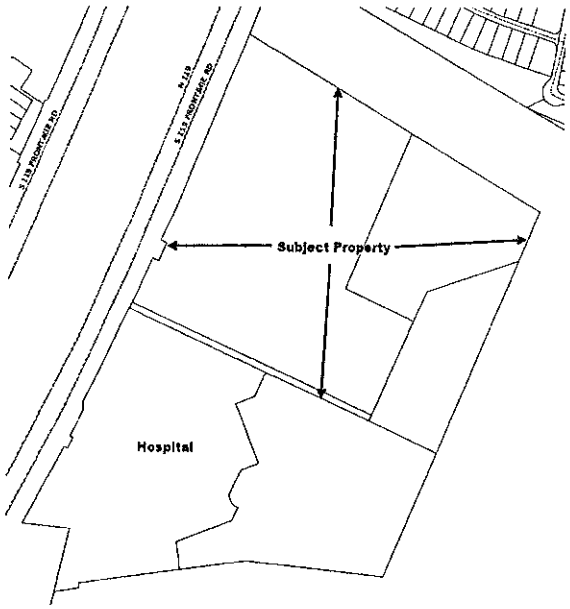
PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION



HEARING March 30, 2016

DISTRICT 4

CASES Co9-01-01 Pima County – Canoa Ranch Rezoning

REQUEST Modification of Rezoning Conditions - (Substantial Change) on 29.09 acres

OWNER GV Commercial 28, LLC
9237 E. Via de Ventura, Ste. 110
Scottsdale, AZ 85258-3329
(The area of this ownership within the site has increased since the initial request was submitted.)

Pioneer McDowell Life Care, LLLP
9237 E. Via de Ventura, Ste. 110
Scottsdale, AZ 85258-3329
(This is a new owner within the site since the initial request was submitted.)

AGENT Frank Thomson & Associates, LLC
Attn: Frank Thomson, AICP
3964 N. River Gate Place
Tucson, AZ 85750

APPLICANT'S REQUEST

Modification (substantial change) of the following CR-1 rezoning conditions:

- #6 which requires Board of Supervisors' written approval for further lot splitting or subdividing. The applicant requests to modify the condition to apply only to residential development.
- #16G which, in part, limits building heights of development east of Interstate 19 to 30 feet and one story, with described and referenced exceptions for hospital and related medical buildings located on the southern portion of Block 36 of the Canoa Ranch Subdivision (Book 54, Page 74). The applicant requests to modify the condition to allow construction of two and three story buildings greater than 30 feet in height on portions of the site in accordance with Pima County Zoning Code allowances and exceptions.

COMPREHENSIVE PLAN DESIGNATION

The comprehensive plan designation of the site is Multifunctional Corridor (MFC). The existing CB-2 zoning of the subject property complies with MFC. The objective of MFC is to designate areas for the integrated development of complementary uses along major

transportation corridors. These areas contain commercial and other non-residential use services, research and development and similar uses (as delineated in the CPI zoning district), and medium- to high-density residential clusters in a linear configuration along major transportation corridors.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CB-2 / CMH-2	Electric Substation & Well Site / Residential (further north)
South:	CB-2	Hospital & Undeveloped
East:	RH	Undeveloped Historic Canoa Ranch & Electric Substation
West:	CR-3 / RH (GC)	I-19 / Residential / Golf Course

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the request to modify rezoning condition #'s 6 and 16G for the northerly 29.9 acres of the CB-2-zoned Canoa Ranch Block 36. Modification of condition #6 will allow the requirement for Board of Supervisors approval of further lot splits to apply to residential uses only. Modification of condition #16G will allow building heights to exceed 30 feet and one story by allowing a range of building heights and stories up to a maximum of 39 feet at the highest point, including architectural features, and up to three stories. New condition #16L ensures general adherence to the locations and mass of the proposed buildings in relation to the requested building heights and stories. The modified conditions are as follows:

6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors, except that for the northern 29.09 acres of Canoa Ranch Block 36, this condition only applies to residential development.

16. Development and Design Requirements:

* * *

G. Residential building height is restricted to 24 feet, excepting existing buildings 5, 8, and 12 as shown on the P1207-031, Lodge at Canoa Development Plan approved by the Pima County Subdivision and Development Review Committee on January 15, 2008, which are allowed to be 39 feet in height. ~~The building height of development east of Interstate 19 is restricted to 30 feet and one story except for~~ Building heights for the hospital and related medical buildings located on the southern portion of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74)~~. Height will~~ shall be measured as per Section 18.07.050.H (General Regulations and Exceptions) in accordance with Section 18.45.050 (CB-2 General Business Zone) of the Pima County Zoning Code and shall adhere to the depicted and described preliminary site plan as presented at public hearing, except that~~,~~ the maximum height of the hospital architectural feature/cupola is 50 feet. Building heights and number of stories for the northern 29.09 acres of Block 36 of Canoa Ranch (Book 54, Page 74) shall adhere to heights and stories depicted and listed for the buildings shown on the Concept/Phasing Plan as presented at public hearing.

* * *

L. General adherence to the Concept/Phasing Plan as presented at public hearing for the northern 29.09 acres of Block 36 of Canoa Ranch (Book 54, Page 74).

STAFF REPORT

Modification of Lot Split Condition

Staff supports the request to modify condition #6 to require Board of Supervisors' approval only for residential lot splits consistent with the current standard for this condition. The condition will only be modified only for the subject property. The uses proposed in the Concept/Phasing Plan for the property are considered commercial uses. They include medical offices, retail and restaurant uses in Phase 1, and independent and assisted living, memory care, and skilled nursing rehabilitation facilities and related amenities in Phase 2. The subject northern portion of Block 36 has already been split into four parcels and additional splits can be expected with the proposed development. The commercial development will be done under successive development plans which will ensure cohesive development of the site. In the unlikely event that residential development occurs on this CB-2-zoned site, buyers will either be protected by a subdivision plat or lot splits reviewed by staff and subject to approval by the Board.

Modification of Building Height and Stories Condition

Staff supports the request to modify condition #16G to allow increased building heights beyond the maximum 30 feet and one story. The recommended modified condition requires adherence to the building heights and stories shown for the building masses located on the Concept/Phasing Plan. The Plan proposes building heights and stories that range from 17'-4" and one story to 36'-0" (39'-0" with architectural features) and three stories. Based on the elevation drawings, the architectural features include cupolas. The applicant indicates that the architectural features, "...would provide emphasis and interest to the buildings."

The proposed maximum 36-foot building height is three feet less than the 39-foot maximum building height permitted in the CB-2 (General Business) zone. The zoning code (Section 18.07.050.H) allows for exceptions to the maximum building of a given zone for architectural features. The exception is typically four feet. The additional three feet of architectural feature height proposed for buildings within the subject property is, however, within the 39-foot maximum permitted building height for CB-2; therefore, building height exceptions provided by code for elements such as cupolas will not be required. Although the current rezoning condition restricts building heights to 30 feet, a four-foot maximum height exception for features such as cupolas would still be allowed.

There is no codified limit on the number of stories in the CB-2 zone, save for the number of above-ground stories that could practically occur, i.e. three, under the maximum 39 foot building height limit.

The increased building height, and moreover, the increase from one to two and three stories, will provide greater use efficiency of the site, especially in light of the substantial area encumbered by riparian area avoidance as shown on the Concept/Phasing Plan.

The attached viewshed analysis does not present overly obstructed views. Predominate viewsheds are from points west (I-19) to the east and points north (residential subdivision) to the south. The historic Canoa Ranch buildings are nearly one mile to the south of the Block 36 development with undeveloped Canoa Ranch in between, and the area to the west is undeveloped Canoa Ranch and the Santa Cruz River.

The bulk of the tallest multi-story buildings are concentrated in the southeast quadrant of the subject property, away from both the I-19 frontage and the residential area

approximately 300 feet north of the north site boundary. The elevation drop (15'-17') from I-19 east across the site will serve to mitigate the increased building heights. The viewshed analysis notes an average 5' to 10' elevation drop from the west frontage Phase 1 area to the east Phase 2 area where most of the tallest and multi-story buildings are proposed. Approximately 23% of the frontage will have unobstructed views through the site, exceeding the minimum 20% scenic route requirement.

Additionally, native trees within the riparian area will be preserved along approximately three-fifths of the north site boundary which may help obscure the proposed development from parts of the residential area. The riparian preserve combined with one-story development proposed in the northwest Phase 1 portion of the site will buffer the most intensive development from the residential area and place it near to the multi-story hospital to the south.

The existing hospital and proposed medical buildings in the south portion of Block 36 received approval for a modification of the condition #16G building height and story restriction on December 18, 2012 (Board Minutes attached). Exhibit D of attached Resolution 2013-33 provides specific building height and stories information for which adherence is required. The allowances include one story buildings, but most will be two stories above grade and one level below grade. Allowed maximum building heights are 34 feet with a maximum architectural element (cupola) height of 50 feet for the hospital. The approved development plan shows an actual cupola height of 42 feet.

The one-story building restriction was originally recommended by staff for the CB-2 portions of the rezoning east of I-19 as a result of a comprehensive plan amendment special area policy (Co7-00-18) which was a precursor to the rezoning. (Ultimately, a 30-foot height restriction was added by the Board of Supervisors upon approval of the rezoning.) The Policy limited development to one story east of I-19 and west of the Santa Cruz River, in addition to prohibiting development within 1,000 feet of the historic Canoa Ranch and requiring an architectural style compatible with the ranch that would be reviewed by a historical/architectural review committee. Other design standards were also stipulated (see attached Resolution 2000-235, Policy "B"); and the Policy provisions became rezoning conditions. The Policy was noted as designed to ensure the integrity of historic Canoa Ranch. Besides the height and story modification already approved for the hospital and other medical facilities, it is of significance that additional CB-2 zoning was approved for the rezoning on the east side of I-19 in closer proximity to historic Canoa Ranch than the subject Block 36. However, these other two areas of CB-2 were acquired by the County and are now zoned RH and not subject to private development.

The proposed site plan and architectural designs, including the viewshed analysis, is scheduled to be reviewed by the Canoa Ranch Historic/Architectural Review Committee on March 23, 2016 in accordance with rezoning condition #16J. The Committee is tasked to review and approve the development to ensure that it is designed to be harmonious in form, line, color, material, and texture with the historic Canoa Ranch complex. The applicant indicates that the project will comply with this condition and proposed compatibility with Southwestern styles, as per submitted exhibits. Staff will provide the Commission a memo regarding the Committee's review.

Concurrency

Concurrency of infrastructure review was not performed because while the modification of the building height and story restriction affects the potential use intensity of the site,

the proposed uses and buildable area of the uses are not the subject of the modification of rezoning conditions request and do not otherwise exceed any conditional restrictions for such. Existing rezoning conditions for Transportation, Flood Control, and Wastewater address need for sufficient infrastructure capacity to be provided by the developer. The proposed development does not impact schools.

Maeveen Marie Behan Conservation Lands System
The site is within the MMB Conservation Lands System. Most of the subject area is within Multiple Use Management Area.

Rezoning Case History
The 1,261-acre rezoning from RH to CR-5, CB-1, CB-2, and restricted RH was conditionally approved on March 13, 2001 (Ordinance 2001-35). The majority of the rezoning site lies west of I-19. A block plat for the rezoning area and additional RH-zoned area east of I-19 was approved by the Board of Supervisors May 8, 2001 (Canoa Ranch, Blocks 1-45, Bk. 54, Pg. 74). Two of three CB-2-zoned areas (the only rezoned areas east of I-19) have been acquired by Pima County along with contiguous RH property including the historic Canoa Ranch complex. In addition to other modifications of rezoning conditions, there have been two modifications to the condition #16G building height and story limit which are reflected in the current form of the condition.

ENVIRONMENTAL PLANNING REPORT

The approval for this rezoning, including significant natural open space set-asides, occurred prior to the effective date of the 2001 Comprehensive Plan Update which initiated implementation of the Maeveen Marie Behan Conservation Lands System (CLS); modifications to those natural open space set-aside requirements will not be re-visited here. This review/comment is limited to evaluating the potential for the requested modifications to impact the CLS and the natural resources on the County's adjacent Canoa Ranch property.

Modifications to Condition #6 will not impact the CLS or the natural resources of Canoa Ranch.

Modifications to Condition #16G would allow two- and three-story buildings greater than 30ft in height. The only potential concern is for buildings along the eastern boundary of the subject property where a proposed increase in stories and height might result in additional indirect effects on the resources of Canoa Ranch. Of those buildings, modifications are only proposed for Building #22 – it would become a two-story with a 36-foot maximum building height. As compared to the existing rezoning allowances, these proposed changes would result in de minimus impacts, if any, to nearby natural resources. Concerns for adverse impacts from lighting this project will be addressed by compliance with the Outdoor Lighting Code.

The Office of Sustainability and Conservation, Environmental Planning, has no objection to the requested modifications.

TRANSPORTATION REPORT

The Pima County Department of Transportation has no objection to the proposed modification of rezoning conditions.

FLOOD CONTROL REPORT

The Regional Flood Control District has reviewed the modification of rezoning conditions request and in general supports increased building height where it facilitates greater riparian area avoidance. The District has no objection.

WASTEWATER MANAGEMENT REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the applicant's request for modification of rezoning conditions.

The PCRWRD has no objection to the requested for modification of rezoning conditions. The existing wastewater conditions in rezoning Resolution 2013-33 adopted on May 7, 2013 by the Board of Supervisors do not require any revision.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

NRPR has no objection to the applicant's request.

PUBLIC COMMENT

To date, staff has not received any public comments pertaining to this request.

Respectfully Submitted,

David Petersen, AICP
Senior Planner

CP/DP

c: GV Commercial 28, LLC, 9237 E. Via de Ventura, Ste. 110, Scottsdale, AZ 85258-3329
Pioneer McDowell Life Care, LLLP, 9237 E. Via de Ventura, Ste. 110, Scottsdale, AZ 85258-3329
Frank Thomson & Associates, LLC, Attn: Frank Thomson, AICP, 3964 N. River Gate Place, Tucson, AZ 85750

Case #: Co9-01-01
Case Name: PIMA COUNTY - CANOA RANCH REZONING
Tax Code(s): 304-69-047E, 047G, 047H & 047J

0 1,400 2,800 5,600 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes: Modification of Rezoning Conditions (Substantial Change) Ref: CO7-00-18

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 03/30/16 (scheduled)

