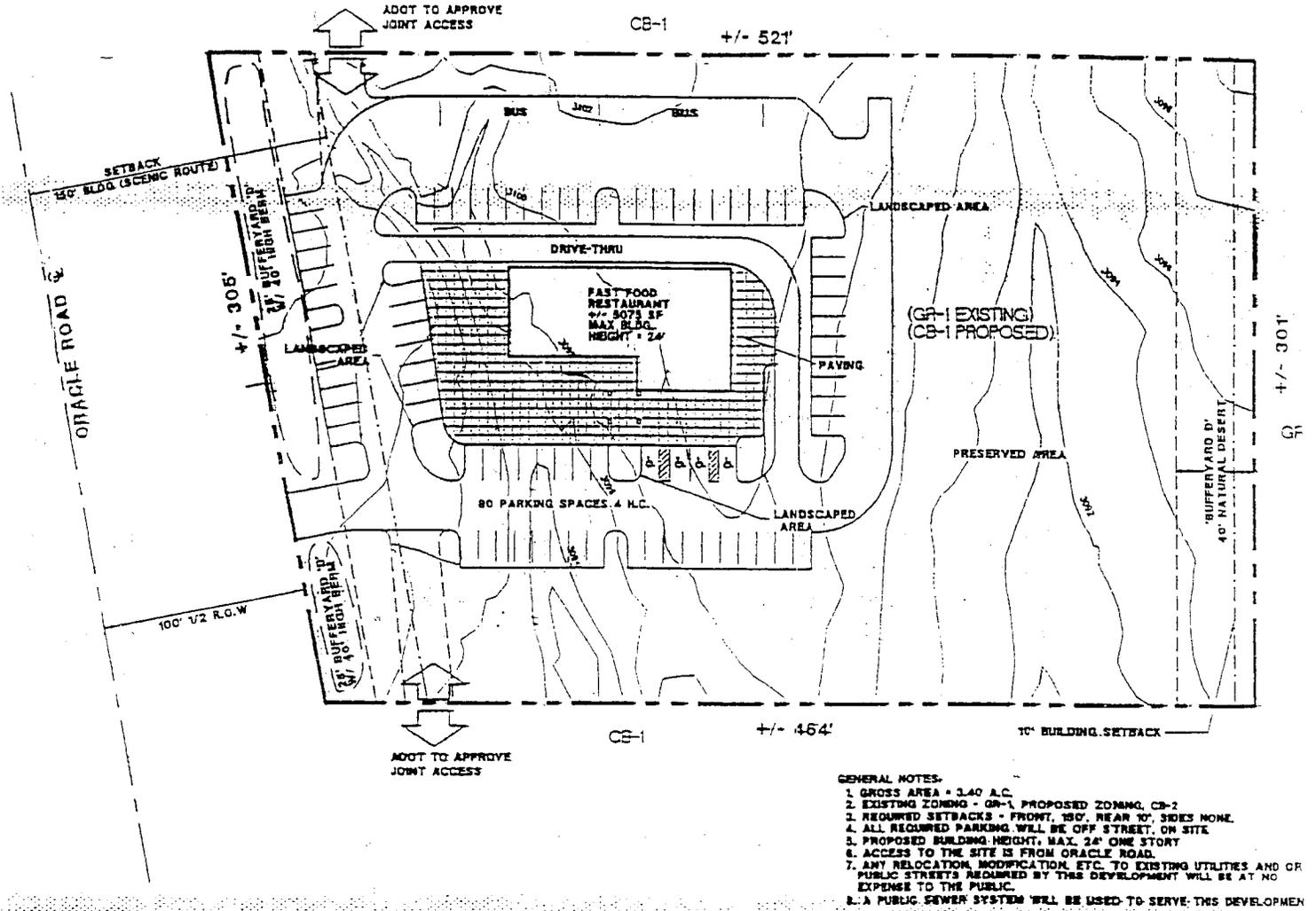
APPROVED AS TO FORM


Deputy County Attorney

APPROVED:


Executive Secretary
Planning and Zoning Commission

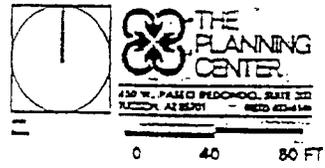
EXHIBIT II.B.1: Preliminary Development Plan



- GENERAL NOTES:
1. GROSS AREA = 3.40 A.C.
 2. EXISTING ZONING - GR-1, PROPOSED ZONING - CB-2
 3. REQUIRED SETBACKS - FRONT, 150', REAR 10', SIDES NONE
 4. ALL REQUIRED PARKING WILL BE OFF STREET, ON SITE
 5. PROPOSED BUILDING HEIGHT, MAX. 24' ONE STORY
 6. ACCESS TO THE SITE IS FROM ORACLE ROAD
 7. ANY RELOCATION, MODIFICATION, ETC. TO EXISTING UTILITIES AND OR PUBLIC STREETS REQUIRED BY THIS DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
 8. A PUBLIC SEWER SYSTEM WILL BE USED TO SERVE THIS DEVELOPMENT