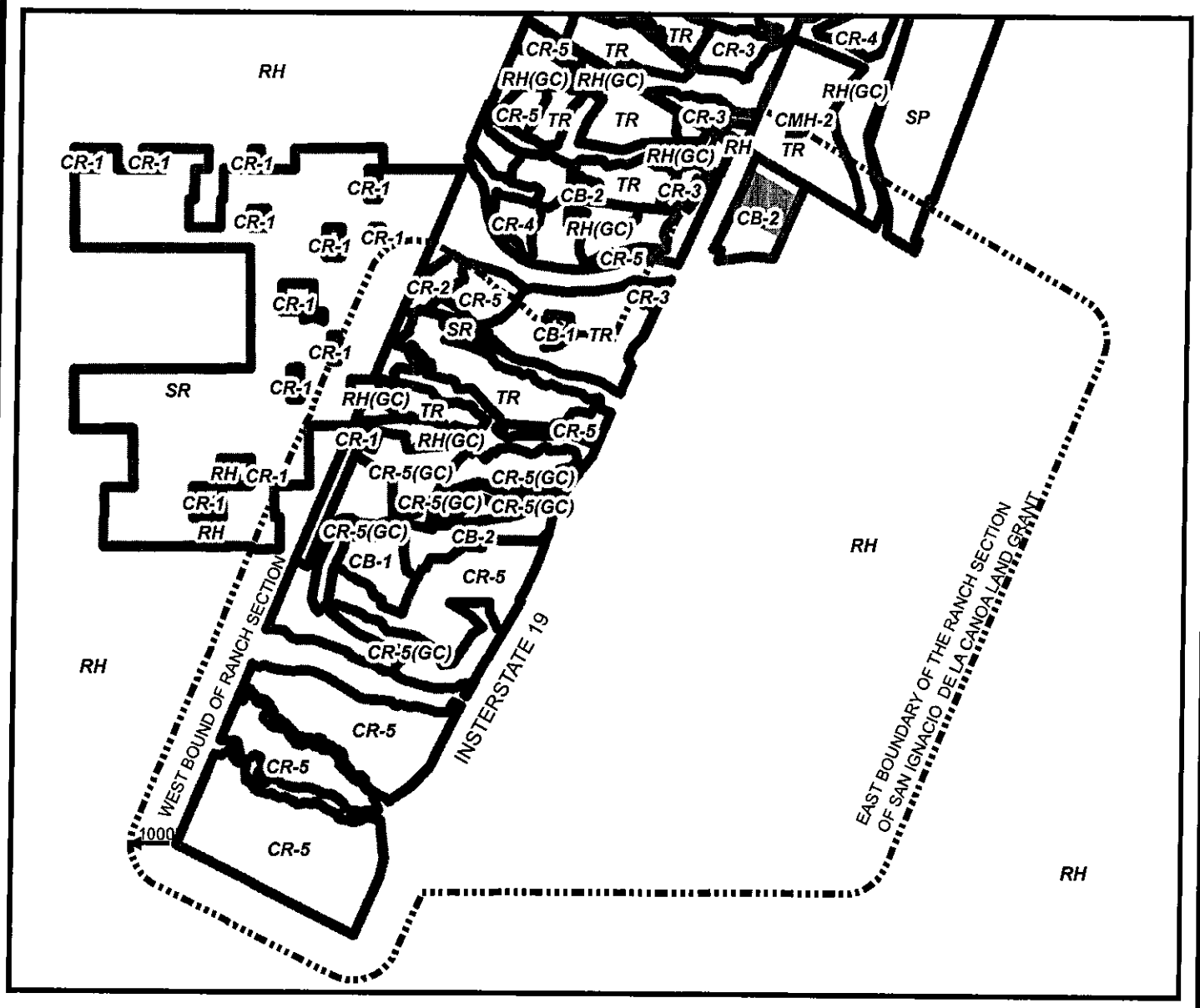
Base Map(s): 1141, 1280, 1281, EPC SHT #6 | Map Scale: 1:40,000 | Map Date: 03/07/2016

N W E S

I-19
Subject Property
Hospital
Historic Canoa Ranch
Santa Cruz River
N
2015

Case #: Co9-01-01
Case Name: PIMA COUNTY - CANOA RANCH REZONING
Tax Code(s): 304-69-047E, 047G, 047H & 047J

Zoning Boundary | 1000' Notification Buffer



0 1,400 2,800 5,600 Feet

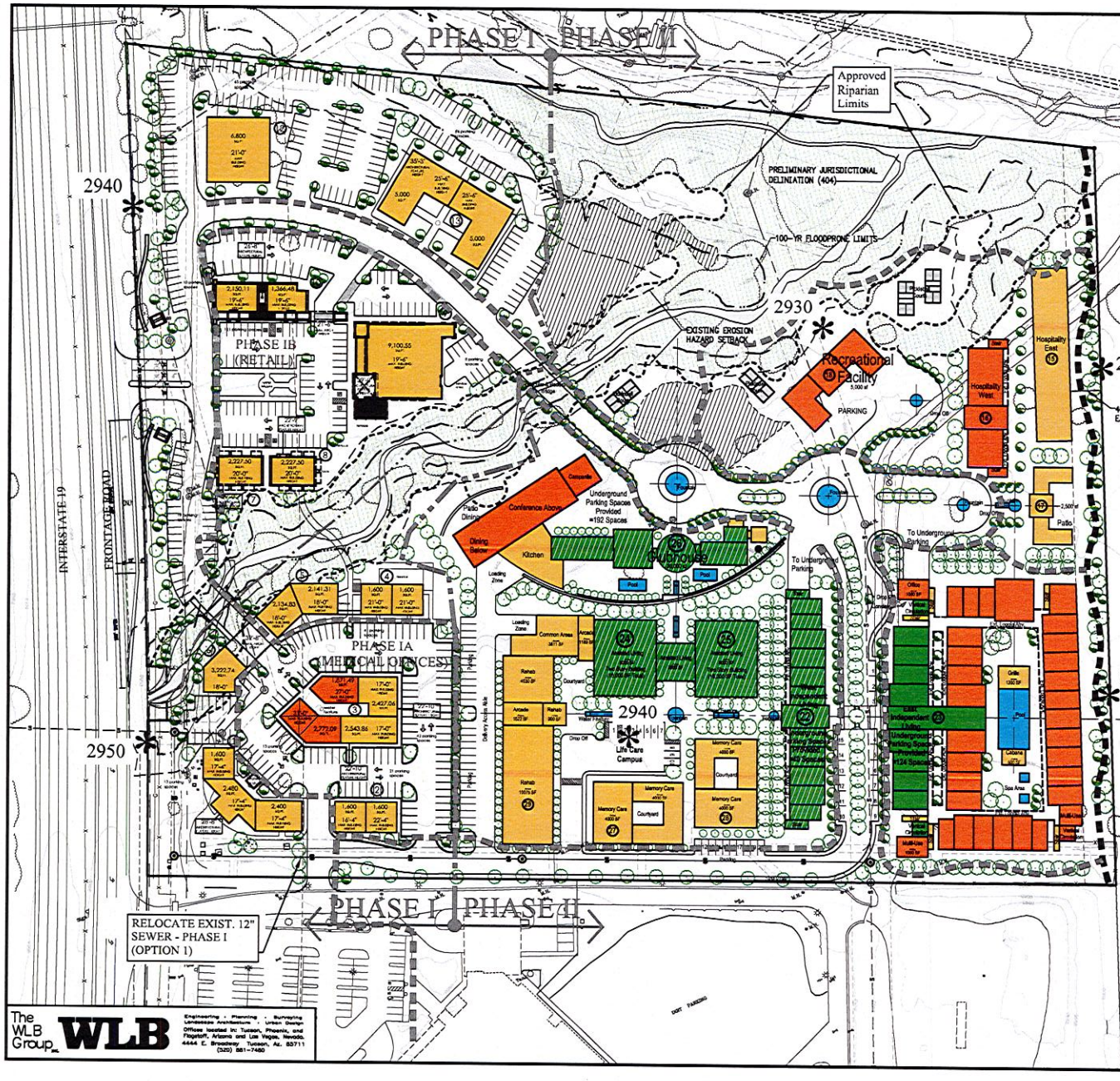
Subject Site

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes: Modification of Rezoning Conditions (Substantial Change) Ref: CO7-00-18		
PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
Planning & Zoning Hearing: 03/30/16 (scheduled)		
Base Map(s): 1141, 1280, 1281, EPC SHT #6	Map Scale: 1:40,000	Map Date: 03/15/2016

N W E S



BUILDING HEIGHTS LEGEND:

- 1 Story
- 2 Story
- 3 Story
- 3 Story-36' Equivalent
- 2925 Existing Ground Elevation

Phase I Building Summary

BUILDING	SUITE	AREA (SQ.FT.)	MAX. BUILDING HEIGHT	ARCHITECTURAL FEATURE HEIGHT
1	1	1,600	17'-4"	-
	2	2,480	17'-4"	28'-8"
	3	2,400	17'-4"	-
2	1	1,600	16'-4"	-
	2	1,600	22'-4"	-
3	1	1,871	27'-0"	-
	2	2,427	17'-0"	22'-10"
	3	2,544	17'-0"	22'-10"
	4	2,772	31'-0"	-
4	1	1,600	21'-0"	-
	2	1,600	21'-0"	-
5	1	2,141	18'-0"	-
	2	2,135	18'-0"	-
6	-	3,223	18'-0"	-
7	-	2,228	20'-0"	29'-00"
8	-	2,228	20'-0"	22'-09"
9	-	9,101	19'-6"	39'-00"
10	-	1,366	19'-6"	26'-8"
11	-	2,150	19'-6"	26'-8"
12	-	6,800	21'-0"	-
13	1	5,000	25'-6"	35'-3"
	2	5,000	25'-6"	-

Phase II Building Summary

BLDG. #	USE	AREA (S.F.)	STORY 1	STORY 2	STORY 3	MAX. BLDG. HT.	UNITS	ARCHITECTURAL FEATURE HEIGHT
15	Hospitality East	7,875	7,875			20'-0"	9	28'-0"
16	Hospitality West	14,625	6,750	7,875		30'-0"	12	39'-0"
17	Sunrise Room	2,500	2,500			24'-0"		32'-0"
18	Recreational Facility	5,000	2,500	2,500		24'-0"		32'-0"
22	Independent Living	40,000	20,000	20,000		36'-0"	23	39'-0"
23	Independent Living	80,000	32,500	32,500	15,000	36'-0"	85	39'-0"
24	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
25	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
26	Clubhouse	30,000	15,000	15,000		36'-0"		39'-0"
27	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
28	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
29	Skilled Nursing - Rehab	16,000	16,000			24'-0"	16 Beds	32'-0"

Kino Landing at Green Valley Hospital

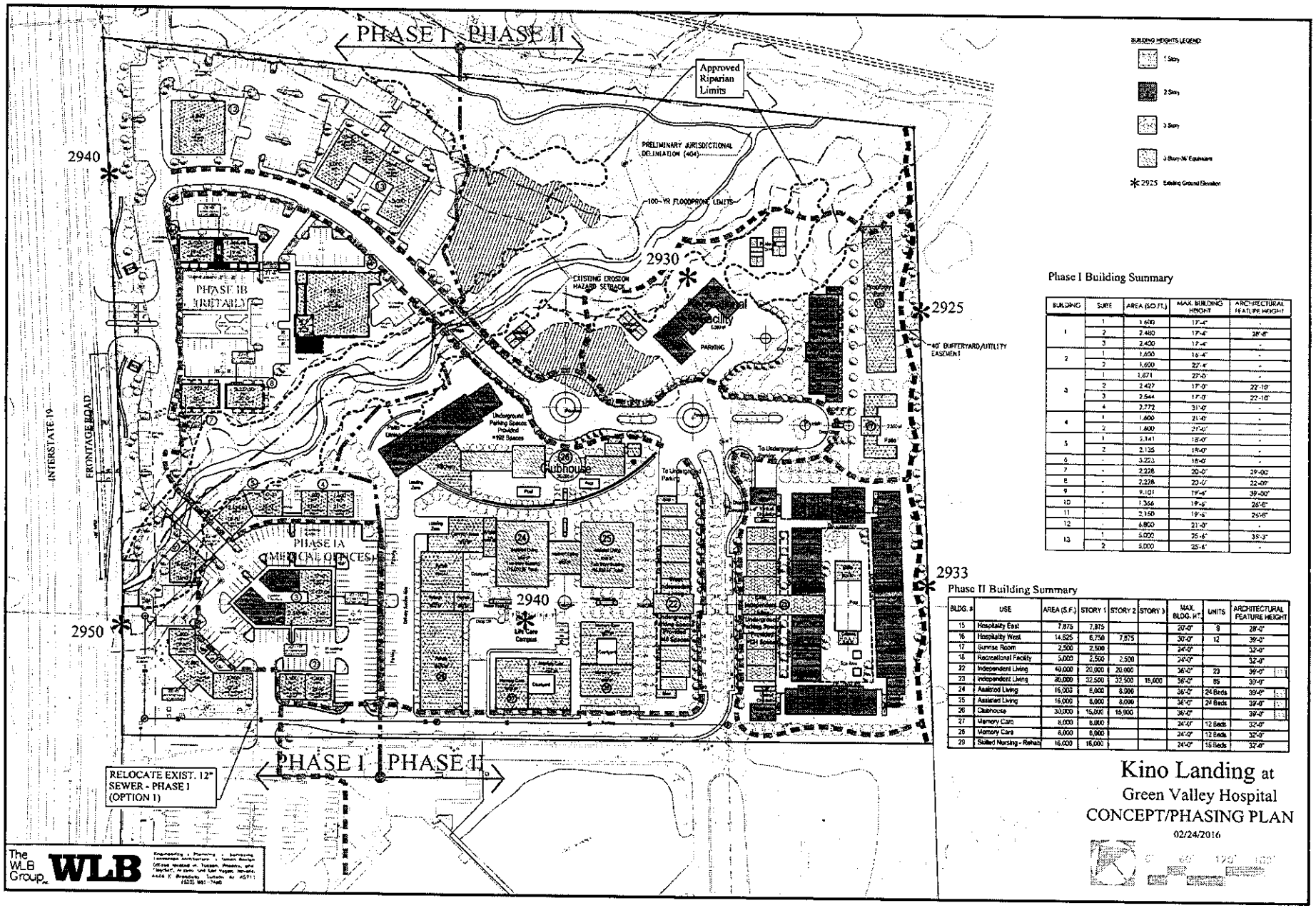
CONCEPT/PHASING PLAN

02/24/2016

0' 60' 120' 180'

The WLB Group, Inc. **WLB**

Engineering · Planning · Surveying
Landscape Architecture · Urban Design
Offices located in: Tucson, Phoenix, and Flagstaff, Arizona and Las Vegas, Nevada.
4444 E. Broadway Tucson, Az. 85711
(520) 881-7480



Phase I Building Summary

BUILDING	SUITE	AREA (SQ.FT.)	MAX. BUILDING HEIGHT	ARCHITECTURAL FEATURE HEIGHT
1	1	1,600	17'-4"	-
	2	2,460	17'-4"	28'-6"
	3	2,400	17'-4"	-
2	1	1,600	16'-4"	-
	2	1,600	22'-4"	-
3	1	1,871	27'-0"	-
	2	2,427	17'-0"	22'-10"
	3	2,544	17'-0"	22'-10"
	4	2,772	31'-0"	-
4	1	1,600	21'-0"	-
	2	1,600	21'-0"	-
5	1	2,141	18'-0"	-
	2	2,135	18'-0"	-
6	-	3,223	18'-0"	-
7	-	2,228	20'-0"	29'-00
8	-	2,228	20'-0"	22'-09"
9	-	9,101	19'-4"	39'-00"
10	-	1,366	19'-6"	26'-6"
11		2,150	19'-6"	25'-6"
12	-	6,800	21'-0"	-
13	1	5,000	25'-6"	35'-3"
	2	5,000	25'-6"	-

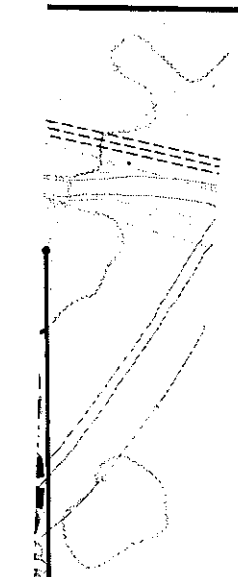
Phase II Building Summary

BLDG. #	USE	AREA (S.F.)	STORY 1	STORY 2	STORY 3	MAX. BLDG. HT.	UNITS	ARCHITECTURAL FEATURE HEIGHT
15	Hospitality East	7,875	7,875			20'-0"	9	28'-0"
16	Hospitality West	14,625	6,750	7,875		30'-0"	12	39'-0"
17	Sunrise Room	2,500	2,500			24'-0"		32'-0"
18	Recreational Facility	5,000	2,500	2,500		24'-0"		32'-0"
22	Independent Living	40,000	20,000	20,000		36'-0"	23	39'-0"
23	Independent Living	80,000	32,500	32,500	15,000	36'-0"	85	39'-0"
24	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
25	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
26	Clubhouse	30,000	15,000	15,000		36'-0"		39'-0"
27	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
28	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
29	Skilled Nursing - Rehab	16,000	16,000			24'-0"	16 Beds	32'-0"

Kino Landing at Green Valley Hospital

CONCEPT/PHASING PLAN

02/24/2016



BUILDING HEIGHTS LEGEND:

- 1 Story
- 2 Story
- 3 Story
- 3 Story-36' Equivalent
- ✱ 2925 Existing Ground Elevation

KEY

✱2925

40' BUFFERYARD/UTILITY EASEMENT

Phase I Building Summary

BUILDING	SUITE	AREA (SQ.FT.)	MAX. BUILDING HEIGHT	ARCHITECTURAL FEATURE HEIGHT
1	1	1,600	17'-4"	-
	2	2,480	17'-4"	28'-8"
	3	2,400	17'-4"	-
2	1	1,600	16'-4"	-
	2	1,600	22'-4"	-
3	1	1,871	27'-0"	-
	2	2,427	17'-0"	22'-10"
	3	2,544	17'-0"	22'-10"
	4	2,772	31'-0"	-
4	1	1,600	21'-0"	-
	2	1,600	21'-0"	-
5	1	2,141	18'-0"	-
	2	2,135	18'-0"	-
6	-	3,223	18'-0"	-
7	-	2,228	20'-0"	29'-00"
8	-	2,228	20'-0"	22'-09"
9	-	9,101	19'-6"	39'-00"
10	-	1,366	19'-6"	26'-8"
11	-	2,150	19'-6"	26'-8"
12	-	6,800	21'-0"	-
13	1	5,000	25'-6"	35'-3"
	2	5,000	25'-6"	-

✱2933

Phase II Building Summary

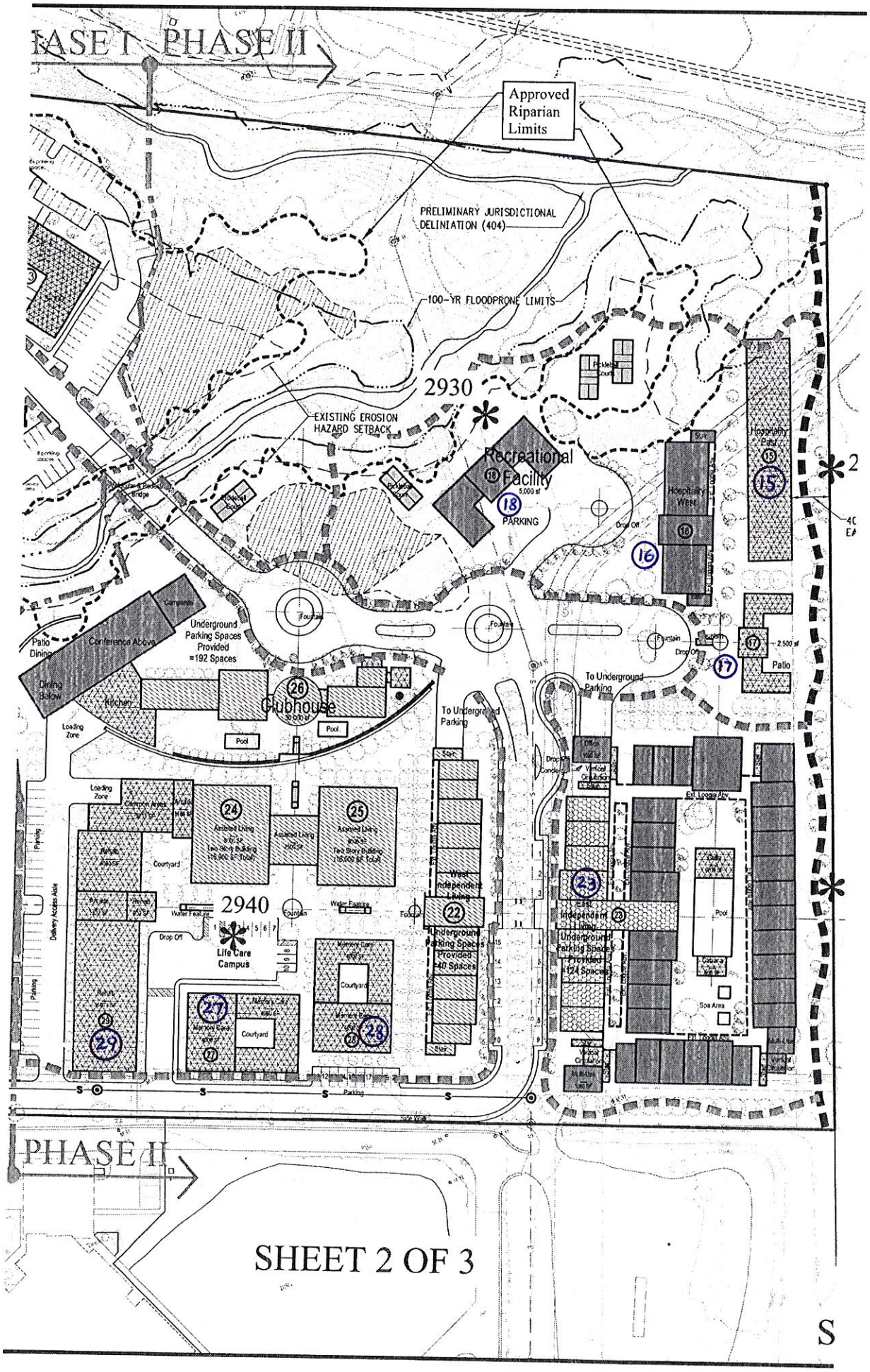
BLDG. #	USE	AREA (S.F.)	STORY 1	STORY 2	STORY 3	MAX. BLDG. HT.	UNITS	ARCHITECTURAL FEATURE HEIGHT
15	Hospitality East	7,875	7,875			20'-0"	9	28'-0"
16	Hospitality West	14,625	6,750	7,875		30'-0"	12	39'-0"
17	Sunrise Room	2,500	2,500			24'-0"		32'-0"
18	Recreational Facility	5,000	2,500	2,500		24'-0"		32'-0"
22	Independent Living	40,000	20,000	20,000		36'-0"	23	39'-0"
23	Independent Living	80,000	32,500	32,500	15,000	36'-0"	85	39'-0"
24	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
25	Assisted Living	16,000	8,000	8,000		36'-0"	24 Beds	39'-0"
26	Clubhouse	30,000	15,000	15,000		36'-0"		39'-0"
27	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
28	Memory Care	8,000	8,000			24'-0"	12 Beds	32'-0"
29	Skilled Nursing - Rehab	16,000	16,000			24'-0"	16 Beds	32'-0"

Kino Landing at Green Valley Hospital

CONCEPT/PHASING PLAN

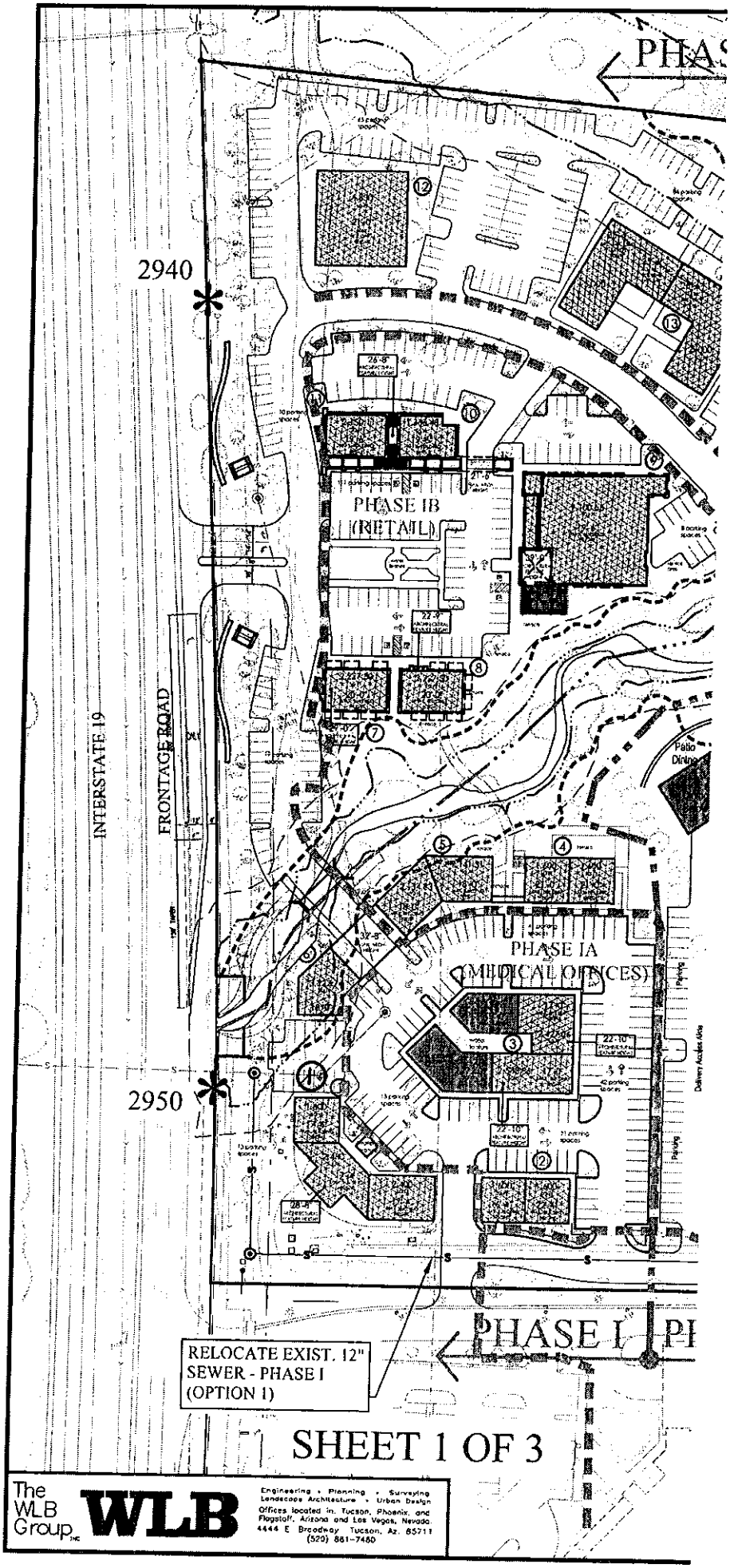
02/24/2016

SHEET 3 OF 3



PHASE I
PHASE II
Approved Riparian Limits
PRELIMINARY JURISDICTIONAL DELINIATION (404)
100-YR FLOODPRONE LIMITS
2930
EXISTING EROSION HAZARD SETBACK
Recreational Facility
PARKING
Hospitality West
Hospitality East
Underground Parking Spaces Provided =192 Spaces
Conference Above
Patio Dining
Dining Below
Kitchen
Clubhouse
Pool
Loading Zone
To Underground Parking
Patio
Courtyard
Assisted Living
Life Care Campus
2940
Drop Off
West Independent Living
Underground Parking Spaces Provided =40 Spaces
East Independent Living
Underground Parking Spaces Provided =124 Spaces
Spa Area
Parking
Delivery Access Aisle
PHASE II

SHEET 2 OF 3



SHEET 1 OF 3

The WLB Group INC

WLB

Engineering • Planning • Surveying
Landscape Architecture • Urban Design
Offices located in Tucson, Phoenix, and Flagstaff, Arizona and Las Vegas, Nevada.
4444 E Broadway Tucson, Az. 85711
(520) 881-7480

fta
FRANK THOMSON & ASSOCIATES, L.L.C.
LAND DEVELOPMENT SERVICES

RECEIVED
FEB 09 2016
BY:

February 8, 2016
Mr. Chris Poirier
Pima County Development Services
201 N. Stone
Tucson, Arizona 85701

RE: Zoning Condition Modifications
Canoa Ranch Block 36 North
Green Valley Hospital Expansion

Dear Mr. Poirier,

This is a revised request for modification to Canoa Ranch Zoning Requirements (Ordinance No. 2001-35) to allow for the expansion of Green Valley Hospital related services as well as related commercial uses in the Northern portion of Block 36. The specific request is to modify the conditions by adding language to allow construction of two stories and three stories and building heights greater than 30 feet on portions of the site.

This includes modification of Condition 16G relating to the restriction of 30 feet and one story. The request is to allow the maximum height permitted and the exceptions as per the zoning code for select buildings. The proposed building heights and the related architectural features are listed on the revised Concept/Phasing Plan. Architectural features would provide emphasis and interest to the buildings and are illustrated in the conceptual drawings provided. In no case would they exceed the requirements of the zoning code

Also requested is Board action to modify the requirement that all future lot splits be approved by the Board. The project only consists of commercial, office, and rental residential facilities where lot splits may be handled through the Development Plan process. The request is to modify the requirement to only pertain to residential and not to the commercial development proposed.

Fairfield Canoa Ranch is the Master Developer of the overall master plan at Canoa Ranch that includes Block 36. Fairfield has sold the property to McDowell Enterprises so they may expand the Hospital Site.

McDowell Enterprises LLC is the developer and operator of the recently completed Green Valley Hospital and future office buildings on the southern portion of Block 36. The Green Valley Hospital is designed to yield high quality patient care and streamlined patient flow with architectural and operational efficiencies.

3964 N. River Gate Place • Tucson, Arizona 85750 • (520) 750-0858 • Fax (520) 790-3558

Green Valley Hospital provides emergency inpatient and outpatient medical care. In addition to the Hospital are Medical Office Buildings, and expansion for future medical uses. Included with the Hospital is a heliport to facilitate emergency transportation of patients.

The proposed Hospital Expansion proposes an increase of capabilities to continue to serve the growing community. It includes Assisted Living Facilities, Rehab, Medical Offices, Independent Living, Health and Wellness and Retail.

The project is planned to be compatible with Southwestern styles. The development will be designed to be architecturally harmonious in form, line, color, material and texture with the existing Hospital and the Historic Canoa Ranch complex. Connections are planned to connect to the existing Hospital and the Anza Trail.

If any additional information concerning the project is needed please let me know.

Very Truly Yours,
Frank Thomson & Associates

Frank Thomson, AICP

RECEIVED
FEB 09 2016
BY:

Green Valley Hospital Expansion

February 8, 2016

Proposed Project

The proposed Hospital Expansion proposes an increase of capabilities to continue to serve the growing community. It includes Assisted Living Facilities, Rehab, Medical Office space and Retail services. The site is located on the East side of I-19, South of Continental Ranch Road and North of Canoa Ranch Road. The site is 29 acres.

The project site will be accessed from the East I-19 Frontage Road at two locations: The main ingress/egress point located at the center of the site and a second ingress/egress at the Northwest corner of the existing Hospital will be provided. The parking areas have been broken into smaller lots and circle the buildings as well as areas of underground parking.

Buildings

There are four subareas with approximately twenty nine (29) proposed buildings (See Chart for Details)

- Phase 1A (1 and 2 Stories)
    - Medical Office Buildings
- Phase 1B (1 Story)
    - Retail
        - Grocery Store
        - Restaurants
        - Retail Shops
        - Pharmacy
- Phase 2 (1, 2 and 3 Stories)
    - Lifecare Campus
        - Acute Rehab
        - Memory Care
        - Assisted Living
        - Skilled Nursing
    - Wellness Clubhouse & Residences
        - Wellness Health and Fitness Center
        - Independent Living Residences
        - Hospitality Services
    - Recreation
        - Recreation Amenities

- Nature Corridors and Trails
- Walking Pathway Circuit
- Rest Areas and Vista Points

View shed Impacts

The topography on the site drops approximately 20' from the frontage road to the east property line. The average drop in elevation from Phase one to Phase 2 development is approximately 5' to 10' feet.

The five view corridors are shown in the following exhibits. The View shed Calculation exhibit shows the percentage of view corridors from the Frontage Road.

The area west of the interstate is at a higher elevation. There is no impact to the mid distance and long distance views. The neighborhood to the north is separated from the site by an existing 100' utility easement/buffer. The northernmost portion of the site is one story. The highest proposed building's are located adjacent to the Existing Hospital in an area where the site topography is at its lowest elevations to reduce visual impact.