09-97-53

app'd PDP 6-16-98 BOS



NOTICE OF PUBLIC HEARING

File



ROBERT C. JOHNSON
DIRECTOR
792-8361

PIMA COUNTY
PLANNING & DEVELOPMENT SERVICES
130 WEST CONGRESS
TUCSON, ARIZONA 85701-1317

JIM ALTENSTADTER
COMPREHENSIVE PLAN ADMINISTRATOR
792-6767

GRAHAM K. ARROLL
CHIEF ZONING INSPECTOR
792-6427

STEPHEN BAKER
ADMINISTRATIVE SERVICES MANAGER
792-6437

E. W. BAMBAUER
PLANNING & ZONING MANAGER
792-6357

LINDA KINKADE
CENTRAL PERMITS SUPERVISOR
792-6511

LEROY A. SAYRE
CHIEF BUILDING OFFICIAL
792-6554

October 20, 1988

Professional Property Management Partnership
13442 North 18th Place
Phoenix, AZ 84029

Re: Co9-88-66 Mamchur - Oracle Road Rezoning

This is to notify you that your request for rezoning which lies within an adopted zoning plan has conditional approval. The following are the standard requirements which must be met in order to have an ordinance adopted changing the zone.

1. Submittal of a complete hydraulic and hydrologic drainage report as determined necessary by the Department of Transportation and Flood Control (call 882-2622);
2. Submittal of a development plan if determined necessary by the appropriate County agencies;
3. Dedication of necessary right-of-way for roads and drainage by separate instrument if the property is not to be subdivided (call 882-2608);
4. Recording an acceptable plat which will provide for dedication of necessary right-of-way for roads and drainage if the property is to be subdivided;
5. A suitable arrangement with the Pima County Wastewater Management and County Health Department regarding sanitary facilities (call 792-8676);
6. Recording a covenant holding Pima County harmless in the event of flooding (call 882-2665);
7. Conformance with County paving policies as determined appropriate by the Department of Transportation and Flood Control;

(Continued next page)

8. Prior to grading or clearing of land, a grading plan will be submitted and approved by the Department of Transportation and Flood Control District for the purpose of determining the extent and effect of such grading;
9. Recording the necessary development related covenants as determined appropriate by the various County agencies;
10. Provision of development related assurances as required by the appropriate agencies;
11. Recording a covenant to the effect that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors;
12. Requirements of the Wastewater Management Department are as follows:
 - A. Connection to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat or development plan.
 - B. The property owner or his agent must construct a public off-site sewer extension to serve this rezoning, and must construct the on-site sewers in a manner that will provide flow-through for tributary areas at points and with capacities as specified by Wastewater Management at the time of review of the tentative plat or development plan. The public sewer improvements must be sized and located as required by Wastewater Management at the time of review of the tentative plat or development plan, must be designed and constructed in conformance with the applicable Pima County standards, and must be completed, inspected and released for service prior to the issuance of any building permits.
13. Requirements of the Department of Transportation are as follows:
 - A. Proposed access to the subject property shall need the approval of the Subdivision Engineer, Pima County Department of Transportation, at the time of the submittal of a development plan or subdivision plat for any portion of the subject property.
 - B. Access to the subject property from Tucson/Florence Highway shall need written approval by Arizona Department of Transportation prior to the adoption of a Zoning Ordinance.
 - C. A written certification from the Arizona Department of Transportation stating satisfactory compliance of all its requirements shall need to be submitted to the Department of Transportation prior to the issuance of the Zoning Ordinance.

- D. Confirmation, by recorded covenant, must be provided which demonstrates unrestricted access on the private roads leading to the nearest public roadway, i.e., Tucson/Florence Highway.
 - E. Adherence to the Pima County Hillside Development Overlay Zone.
 - F. Provision of a paved, legal access to Tucson/Florence Highway from the subject property prior to the issuance of building permits. The paved access (Lamb Drive) shall be incorporated with the existing dirt access and coordinated with property owners to the south.
 - G. The property owner must dedicated all rights-of-way and/or grant flowage easements for drainage purposed to Pima County, as determined necessary by the Flood Control District during the plan review process.
 - H. The property owner must submit all required drainage reports and plans, and receive approval by the Flood Control District prior to the adoption of the Zoning Ordinance. In developing the reports and plans, the requirements and regulations incorporated in the following reports must be satisfied:
 - 1. Floodplain Management Ordinance
 - 2. Drainage and Channel Design Standards
 - 3. Flood Control Policies
 - 4. Detention/Retention Manual
 - I. On-site retention of the difference between the existing and developed five (5) year event will be required because of the requested land use or density.
 - J. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - K. The owner shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.
14. Landscaping to consist of low water use and low pollen producing vegetation.

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15. Any other requirements as may determined necessary by the Board of Supervisors.

In addition, there may be other requirements requested by the above agencies.

If you have any questions, please call us at 792-8393.