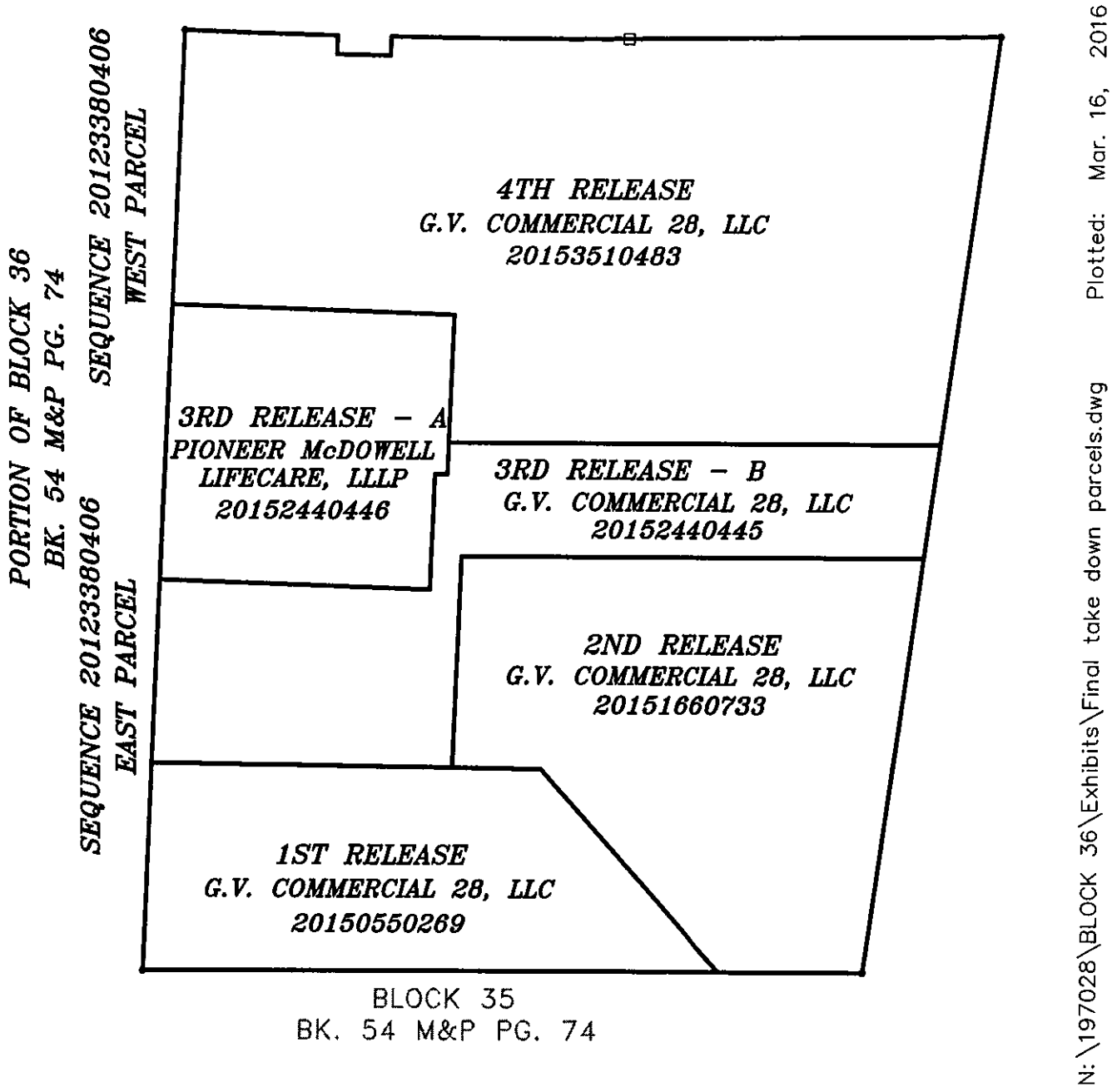


EXHIBIT TO SHOW FINAL TAKE DOWN PARCELS

WITHIN BLOCK 36

CANOA RANCH

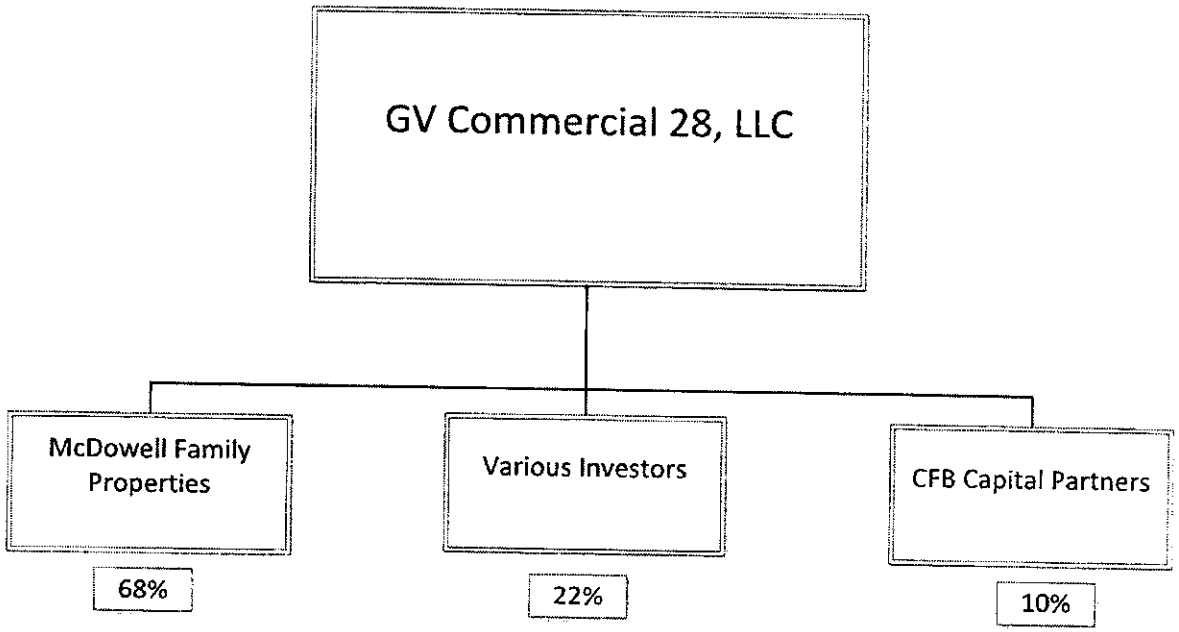
SAN IGNACIO DE LA CANOA LAND GRANT

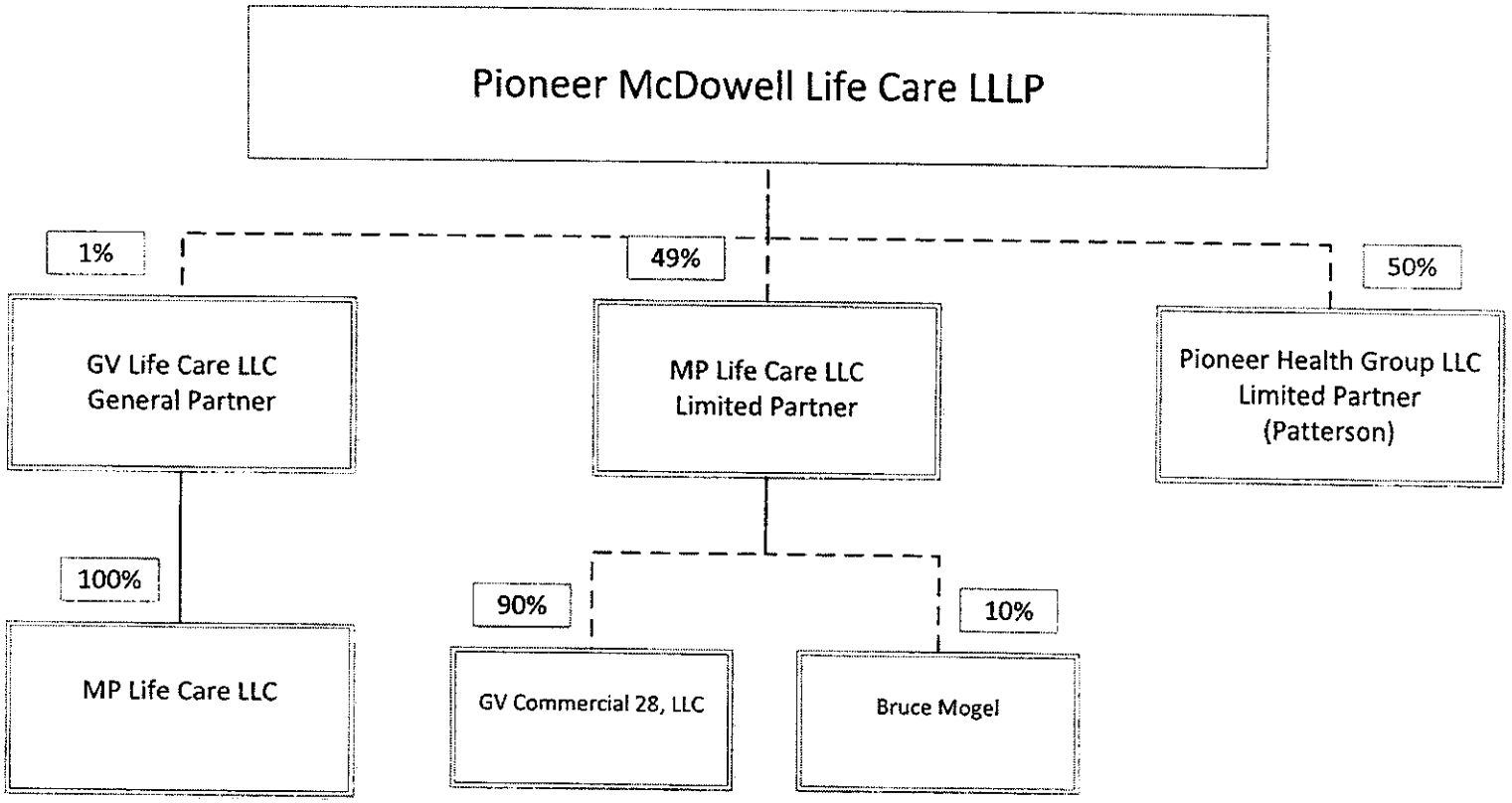
PIMA COUNTY, ARIZONA

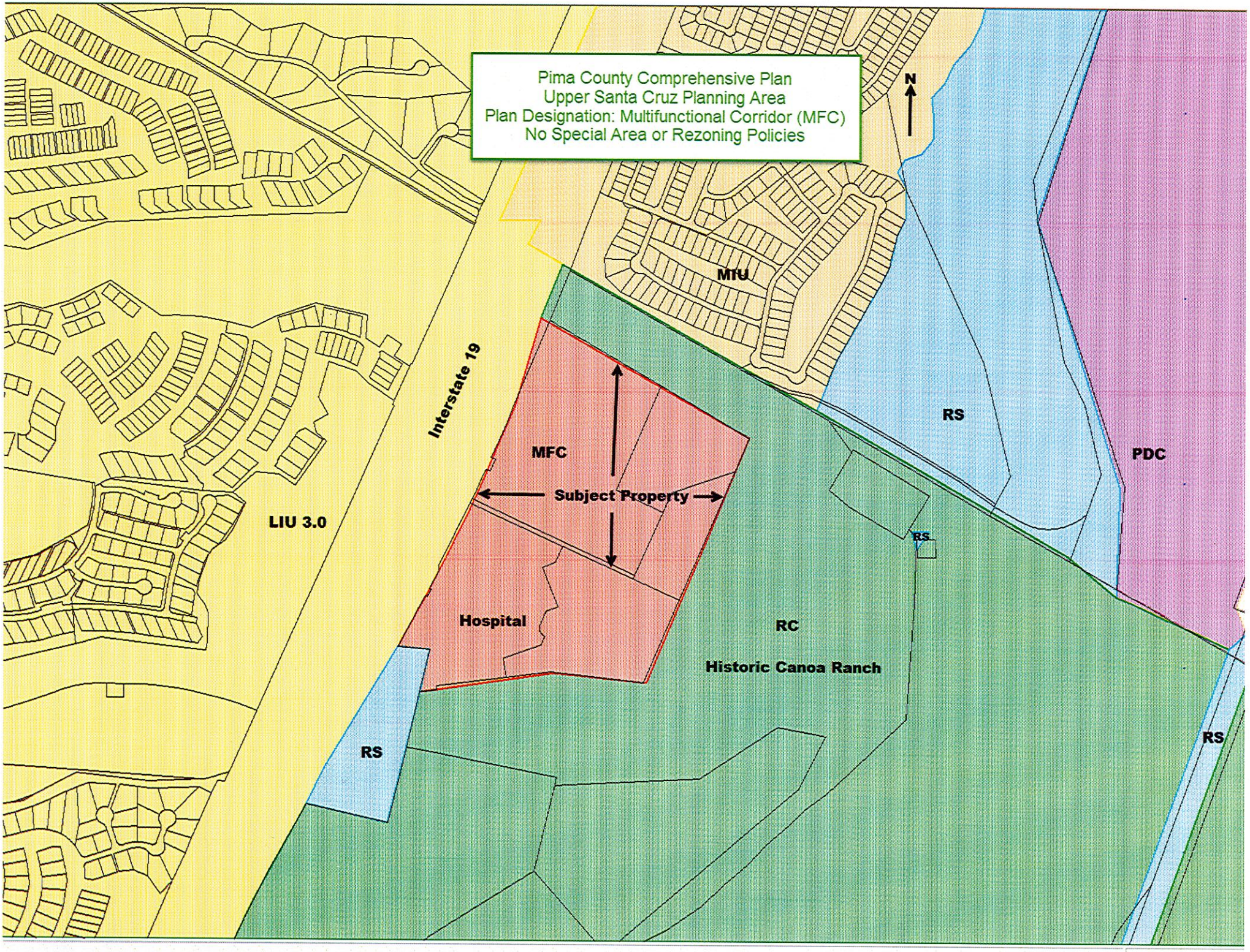
1"=200'

The WLB Group Inc WLB

WLB# project No. 197028-V001-1003X


GV Commercial 28, LLC
McDowell Family Properties
68%
Various Investors
22%
CFB Capital Partners
10%


Pioneer McDowell Life Care LLLP
1%
49%
50%
GV Life Care LLC
General Partner
MP Life Care LLC
Limited Partner
Pioneer Health Group LLC
Limited Partner
(Patterson)
100%
90%
10%
MP Life Care LLC
GV Commercial 28, LLC
Bruce Mogel

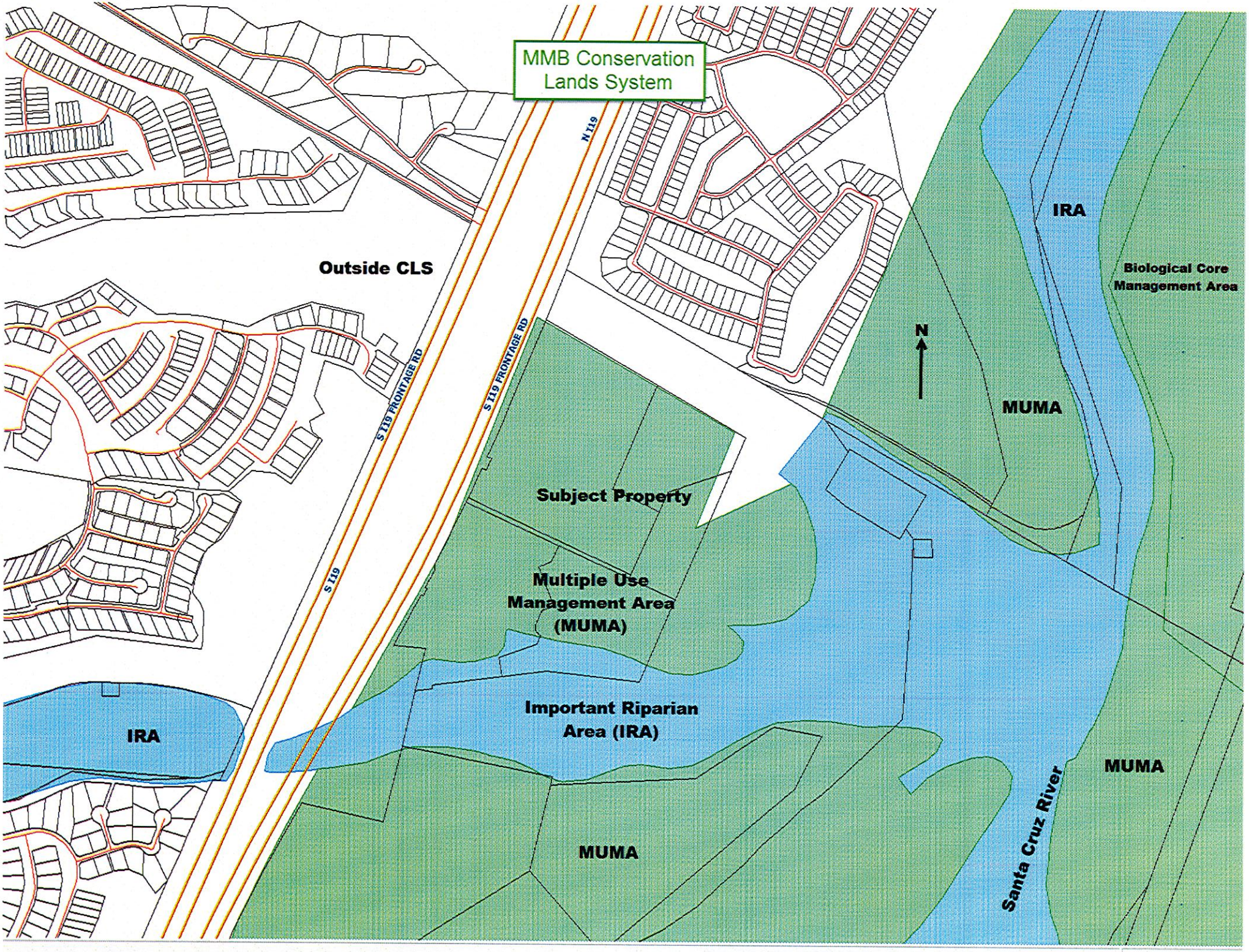

Pima County Comprehensive Plan
Upper Santa Cruz Planning Area
Plan Designation: Multifunctional Corridor (MFC)
No Special Area or Rezoning Policies
N
MIU
Interstate 19
MFC
Subject Property
LIU 3.0
RS
PDC
RS
Hospital
RC
Historic Canoa Ranch
RS
RS

Multifunctional Corridor (MFC)

a. Objective: To designate areas for the integrated development of complementary uses along major transportation corridors. The MFC designation serves a similar purpose as the CAC plan designation. These areas contain commercial and other non-residential use services, research and development and similar uses (as delineated in the CPI zoning district), and medium- to 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 in the zoning code and design manuals, such as standards for access management, building setbacks, open space, signs, parking, and landscaping.

b. Residential Gross Density: Residential gross density, if applicable, shall conform to the following:
1) Minimum – 6 RAC
2) Maximum – As allowed by the requested conforming zoning district.

c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
1) Minimum – 6 RAC
2) Maximum – 18 RAC.


MMB Conservation Lands System
Outside CLS
N I19
S I19 FRONTAGE RD
S I19 FRONTAGE RD
S I19
IRA
Biological Core Management Area
N
MUMA
Subject Property
Multiple Use Management Area (MUMA)
Important Riparian Area (IRA)
IRA
MUMA
MUMA
Santa Cruz River

F. ANN RODRIGUEZ, RECORDER
Recorded By: N
DEPUTY RECORDER
4913

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

SEQUENCE: 20131330482
NO. PAGES: 17
RES 05/13/2013
15:12
PICK UP
AMOUNT PAID: $0.00

RESOLUTION 2013-33

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING IN **CASE C09-01-01 PIMA COUNTY – CANOA RANCH REZONING**, LOCATED WITHIN THE SAN IGNACIO DE LA CANOA LAND GRANT ON BOTH SIDES OF INTERSTATE 19 AND GENERALLY SOUTH OF DEMETRIE WASH; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 OF **ORDINANCE NO. 2001-35**.

WHEREAS, on January 5, 2001, Pima County applied for a rezoning of approximately 1,261 acres from RH (Rural Homestead) to CR-5 (Multiple Residence), CB-1 (Local Business), CB-2 (General Business), and Restricted RH (Rural Homestead);

WHEREAS, on March 13, 2001, the Pima County Board of Supervisors approved the rezoning from RH (Rural Homestead) to CR-5 (Multiple Residence), CB-1 (Local Business), CB-2 (General Business), and Restricted RH (Rural Homestead) subject to standard and special conditions, and adopted Ordinance 2001-35, as recorded in Docket 11521 at Page 1110 rezoning the 1,261 acres described in rezoning case C09-01-01 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;

WHEREAS, on November 4, 2009 a request was submitted to modify rezoning conditions number 16.B and 16.G;

WHEREAS, on January 12, 2010 the Pima County Board of Supervisors approved a modification of rezoning conditions numbered 16.B and 16.G;

WHEREAS, Resolution No. 2010-224 was established by the Pima County Board of Supervisors September 14, 2010;

WHEREAS, on August 14, 2012 a request was submitted to modify rezoning conditions number 17.C, 17.D, and 17.F;

WHEREAS, on September 18, 2012 the Pima County Board of Supervisors approved a modification of rezoning conditions numbered 17.C, 17.D, and 17.F with the addition of condition 19;

WHEREAS, on October 29, 2012 a request was submitted to modify rezoning conditions number 16.G and 16.I;

WHEREAS, on December 18, 2012 the Pima County Board of Supervisors approved a modification of rezoning conditions numbered 16.G and 16.I, with the addition of condition 16.K; and

WHEREAS, Ordinance No. 2001-35 allows the Board of Supervisors to amend the rezoning conditions by resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Pima County Board of Supervisors hereby reaffirms and modifies the rezoning conditions represented in Section 2 of Ordinance No. 2001-35 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. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department of Transportation, Real Property Division.

6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.

7. Master Platting Requirements.
   A. This rezoning is subject to the approval and recordation of a master plat that may be submitted and reviewed in two phases. The phases are: the rezoning area west of Interstate 19; and the remainder of the rezoning areas east of Interstate 19. The master plats shall include all necessary improvements and dedications (including roads, sewer, drainage, trails and open space).

   B. Prior to submittal of any master plat, this rezoning is subject to the approval by the Planning Official, with the written concurrence of the directors of the Transportation and Flood Control District and Wastewater Management departments, of a master platting and improvements phasing schedule for the entire rezoning area.

   C. Prior to the approval of the first individual-lot subdivision plat, transportation and wastewater master studies for the entire block plat area requires approval by Pima County. If the scope of the project changes from the subsequent submittal of subdivision plats, Pima County may require another submittal of revised master studies for approval.

8. No building permits shall be issued until all applicable rezoning requirements are satisfied and the Planning Official issues a Certificate of Rezoning Compliance.

9. Transportation Requirements:
   A. A Traffic Impact Analysis shall be submitted and shall meet all requirements of Pima County Department of Transportation and Flood Control District (DOT/FCD) and Arizona Department of Transportation (ADOT). The owner/developer shall meet with DOT/FCD and Development Services staff to establish the scope and limits of the report prior to submittal. The analysis must include existing and projected ADT, proposed traffic circulation, capacity of existing facilities, future collector access from the Canoa interchange to the west boundary of the property, future collector access from Camino del Sol on the north to the south boundary of the property and consideration of the impacts of a future one way frontage road system. The

analysis shall also discuss the phasing and financial impact of the required improvements.

B. The owner/developer shall comply with any and all requirements imposed by the Department of Transportation during the review of all plats and development plans for all areas within the rezoning.

C. All arterial, collector and local streets shall be designed to provide sufficient capacity for the ultimate development of the rezoning and adjacent area as determined by the Traffic Impact Analysis. All roadway improvements shall be constructed to the ultimate design except where a phased construction plan has been approved by DOT/FCD.

D. The owner/developer shall work with DOT/FCD and ADOT to insure that all required infrastructure is funded and constructed prior to, or concurrent with, the demand for the infrastructure services.

E. A written certification from ADOT stating satisfactory compliance with all its requirements, including provisions for any necessary roadway improvements and approval of any proposed access points to and use of any I-19 right-of-way and/or roadway facilities shall be submitted to DOT/FCD prior to the approval of any affected subdivision plat or development plan.

10. Flood Control Requirements:

A. A master drainage study shall be prepared and submitted by the owner/developer for review and approval by DOT/FCD concurrent with the first submittal of the master plat for the entire property. At a minimum the scope of work shall include evaluation of FEMA requirements, detention/retention needs, financing, phasing, restoration and mitigation for drainage modification.

B. Road crossings over washes that are identified as natural open space in either the approved preliminary development plan or master drainage study shall be designed to cross the floodplain with only minor encroachment. Reduction in the floodplain width may be acceptable to achieve required on-site detention and to facilitate wildlife movement. The design of the roadway shall be subject to the approval of the DOT/FCD.

C. Washes with 100-year peak discharges of greater than 100 cfs shall be evaluated for preservation or enhancement. DOT/FCD has the right of final approval of wash treatments within subdivisions and development plans.

D. All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts caused by development of the rezoning

as determined by the master drainage study shall be constructed at no cost to Pima County.

E. Drainage shall not be altered, disturbed or obstructed without the written approval of the DOT/FCD.

11. Wastewater Management Requirements:
    A. The property owner must 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.

    B. The property owner must provide a revised Basin Study for the proposed rezoning for review by Wastewater Management prior to the determination of Wastewater needs.

    C. The property owner must augment the downstream sewerage system and/or construct a Wastewater Reclamation Facility.

    D. The property owner must provide an oversized flow-through public sewer at the locations designated by Wastewater Management for the upstream tributary areas to the south.

12. Additional Transportation, Flood Control and Wastewater Management conditions:
    A. All development within the rezoning shall connect to the public sewerage system prior to issuance of a Certificate of Occupancy.

    B. The Santa Cruz River, as well as Madera and Escondido washes, shall remain in their natural states. No encroachment nor flood control improvements in the 100-year floodplain shall be allowed except for those flood control improvements necessary to protect the historic Canoa Ranch complex and the historic Canoa Ranch irrigation ditch.

13. Cultural Resources Requirements:
    A. All incomplete cultural resources reports prepared as drafts for the Canoa Ranch project shall be finalized and submitted to the Arizona State Museum and Pima County within 180 days of rezoning by the Board of Supervisors. These reports include:

        1) Huber, Edgar K., 1996 Cultural Resource Management Plan for the Fairfield Canoa Ranch Property. Volume 2: Inventory, National Register Recommendations, and Treatment Plan for Prehistoric Archaeological Resources. Draft report (June 1996). Statistical Research, Tucson;

2) --, 1996 Data Recovery at Sites AZ DD:4:224 and AZ DD:4:47: Two Limited-Activity Agricultural Sites on the Canoa Ranch, Pima County, Arizona. Draft report (October 1996). Statistical Research, Tucson.

3) --, 1997 Data Recovery at Sites AZ DD:4:224 and AZ DD:4:47: Two Limited-Activity Agricultural Sites on the Canoa Ranch, Pima County, Arizona. Technical Report 97-1. Statistical Research, Tucson.

4) Huber, K. Edgar, and Charles R. Riggs, 1997 Archaeological Test Excavations at Two Classic Period Habitation Sites in the Proposed Agua Caliente Estates, Canoa Ranch Property, Pima County, Arizona. Draft report. Technical Report 97-15. Statistical Research, Tucson.

5) Riggs, Charles, R., 2000 Archaeological Investigations for the Canoa Ranch Trunk Sewer Line, Pima County, Arizona. Draft report (September 2000). Technical Report 00-45. Statistical Research, Tucson.

6) VanWest, Carla R., and Stephanie M. Whittlesey, 1996 Cultural Resource Management Plan for the Fairfield Canoa Ranch Property. Volume 1: Background and Research Design for Prehistoric Archaeological Resources. Draft report (May 1996). Statistical Research, Tucson.

B. An on-the-ground cultural resources survey and inventory shall be completed for archaeological and historical sites, and these sites shall be recorded with the Arizona State Museum. Where development is planned, further site assessment and documentation, and appropriate mitigation measures, including field studies, analyses, report preparation, and curation, shall be conducted on the subject property. All field studies must be completed prior to any ground modification activities.

C. A cultural resources mitigation plan that is consistent with the approved and finalized "Cultural Resources Management Plan for the Fairfield Canoa Ranch Property - Volumes 1 and 2" (VanWest, Whittlesey, and Huber 1996) for any identified archaeological or historical sites on the subject property in areas to be disturbed shall be submitted at the time of, or prior to, the submittal of any tentative plat or development plan. The mitigation plan requires review and approval by the Pima County Cultural Resources Office and the State Historic Preservation Office prior to implementation.

D. As part of the mitigation plan for each affected site, an "Agreement on the Treatment and Disposition of Human Burial Discoveries" pursuant to ARS 41-844 and ARS 41-865 shall developed and agreed to in consultation with the Arizona State Museum and cultural groups, including Native American

tribes and others. All mitigation efforts shall be completed prior to approval of any subdivision plat or development plan or the issuance of a grading permit.

E. The Anza Trail and Canoa Campsite shall not be impacted by development.

F. The 1887 Canoa Canal shall not be impacted by development and shall be preserved in place along its affected length.

G. To assure the safety and integrity of the historic buildings at Canoa Ranch, the owner/developer shall continue to undertake surveillance, maintenance, stabilization, and the upkeep necessary to prevent the deterioration of the historic structures until acquisition of the historic Canoa Ranch complex by a preservation entity.

14. Parks and Recreation Requirements:

A. Trail rights-of-way shall be dedicated by the developer to Pima County in accordance with the Eastern Pima County Trail System Master Plan, as follows:

1) Santa Cruz River Corridor (EPCTSMP Trail #8): Dedications shall include a 50-foot wide corridor to be located as recommended by the Pima County Cultural Resources Manager, to accommodate the historic location of the Juan Bautista de Anza National Historic Trail (and links to Anza Trail segments north and south of Canoa Ranch). Trails on the banks of the Santa Cruz River shall be broad-spectrum natural-surface shared-use trail corridors that will accommodate pedestrians, equestrians, and bicyclists;

2) Madera Canyon Wash Trail (EPCTSMP Trail #85): 25-foot wide trail dedications shall be provided in the bed of the Madera Wash and along one bank of the wash;

3) Escondido and Agua Caliente Washes: A minimum 15-foot trail right-of-way shall be dedicated in the bed of the Escondido Wash and a 15-foot trail right-of-way shall be dedicated along one bank of the wash. Pima County may also require a minimum 15-foot dedication in the Agua Caliente Wash;

4) Other trails may be reserved by the Director of the Parks and Recreation Department in accordance with the provisions of section 18.69.040.D.2 of the Pima County Zoning Code.

B. Trail rights-of-way shall be dedicated in fee and shall be for the exclusive purpose of public recreational trail use, except where the use of the corridor is required for the installation of underground utilities.

C. Where roadways or other developed features of the project cross or otherwise affect the project's recreational trails, the developer shall be responsible for providing culverts of sufficient size, appropriate road crossing and wash access structures, or other accommodations to ensure that the trails are accessible and usable.

D. All trails dedicated for the use of the public shall be non-motorized shared-use in nature (open to equestrians, pedestrians, and bicyclists) unless otherwise designated by the Pima County Parks and Recreation Department.

E. A minimum 150-foot wide natural open space buffer shall be provided along the western edge of the 50-foot wide corridor to be dedicated by the developer for the Juan Bautista de Anza National Historic Trail. A naturally vegetated buffer composed of native plantings shall be provided by the developer along the length of the Anza Trail at the western edge of the 150-foot buffer in order to screen the trail from adjacent development. The cost of establishing the buffer shall be the responsibility of the developer.

F. Roadway designs shall include shared-use trails as alternatives to sidewalks and provide links to the area's principal trail system. In addition, 15-foot wide trail rights-of-way shall be provided to link neighborhoods and the project's other developed features, including elements within the commercial zones to the project's principal trail system. Connector and internal/neighborhood trail systems shall be provided wherever possible.

G. Two trailhead sites shall be dedicated by the developer to Pima County within the rezoning area, including a 1.5-acre area at the southern end of the project adjacent to the Anza Trail, and a 1.5-acre site at the northern end of the project near the Demetrie/Esperanza Wash. The exact locations of these trailhead sites shall be determined by Pima County in cooperation with the developer.

H. The developer shall dedicate to Pima County a 3 to 5-acre park site that coincides with the known Anza Campsite and natural spring location (the exact location of this site shall be determined by the Pima County Cultural Resources Manager).

15. Adherence to the preliminary development plan as approved at public hearing (EXHIBIT B).

16. Development and Design Requirements:

A. The design criteria and guidelines contained in the booklet dated February 1, 2001, shall be used unless in conflict with County regulations.

B. This rezoning is restricted to a maximum of 2,499 dwelling units. This reflects the original approved 2,199 dwelling units, plus 300 dwelling units reallocated and derived from the conversion of non-residential resort living units previously included in the approved Lodge at Canoa Ranch development plan. No new non-residential resort living units are allowed. The 300 dwelling units are to be entirely located within Block 29 and partially within Block 8 as shown on the Canoa Ranch Block Plat, recorded in Book 54, Maps and Plats Page 74, at the Pima County Recorder's Office. The Block 8 portion is located west of Turquoise Canyon Drive, excluding parcels 304-69-492A and 304-69-492B. Residential development of commercial zoning is encouraged within Planning Area 5.