Sincerely,



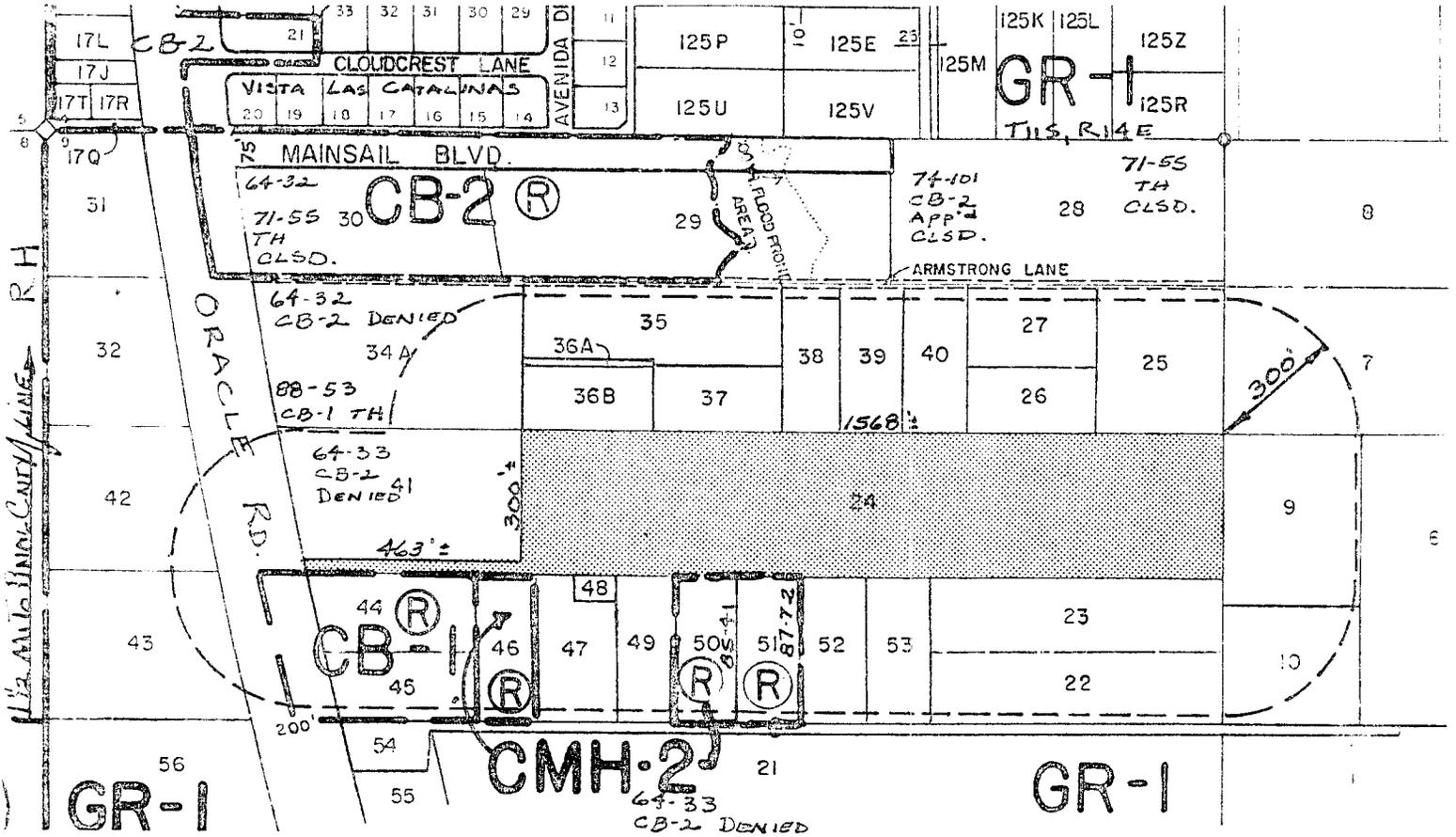
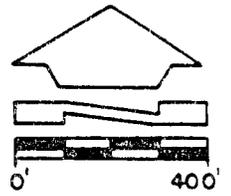
E. William Bambauer
Planning and Zoning Manager

EWB/tkg
#3903

cc: Pete Saldivar, Property Management
Owner/Agent
Chrono File
Harriet Mamchur, 4860 Avenida del Cazador, Tucson, AZ 85748
Joan Wolf, Department of Transportation
Edward Scalzo, Wastewater Management Department
Co9-88-74 File

GL-C

LAGO DEL ORO Z.P.
(C013-63-17B)



Area of proposed rezoning from **GR-1** to **CMH-2**

Notification area _____

BASE MAP 519

Notes _____

Tax codes 222-21-0240

Drawn by MA Date 9-26-88
Checked by _____

File no. C09-88-66
MAMCHUR-ORACLE RD.
_____ REZ.

PIMA COUNTY
TUCSON, ARIZONA

DEPARTMENT of PLANNING and DEVELOPMENT SERVICES