C. The CB-2 zoning is restricted to those uses allowed by sections 18.45.030.A, 030.B and 030.C. Truck stops, truck and trailer repair and outside storage uses, except for plant nurseries, are prohibited.

D. Areas zoned RH that are within the boundaries of this rezoning case are restricted to use as natural open space only, except for approved road or utility crossings.

E. Billboards are prohibited within the rezoning site.

F. No development shall be allowed within 1,000 feet of the historic Canoa Ranch complex.

G. Residential building height is restricted to 24 feet, excepting existing buildings 5, 8, and 12 as shown on the P1207-031, Lodge at Canoa Development Plan approved by the Pima County Subdivision and Development Review Committee on January 15, 2008, which are allowed to be 39 feet in height. The building height of development east of Interstate 19 is restricted to 30 feet and one story <u>except for the hospital and related medical buildings located on the southern portion of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74). Height will be measured as per Section 18.07.050.H (General Regulations and Exceptions) in accordance with Section 18.45.050 (CB-2 General Business Zone) of the Pima County Zoning Code and shall adhere to the depicted and described preliminary site plan as presented at public hearing, except that, the maximum height of the hospital architectural feature/cupola is 50 feet</u>.

H. No building east of Interstate 19 shall be larger than 100,000 square feet unless approved by the Board of Supervisors at an advertised public hearing.

I. Off-street parking east of Interstate 19 shall not be massed in aggregates of 400 parking spaces or more unless a 100-foot tree buffer, supplementing any other landscaping requirements, is provided adjacent to the Interstate 19 right-of-way. Design elements including staggered building orientations shall be utilized for both individual and multiple adjacent developments to break up the cumulative totals of parking. This condition is applicable to a single development and site to site developments.

J. An historical/architectural review committee, to be appointed by the Board of Supervisors, shall review site and architectural plans, including viewshed analyses, for all development east of Interstate 19. All development east of Interstate 19 shall be submitted to the historical/architectural review committee for review and approval to ensure that the development is designed to be architecturally harmonious in form, line, color, material and texture with the historic Canoa Ranch complex.

K. General adherence to the depicted and described preliminary site plan as presented at public hearing for the southern portion of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74). (EXHIBIT C & D)

17. Golf Course Development Requirements:

A. The golf course is limited to a maximum of nine holes of golf.

B. The planning and development of the golf course shall be in conformance with the requirements of Chapter 18.59. The development of a golf course requires the Board of Supervisors' ratification, at public hearing, that the proposed golf course meets the performance and design criteria of Chapter 18.59. Upon ratification by the Board, an approved golf course development plan prepared in accordance with Chapter 18.71 shall be required prior to the issuance of any permits within the designated golf course area.

C. Golf course irrigation shall be from a renewable water supply such as effluent, reclaimed water or Central Arizona Project water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, ground water use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset through Central Arizona Project water replenishment or recharge. Such replenishment shall be required to occur within the portion of the Tucson Active Management Area that is within Pima County. The requirement for renewable water purchase will be deferred until January 1, 2016.

D. Golf course irrigation shall be from a renewable supply such as effluent, reclaimed water, or Central Arizona Project (CAP) water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, groundwater use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset when practicable through CAP water replenishment or recharge (Pima County Code §18.59.030.A.1). The golf course irrigation system shall be designed and constructed in a manner to allow for future connection to effluent systems. The requirement for renewable water purchase will be deferred until January 1, 2016.

E. The golf course design shall be restricted to a "target" type course. The golf course development plan shall be submitted to the ADWR, Tucson Active Management Area, for review and approval prior to the issuance of permits. The plan shall be reviewed by ADWR for conformance with the ADWR standards for the irrigation of turf.

F. The water provider and golf course owner/developer shall develop and coordinate a plan, to the satisfaction of Pima County, to irrigate the golf course with a renewable water supply such as effluent, reclaimed water, Central Arizona Project (CAP) water, or shall arrange for CAP recharge to offset groundwater consumption by the turfed areas of the golf course and practice areas. The golf course development shall incorporate state-of-the-art water-harvesting techniques. The requirement for renewable water purchase will be deferred until January 1, 2016.

18. Outdoor lighting shall be in accordance with the Pima County Outdoor Lighting Code in effect on March 13, 2001, and with any amendments to the Outdoor Lighting Code that are as strict or stricter.

19. The Canoa Ranch Golf Course ground water consumption is limited to a maximum of 398 AF/yr (acre feet per year). Any amount of groundwater used in excess of this amount will need to be purchased as Central Arizona Project (CAP) recharge credits to the Pima Mine Road Replenishment Facility. This condition is not deferred as in conditions 17C, 17D, and 17F.

Section 3. Time limits, extensions and amendments of conditions.

1. Conditions 1 through 19 shall be completed by March 13, 2006.

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. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

* * *

RESOLVED by the Board of Supervisors of Pima County, Arizona, this 7th day of May, 2013.

Chairman, Board of Supervisors
MAY 07 2013

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM:

4/5/13

Deputy County Attorney

LESLEY LUKACH

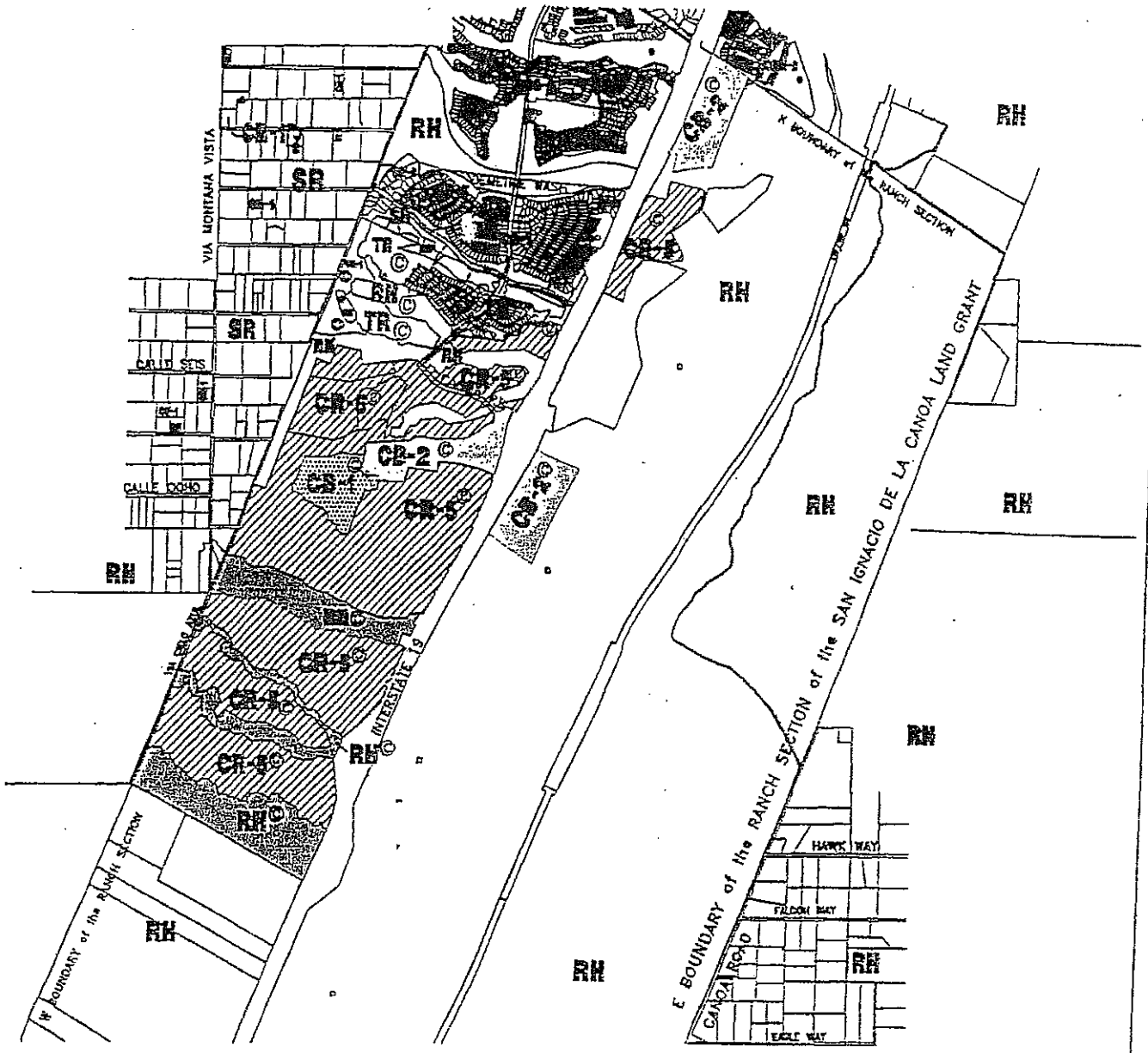
APPROVED:

Executive Secretary
Planning and Zoning Commission

AMENDMENT NO'S 13.1 2.2 BY ORDINANCE NO. 2001-35
TO PIMA COUNTY ZONING MAP NO'S 1141, 1280, 1281, 1426, EPC SHT #6
PORTIONS OF PARCELS 1Y, 4B, 3C, 3D, and 4 BEING PART OF
THE RANCH SECTION OF THE SAN IGNACIO DE LA CANOA LAND GRANT.

0 3500'

ADOPTED 3-13-01 EFFECTIVE 4-13-01



EXECUTIVE SECRETARY, PIMA COUNTY PLANNING AND ZONING COMMISSION

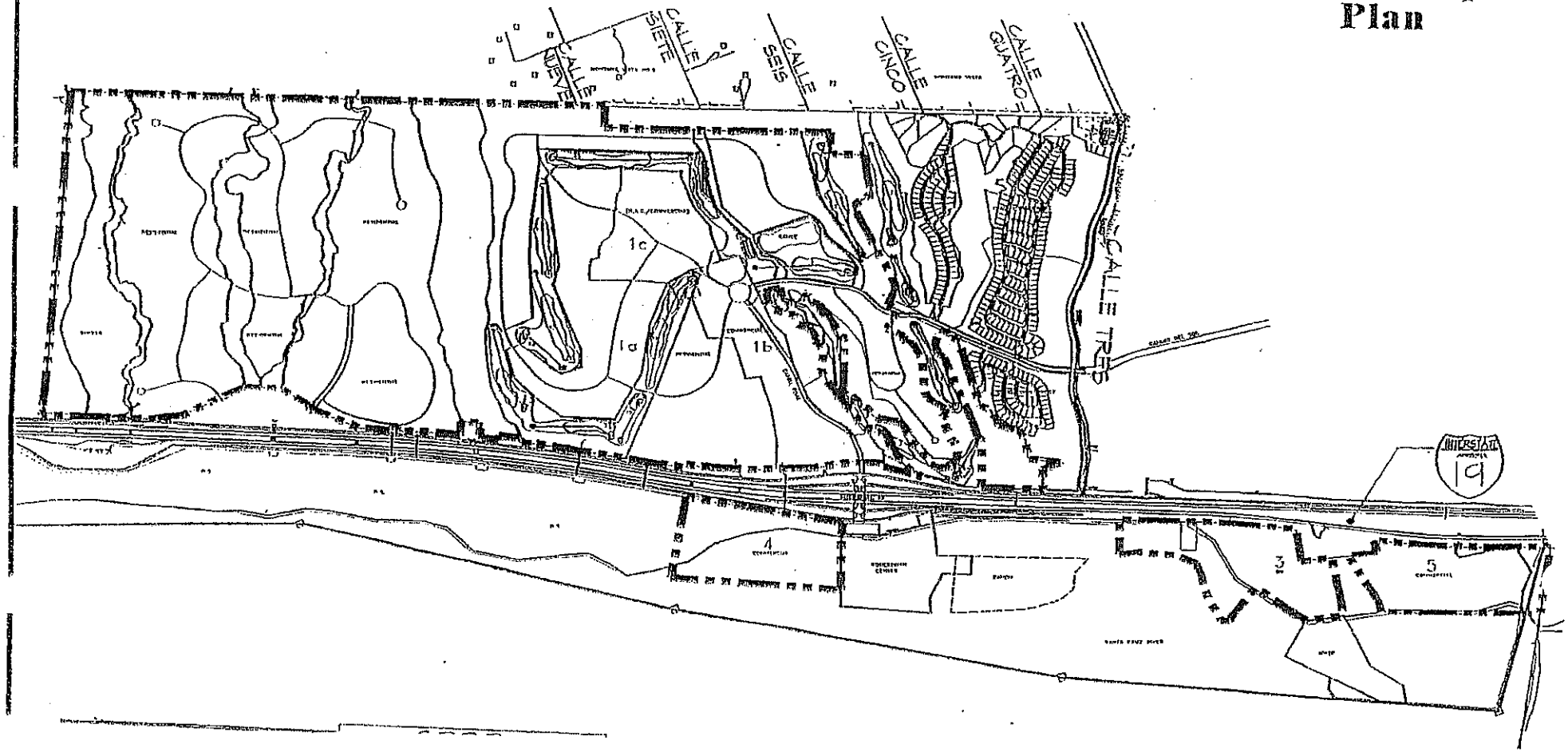
© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM RH 1,261 ac±
xa-MARCH 5, 2001

CD9-01-01
CD7-00-18
(PORTIONS OF)
304-28-001Y, 004B,
304-68-003C,
304-68-003D, 0040

EXHIBIT A

EXHIBIT II-B:

Preliminary Development Plan

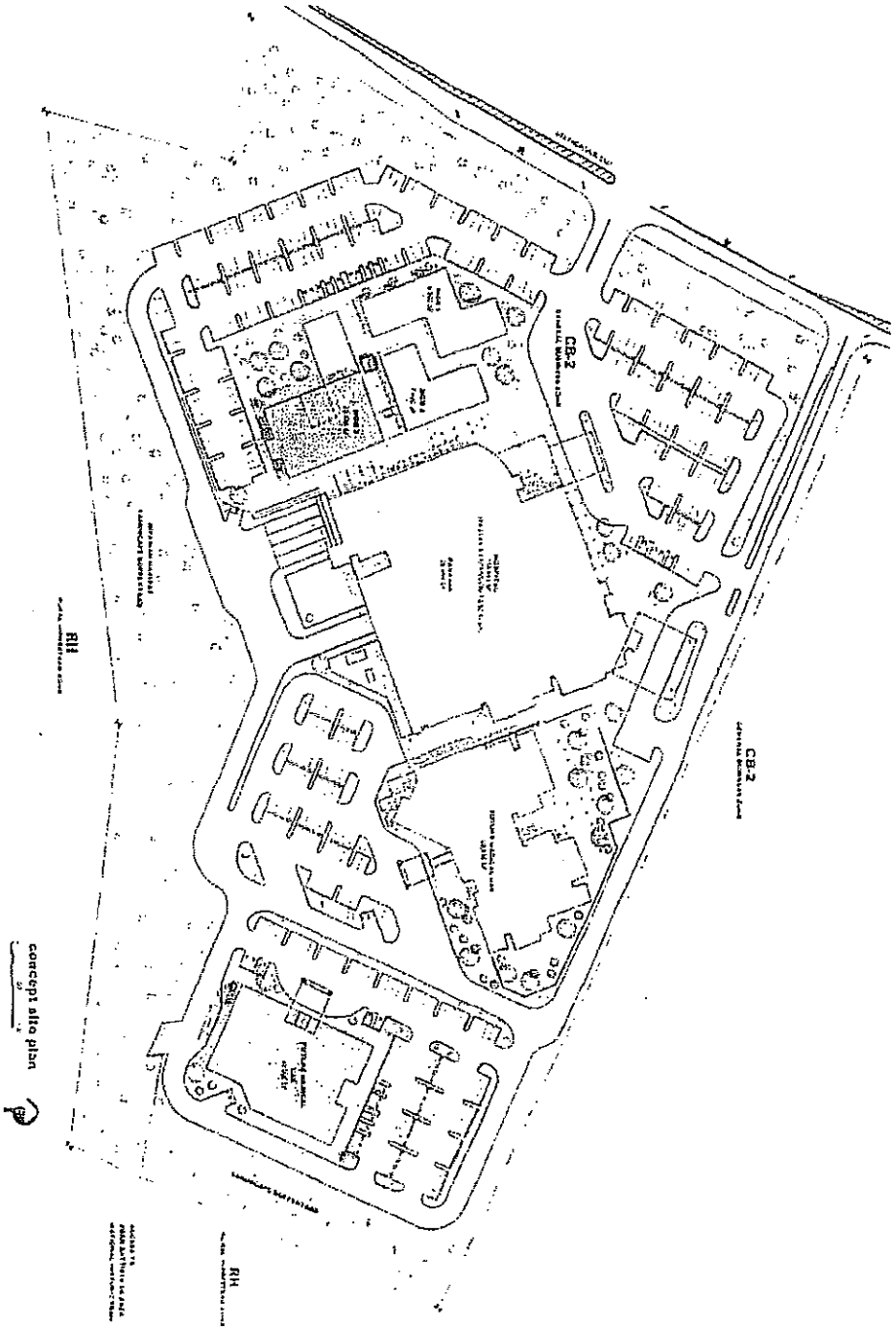


CANOA RANCH

C09-01-01
Approved Preliminary Development Plan (PDP)
BOS Public Hearing 3-13-01 D.P.

0 1000' 2000'

EXHIBIT B



cp1.0 | Concept site plan | GREEN VALLEY MEDICAL CENTER
Concept Design Package | 1208.00 | swaim

October 22, 2012

Proposed Project

The site is located on the East side of I-19, South of Continental Ranch Road and North of Canoa Ranch Road.

Site

The site is 21.86 acres. This project will develop approximately 12.50 acres.

a. Building Location: The Green Valley Medical Center is located 270 feet east of the Frontage Road, with the finished floor elevation approximately 8 feet below the frontage road elevation. This will minimize the size of the proposed building. Medical Office Buildings 1, 2, and 3 are low single story buildings.

b. Vehicular Circulation: The project site will be accessed from the East I-19 Frontage Road at two locations: The main ingress/egress point located at the center of the site and a second ingress/egress at the Northwest corner will be provided. An outside service road will provide access for emergency vehicles and access to parking and delivery. The parking areas have been broken into smaller lots and circle the buildings. There are 512 parking spaces; 55 of these are under the proposed hospital building. There are a total of 4 loading zones provided on the site.

Buildings

There are six (6) proposed buildings.

a. Green Valley Medical Center: Three levels, two above grade.

i.	Basement Level (exclusive of parking)		
	Building Support Services	23,032	SF
ii.	Main Level		
	Main Functions	78,378	SF
iii.	Upper Level		
	Additional Functions	37,143	SF
	Total	138,553	SF

Building height to parapet is approximately 34 feet, decorative roof screens extend to approximately 40 feet, and the central architectural element at the core extends to approximately 55 feet.

b. Future Medical Use: Three levels, two above grade.

i.	Basement Level (connection to Main Function)	5,272	SF
ii.	Main Level	32,411	SF
iii.	Upper Level	21,952	SF
	Total	59,635	SF

Building height to parapet is 32 feet and architectural elements extend to approximately 45 feet.

EXHIBIT D
(Sheet 1 of 2)

c. Medical Office Buildings (MOB 1, 2, 3): Mostly one level, partial second floor, possibly three buildings. Leasable space.

i.	Approximate First Floor Square Footage	30,000	SF
ii.	Approximate Second Floor Square Footage	10,630	SF
	Total	40,630	SF

Building height to parapet is 32 feet and architectural elements extend to approximately 40 feet.

d. Future Medical Use: Two levels.

i.	Main Level	20,000	SF
ii.	Upper Level	20,000	SF
	Total	40,000	SF

Building height to parapet is 32 feet and architectural elements extend to approximately 45 feet.

EXHIBIT D
(Sheet 2 of 2)

Modification of Rezoning Conditions Approval
Co9-01-01 S. Portion Block 36 BOS Minutes 12-18-12

15. **DEVELOPMENT SERVICES: MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITION**

Co9-01-01, PIMA COUNTY – CANOA RANCH REZONING
FRC Holdings, L.L.C., represented by Frank Thomson and Associates, L.L.C., requests the following:

- Board of Supervisors approval for four lot splits. Rezoning Condition No. 6 restricts further subdividing or lot splitting without written Board of Supervisors approval.
- A Modification (Substantial Change) of Rezoning Condition No. 16(G) that restricts the height of development east of Interstate 19 to 30 feet and one story.
- Board of Supervisors approval for any building larger than 100,000 square feet east of Interstate 19. Rezoning Condition No. 16(I) limits the size of a building to no more than 100,000 square feet.

The applicant proposes to split approximately 22 acres from the south half of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74) to build a hospital with a helistop and related medical use buildings. The subject property is zoned CB-2© (General Business Zone, Conditional) and is located east of Interstate 19, north of the Esperanza Wash, being a portion of the approximately 1,261 acres original rezoning site located within the San Ignacio de la Canoa Land Grant on both sides of Interstate 19 generally south of the Esperanza Wash. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Matter was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.
(District 4)

16. Development and Design Requirements:

* * *

G. Residential building height is restricted to 24 feet, excepting existing buildings 5, 8, and 12 as shown on the P1207-031, Lodge at Canoa Development Plan approved by the Pima County Subdivision and Development Review Committee on January 15, 2008, which are allowed to be 39 feet in height. The building height of development east of Interstate 19 is restricted to 30 feet and one story- except for the hospital and related medical buildings located on the southern portion of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74). Height will be measured as per Section 18.07.050.H (General Regulations and Exceptions) in accordance with Section 18.45.050 (CB-2 General Business Zone) of the Pima County Zoning Code and shall adhere to the depicted and described preliminary site plan as presented at public hearing.

* * *

I. Off-street parking east of Interstate 19 shall not be massed in aggregates of 400 parking spaces or more unless a 100-foot tree buffer, supplementing any other landscaping requirements, is provided adjacent to the Interstate 19 right-of-way. Design elements including staggered building orientations shall be utilized for both individual and multiple adjacent developments to break up the cumulative totals of parking. This condition is applicable to a single development and site to site developments.

* * *

K. General adherence to the depicted and described preliminary site plan as presented at public hearing for the southern portion of Block 36 of the Canoa Ranch Block Subdivision Plat Map (Book 54 and Page 74).

Arlan Colton, Planning Director, stated this was a request for modification of the rezoning conditions which constituted a substantial change on property within Canoa Ranch on the eastside of Interstate 19 for use as a hospital. Prior to the Planning and Zoning Commission Hearing, staff had received two written comments in support and twenty-seven comments in opposition of the project. He reported that the Commission had unanimously recommended approval of the modifications with a change to Condition G, to limit the height of the hospital architectural copula feature to no more than 50 feet. He confirmed that staff was supportive of the Commission's recommendation, noted there was a requirement that the property go to an architectural and historical review committee from the original Canoa Ranch rezoning, and stated that if approved, staff and the applicant would meet to discuss the schedule for that committee.

The following speakers addressed the Board:

- Stan Riddle, President of the Green Valley Coordinating Council
- Susan Anderson
- C.L. Ross
- Michelle Metcalf
- Judi Monday
- Kris Dyrud
- Sandie Stone, President of the Springs Homeowner's Association
- Steve Gilbert

They provided the following comments:

- Support was expressed for the approval of the hospital.
- Green Valley and the surrounding neighborhood communities were medically underserved and the area desperately needed a hospital since the closest one was approximately 40 miles away.
- A hospital would be beneficial to the community and would enable treatment during the "golden hour."
- The Springs Neighborhood Homeowners Association had not objected to the hospital but wanted to ensure the hospital would not have a negative impact on the community and neighbors.
- The building height, potential traffic problems like traffic noise and congestion, and damage to the dark sky ordinance due to the helicopter landing were concerns.
- Green Valley Coordinating Council was committed to working with all parties in an effort to successfully resolve issues.
- In an effort to minimize traffic problems, a request was made to finish the bicycle lanes on the frontage road.
- The developer was asked to maximize the amount of open space.
- The Board was asked to add a stipulation that the developer continue to work with the neighbors and community to keep them informed of the process.

Frank Thomson, representing FRC Holdings, Inc., stated they fully intended to continue to work with the Green Valley Coordinating Council's Architectural Planning and Zoning Committee, the Springs Neighborhood Homeowners Association and any additional committee specific to this site that the Board approved throughout the process.

Supervisor Carroll stated that a resolution would be drafted that would assist the community in support of the bike lanes in Green Valley.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-01-01, modification (substantial change) of rezoning conditions, subject to standard and special conditions as recommended by the Planning and Zoning Commission and the Green Valley Coordinating Council.

10. DEVELOPMENT SERVICES: MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITION

Co9-91-23, DEVOY - SHANNON ROAD REZONING

Colt J. Barrins, represented by Design Build Forum, L.L.C., requests a modification of the rezoning condition which restricts the use of the property to single family residential and periodic maintenance of miscellaneous mobile equipment to allow single family residential and a window installation company or equivalent, less intense commercial CB-2 (General Business Zone) uses. The CB-2 zoned subject site is approximately 68 acres, and is located on the east side of Shannon Road approximately one-quarter of a mile north of Ruthrauff Road. On motion, the Planning and Zoning Commission voted 7-0 (Commissioners Matter, Membrila and Spendiarian were absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 3)

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 without written approval of the Board of Supervisors.
6. Prior to the preparation of the development related covenants and any required dedication, a title report evidencing ownership of the property shall be submitted to the Department of Transportation, Property Management Division.
7. Wastewater Management Conditions:
   a. If conditions change between now and the time a development plan or tentative plat is submitted, the property owner may be required to augment the existing public sewerage system in order to provide adequate conveyance capacity of this zoning.

~~8. Transportation and Flood Control Conditions:~~

~~a. The property shall be restricted to uses of single family residential and periodic maintenance of miscellaneous mobile equipment.~~

~~9~~8. Landscaping to consist of low water use and low pollen producing vegetation~~;~~.

Original Rezoning Approval Co9-01-01
BOS Minutes 3-13-01

REGULAR AGENDA

C. **DEVELOPMENT SERVICES: REZONING**

Co9-01-01, PIMA COUNTY - CANOA RANCH REZONING
Proposal for a rezoning of about 1,270 acres from RH to CR-5; CR-5(GC); CB-1; CB-2; CB-2(GC); TH; and restricted RH, owned by Lawyers Title Trust No. 7789-T, located within the San Ignacio de la Canoa Land Grant on both sides of Interstate 19 and generally south of Demetrie Wash. The request lies within and conforms to the Pima County Comprehensive Plan (Co7-89-2). On motion, the Planning and Zoning Commission voted 6 - 4, (Commissioners Gungle, Membrila, Staples and Storm voted **NAY**) to recommend **APPROVAL WITH CONDITIONS, AS AMENDED.** Staff recommends **APPROVAL WITH CONDITIONS,** and standard and special requirements. (Districts 3 and 4)

If approved, pass and adopt:

ORDINANCE 2001 - 35

"IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL REQUIREMENTS SHOULD BE CONSIDERED:
Completion of the following requirements within five years from the date of rezoning approval 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. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department of Transportation, Real Property Division.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Master Platting Requirements.
   A. This rezoning is subject to the approval and recordation of a master plat that may be submitted and reviewed in two phases. The phases are: the rezoning area west of Interstate 19; and the remainder of the rezoning areas east of Interstate 19. The master plats shall include all necessary improvements and dedications (including roads, sewer, drainage, trails and open space).
   B. Prior to submittal of any master plat, this rezoning is subject to the approval by the Planning Official, with the written concurrence of the directors of the Transportation and Flood Control District and Wastewater Management departments, of a master platting and improvements phasing schedule for the entire rezoning

area. The schedule shall reference the master studies necessary for preparation of the master plats and shall identify the necessary improvements and dedications (including roads, sewer, drainage, trails and open space).

8. No building permits shall be issued until all applicable rezoning requirements are satisfied and the Planning Official issues a Certificate of Rezoning Compliance.

9. Transportation Requirements:

   A. A Traffic Impact Analysis shall be submitted prior to or concurrent with the submittal of the master plat and shall meet all requirements of Pima County Department of Transportation and Flood Control District (DOT/FCD) and Arizona Department of Transportation (ADOT). The owner/developer shall meet with DOT/FCD and Development Services staff to establish the scope and limits of the report prior to submittal. The analysis must include existing and projected ADT, proposed traffic circulation, capacity of existing facilities, future collector access from the Canoa interchange to the west boundary of the property, future collector access from Camino del Sol on the north to the south boundary of the property and consideration of the impacts of a future one way frontage road system. The analysis shall also discuss the phasing and financial impact of the required improvements.

   B. The owner/developer shall comply with any and all requirements imposed by the Department of Transportation during the review of all plats and development plans for all areas within the rezoning.

   C. All arterial, collector and local streets shall be designed to provide sufficient capacity for the ultimate development of the rezoning and adjacent area as determined by the Traffic Impact Analysis. All roadway improvements shall be constructed to the ultimate design except where a phased construction plan has been approved by DOT/FCD.

   D. The owner/developer shall work with DOT/FCD and ADOT to insure that all required infrastructure is funded and constructed prior to, or concurrent with, the demand for the infrastructure services.

   E. A written certification from ADOT stating satisfactory compliance with all its requirements, including provisions for any necessary roadway improvements and approval of any proposed access points to and use of any I-19 right-of-way and/or roadway facilities shall be submitted to DOT/FCD prior to the approval of any affected subdivision plat or development plan.

10. Flood Control Requirements:

   A. A master drainage study shall be prepared and submitted by the owner/developer for review and approval by DOT/FCD concurrent with the first submittal of the master plat for the entire property. At a minimum the scope of work shall include evaluation of FEMA requirements, detention/retention needs, financing, phasing, restoration and mitigation for drainage modification.

   B. Road crossings over washes that are identified as natural open space in either the approved preliminary development plan or master drainage study shall be designed to cross the floodplain with only minor

encroachment. Reduction in the floodplain width may be acceptable to achieve required on-site detention and to facilitate wildlife movement. The design of the roadway shall be subject to the approval of the DOT/FCD.

C. Washes with 100-year peak discharges of greater than 100 cfs shall be evaluated for preservation or enhancement. DOT/FCD has the right of final approval of wash treatments within subdivisions and development plans.

D. All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts caused by development of the rezoning as determined by the master drainage study shall be constructed at no cost to Pima County.

E. Drainage shall not be altered, disturbed or obstructed without the written approval of the DOT/FCD.

11. Wastewater Management Requirements:

A. The property owner must 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.

B. The property owner must provide a revised Basin Study for the proposed rezoning for review by Wastewater prior to the determination of Wastewater needs.

C. The property owner must augment the downstream sewerage system and/or construct a Wastewater Reclamation Facility.

D. The property owner must provide an oversized flow-through public sewer at the locations designated by Wastewater Management for the upstream tributary areas to the south.

12. Additional Transportation, Flood Control and Wastewater Management conditions:

A. All development within the rezoning shall connect to the public sewerage system prior to issuance of a Certificate of Occupancy.

B. The Santa Cruz River, as well as Madera and Escondido washes, shall remain in their natural states. No encroachment nor flood control improvements in the 100-year floodplain shall be allowed except for those flood control improvements necessary to protect the historic Canoa Ranch complex and the historic Canoa Ranch irrigation ditch.

13. Cultural Resources Requirements:

A. All incomplete cultural resources reports prepared as drafts for the Canoa Ranch project shall be finalized and submitted to the Arizona State Museum and Pima County within 180 days of rezoning by the Board of Supervisors. These reports include:

1) Huber, Edgar K., 1996 Cultural Resource Management Plan for the Fairfield Canoa Ranch Property. Volume 2: Inventory, National Register Recommendations, and Treatment Plan for Prehistoric Archaeological Resources. Draft report (June 1996). Statistical Research, Tucson;

2) --, 1996 Data Recovery at Sites AZ DD:4:224 and AZ DD:4:47: Two Limited-Activity Agricultural Sites on the Canoa Ranch, Pima County, Arizona. Draft report (October 1996). Statistical Research, Tucson.

3) --, 1997 Data Recovery at Sites AZ DD:4:224 and AZ DD:4:47: Two Limited-Activity Agricultural Sites on the Canoa Ranch, Pima County, Arizona. Technical Report 97-1. Statistical Research, Tucson.

4) Huber, K. Edgar, and Charles R. Riggs, 1997 Archaeological Test Excavations at Two Classic Period Habitation Sites in the Proposed Agua Caliente Estates, Canoa Ranch Property, Pima County, Arizona. Draft report. Technical Report 97-15. Statistical Research, Tucson.

5) Riggs, Charles, R., 2000 Archaeological Investigations for the Canoa Ranch Trunk Sewer Line, Pima County, Arizona. Draft report (September 2000). Technical Report 00-45. Statistical Research, Tucson.

6) VanWest, Carla R., and Stephanie M. Whittlesey, 1996 Cultural Resource Management Plan for the Fairfield Canoa Ranch Property. Volume 1: Background and Research Design for Prehistoric Archaeological Resources. Draft report (May 1996). Statistical Research, Tucson.

B. An on-the-ground cultural resources survey and inventory shall be completed for archaeological and historical sites, and these sites shall be recorded with the Arizona State Museum. Where development is planned, further site assessment and documentation, and appropriate mitigation measures, including field studies, analyses, report preparation, and curation, shall be conducted on the subject property. All field studies must be completed prior to any ground modification activities.

C. A cultural resources mitigation plan that is consistent with the approved and finalized "Cultural Resources Management Plan for the Fairfield Canoa Ranch Property - Volumes 1 and 2" (VanWest, Whittlesey, and Huber 1996) for any identified archaeological or historical sites on the subject property in areas to be disturbed shall be submitted at the time of, or prior to, the submittal of any tentative plat or development plan. The mitigation plan requires review and approval by the Pima County Cultural Resources Office and the State Historic Preservation Office prior to implementation.

D. As part of the mitigation plan for each affected site, an "Agreement on the Treatment and Disposition of Human Burial Discoveries" pursuant to ARS 41-844 and ARS 41-865 shall developed and agreed to in consultation with the Arizona State Museum and cultural groups, including Native American tribes and others. All mitigation efforts shall be completed prior to approval of any subdivision plat or development plan or the issuance of a grading permit.

E. The Anza Trail and Canoa Campsite shall not be impacted by development.

F. The 1887 Canoa Canal shall not be impacted by development and shall be preserved in place along its affected length.

G. To assure the safety and integrity of the historic buildings at Canoa Ranch, the owner/developer shall continue to undertake surveillance, maintenance, stabilization, and the upkeep necessary to prevent the

deterioration of the historic structures until acquisition of the historic Canoa Ranch complex by a preservation entity.

14. Parks and Recreation Requirements:

A. Trail rights-of-way shall be dedicated by the developer to Pima County in accordance with the Eastern Pima County Trail System Master Plan, as follows:

1) Santa Cruz River Corridor (EPCTSMP Trail #8): Dedications shall include a 50-foot wide corridor to be located as recommended by the Pima County Cultural Resources Manager, to accommodate the historic location of the Juan Bautista de Anza National Historic Trail (and links to Anza Trail segments north and south of Canoa Ranch). Trails on the banks of the Santa Cruz River shall be broad-spectrum natural-surface shared-use trail corridors that will accommodate pedestrians, equestrians, and bicyclists;

2) Madera Canyon Wash Trail (EPCTSMP Trail #85): 25-foot wide trail dedications shall be provided in the bed of the Madera Wash and along one bank of the wash;

3) Escondido and Agua Caliente Washes: A minimum 15-foot trail right-of-way shall be dedicated in the bed of the Escondido Wash and a 15-foot trail right-of-way shall be dedicated along one bank of the wash. Pima County may also require a minimum 15-foot dedication in the Agua Caliente Wash;

4) Other trails may be reserved by the Director of the Parks and Recreation Department in accordance with the provisions of section 18.69.040.D.2 of the Pima County Zoning Code.

B. Trail rights-of-way shall be dedicated in fee and shall be for the exclusive purpose of public recreational trail use, except where the use of the corridor is required for the installation of underground utilities.

C. Where roadways or other developed features of the project cross or otherwise affect the project's recreational trails, the developer shall be responsible for providing culverts of sufficient size, appropriate road crossing and wash access structures, or other accommodations to ensure that the trails are accessible and usable.

D. All trails dedicated for the use of the public shall be non-motorized shared-use in nature (open to equestrians, pedestrians, and bicyclists) unless otherwise designated by the Pima County Parks and Recreation Department.

E. A minimum 150-foot wide natural open space buffer shall be provided along the western edge of the 50-foot wide corridor to be dedicated by the developer for the Juan Bautista de Anza National Historic Trail. A naturally vegetated buffer composed of native plantings shall be provided by the developer along the length of the Anza Trail at the western edge of the 150-foot buffer in order to screen the trail from adjacent development. The cost of establishing the buffer shall be the responsibility of the developer.

F. Roadway designs shall include shared-use trails as alternatives to sidewalks and provide links to the area's principal trail system. In addition, 15-foot wide trail rights-of-way shall be provided to link

neighborhoods and the project's other developed features, including elements within the commercial zones to the project's principal trail system. Connector and internal/neighborhood trail systems shall be provided wherever possible.

G. Two trailhead sites shall be dedicated by the developer to Pima County within the rezoning area, including a 1.5-acre area at the southern end of the project adjacent to the Anza Trail, and a 1.5-acre site at the northern end of the project near the Demetrie/Esperanza Wash. The exact locations of these trailhead sites shall be determined by Pima County in cooperation with the developer.

H. The developer shall dedicate to Pima County a 3 to 5-acre park site that coincides with the known Anza Campsite and natural spring location (the exact location of this site shall be determined by the Pima County Cultural Resources Manager).

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

16. Development and Design Requirements:

A. The design criteria and guidelines contained in the booklet dated February 1, 2001, shall be used unless in conflict with County regulations.

B. This rezoning is restricted to a maximum of 2,000 dwelling units as allocated by planning area in Table II.B. The RV park site east of Interstate 19 is restricted to 400 RV spaces AND SHALL HAVE LANDSCAPING, INCLUDING MATURE TREES AT AN INCREASED DENSITY, SUFFICIENT TO MASK THE RV PARK FROM INTERSTATE 19 AND ADJACENT RESIDENTIAL DEVELOPMENT. .

C. The CB-2 zoning east of Interstate 19 is restricted to those uses allowed by sections 18.45.030.B and 030.C, with no outside storage, that are directly related to entertainment, retail commercial, and office development.

D. Areas zoned RH that are within the boundaries of this rezoning case are restricted to use as natural open space only, except for approved road or utility crossings.

E. Billboards are prohibited within the rezoning site.

F. No development shall be allowed within 1,000 feet of the historic Canoa Ranch complex.

G. Residential building height is restricted to 24 feet. The building height of development east of Interstate 19 is restricted to one story.

H. No building east of Interstate 19 shall be larger than 100,000 square feet unless approved by the Board of Supervisors at an advertised public hearing.

I. Off-street parking east of Interstate 19 shall not be massed in aggregates of 400 parking spaces or more unless a 100-foot tree buffer, supplementing any other landscaping requirements, is provided adjacent to the Interstate 19 right-of-way.

J. An historical/architectural review committee, to be appointed by the Board of Supervisors, shall review site and architectural plans for all development east of Interstate 19. All development east of Interstate 19 shall be submitted to the historical/architectural review committee for review and approval to ensure that the development is designed to be architecturally

harmonious in form, line, color, material and texture with the historic Canoa Ranch complex.

17. Golf Course Development Requirements:

A. The golf course is limited to a maximum of nine holes of golf.

B. The planning and development of the golf course shall be in conformance with the requirements of Chapter 18.59. The development of a golf course requires the Board of Supervisors' ratification, at public hearing, that the proposed golf course meets the performance and design criteria of Chapter 18.59. Upon ratification by the Board, an approved golf course development plan prepared in accordance with Chapter 18.71 shall be required prior to the issuance of any permits within the designated golf course area.

C. Golf course irrigation shall be from a renewable water supply such as effluent, reclaimed water or Central Arizona Project water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, ground water use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset through Central Arizona Project water replenishment or recharge. Such replenishment shall be required to occur within the portion of the Tucson Active Management Area that is within Pima County.

D. Golf course irrigation shall be from a renewable supply such as effluent, reclaimed water, or Central Arizona Project (CAP) water. Where effluent or reclaimed water is not physically available or cannot reasonably be made available, groundwater use for golf course irrigation is permitted provided the ground water consumption by the golf course is offset when practicable through CAP water replenishment or recharge (Pima County Code §18.59.030.A.1). The golf course irrigation system shall be designed and constructed in a manner to allow for future connection to effluent systems.

E. The golf course design shall be restricted to a "target" type course. The golf course development plan shall be submitted to the ADWR, Tucson Active Management Area, for review and approval prior to the issuance of permits. The plan shall be reviewed by ADWR for conformance with the ADWR standards for the irrigation of turf.

F. The water provider and golf course owner/developer shall develop and coordinate a plan, to the satisfaction of Pima County, to irrigate the golf course with a renewable water supply such as effluent, reclaimed water, Central Arizona Project (CAP) water, or shall arrange for CAP recharge to offset groundwater consumption by the turfed areas of the golf course and practice areas. <u>THE GOLF COURSE DEVELOPMENT SHALL INCORPORATE STATE-OF-THE-ART WATER-HARVESTING TECHNIQUES</u>."

Katharina Richter, Chief Civil Deputy County Attorney, advised the Board the best order to consider these items would be the Development Agreement, Settlement Agreement and then the rezoning.

Supervisor Bronson asked whether these items would be heard as a whole group but voted on separately?

Ms. Richter responded yes.

Chuck Huckelberry, County Administrator, stated these items are follow up actions to rezone portions of Canoa Ranch previously approved for development on Canoa Ranch in the Comprehensive Plan Amendment. Approval of the Development Agreement between the owner/developer and Pima County would provide a mechanism to conserve, preserve and transfer 4,800 acres of historic Canoa Ranch to Pima County. In exchange for that transfer, Pima County agreed to provide the sum of $6,600,000.00 in compensation to the owner for the value of that set aside property. That value was set by an appraisal commissioned by the County while the owners appraised value was $25,000,000.00. The funding mechanisms are defined in the Development Agreement for contributions toward the historic Canoa Ranch Fund in an amount equal to an assessment of the withdrawal of groundwater for golf course irrigation estimated to be approximately $40,000.00 per year until the golf course is taken off groundwater pumping through reclamation or some other method. He said that amount of money would be paid to the County for at least the next 25 years or perhaps even longer. The zoning contains all the restrictions approved by the Board in the Comprehensive Plan Amendment regarding the maximum number of units as well as the preservation of natural wash corridors.

He said controversy arose from the Green Valley Community because their residents were concerned about the recreational vehicle zoning. Contained within his memorandum to the Board was an alternative to consider, if it was deemed to be in their best interest and choice, to make modifications and/or amendments to the conditions of zoning while paying close attention that those changes were consistent with the remainder of the plan.

Many speakers addressed the Board to express their support or opposition to the proposed rezoning, Development Agreement and Settlement Agreement, and they all expressed their gratitude for all the work, time and effort that went into this process.

The following individuals addressed the Board in opposition:

a. James Trecartin;
b. Gorman Fisher;
c. Clayton Messelt;
d. Daniel Vetter;
e. Carl Ortiz;

f. Deezie Manning-Catron and
g. Ann Noe.

RECESS

Without objection, the Chairman declared a closed captionist recess at 10:30 a.m.

RECONVENE

The Board of Supervisors meeting reconvened at 10:40 a.m. All members were present.

Dan Brocious, Smithsonian Institute Whipple Observatory, stated the observatory was concerned throughout the process that the proposed development would negatively affect the night sky so near the telescopes. He said the combination of the new Outdoor Lighting Code and the reduction of commercial acreage made the proposed development something the observatory could live with. He said lesser development was preferred by the observatory, however, the current change was acceptable. He was uncertain whether there would be a problem in the process, but he stated the Stakeholders did not receive a copy of the Development Agreement for review as specified in the development memorandum causing them to feel excluded in the process. On a brighter note, the International Dark Sky Association held its annual meeting over the past weekend and a member of the lighting industry who has nothing to do with astronomy proposed a National Outdoor Lighting Code that resembles the Electrical Code. That individual pointed out the original Tucson/Pima Outdoor Lighting Code, adopted by a predecessor Board in 1972, set the stage for the proposed national code and started events that may end in a national standard for environmental protection, energy savings, safety and security at night.

The following individuals addressed the Board in opposition to the proposed rezoning of Canoa Ranch:

h. Nancy Williams;
i. Carolee Vinson;
j. Gayle Hartmann;
k. Ann Cavanagh;
l. Eileen MacLaren;
m. Jim MacLaren;
n. Linda Martin;
o. Elmer Silaghi and
p. Jeanne Bernatsky.

Those in opposition provided the following reasons for their opposition:

1. Should Fairfield prevail simply because they filed a lawsuit?
2. Is Fairfield's desire to develop more compelling than preserving and protecting the property rights of South Green Valley residents?
3. Many residents were opposed to commercial development and the placement of an RV park so near the historic area on the west side of Interstate 19 (I-19);
4. Views for many nearby residents of the proposed development site would be destroyed;
5. There are two existing RV parks within ten miles of each other and neither one is filled to capacity, therefore, there is no justification for an additional RV park;
6. The March 11, 2001, issue of the Arizona Daily Star said population numbers show America may be on its way to becoming a chain of strip malls and housing developments from the Atlantic to the Pacific;
7. Some nearby residents of the proposed development would find themselves right back in the urban congestion they sought to avoid;
8. Portions of the historic area would be irrevocably destroyed by proposed development;
9. Nearby residents of the proposed development purchased their homes at premium prices and currently face the prospect of having an RV park in their viewshed when their CC&R's guaranteed their views would be protected;
10. Suggestions were proffered for an allowance of 100 acres of commercial and 2,000 homes west of I-19 with the remainder of the ranch designated as forest preserve;
11. The proposed development site would block the east/west wildlife corridor and destroy any chance of restoring the riparian area of Canoa Springs;
12. There was no demonstrated need for additional commercial development with the presence of three malls on the west side and one mall basically empty;
13. Very little information was contained within the Development Agreement regarding the developer paying Development Impact Fees;
14. The equestrian center would remain under the ownership of Fairfield which could possibly lead to an attempt in the future to rezone the center because the agreement indicates the zoning can be changed in writing;
15. The equestrian center is immediately adjacent to Canoa Ranch structures in the historic area and should be County property;
16. Equestrian centers are oftentimes eliminated due to problems and complaints with flies and odors;

17. A funding mechanism that was the selling point of the proposed changes to the Comprehensive Plan Amendment approved in December are no longer found in this process which constitutes bait and switch;
18. The Board of Supervisors were urged to reconsider an alternate proposal to develop west of I-19 and retain the entire eastern portion as part of the historic area;
19. Commercial development on the west side of I-19 would allow residents to walk to nearby shopping areas;
20. The proposed commercial area should be consolidated near the Canoa exit to avoid sprawl, nuisance, over abundant lighting and noise;
21. The County should carefully evaluate the placement of a commercial development near the historic area and proposed museum site;
22. In the event Canoa Ranch was purchased with bond monies, would the County's bond rating be affected?
23. Even though the management of the equestrian center stated they would assume all liability for horseback riders, what happens if a rider should be injured on County property?
24. The County was requested to consider and review even the smallest details of the proposed changes, not only the larger and more obvious details;
25. Fairfield promised they would build a supermarket on Camino Del Sol - the supermarket remains unbuilt and there are no guarantees the proposed commercial area would house a supermarket;
26. Residents are opposed to the 39 foot height for structures that would be allowed under certain zoning designations on portions of the proposed development;
27. The RV park is completely undesirable because it would add congestion on the frontage road, unsightliness and uncontrolled lighting;
28. Nearby residents would not be opposed to the placement of 199 additional homes as proposed by the County Administrator rather than the placement of an RV park;
29. Some residents of Green Valley were confused because previous hearings approved the Canoa Ranch Development for 1,241 homes which has now escalated to 2,000 homes, commercial development and a 400 space RV resort park and they wondered how it got to this point;
30. The developers should be held to the zoning density applicable at the time the property was acquired which would prevent the deterioration of the established residential, retirement community;
31. Many residents were enticed to relocate to Green Valley because it was an age restricted and retirement community, not a transient RV resort park; and
32. The golf course will use groundwater for irrigation that could possibly impact private wells in the area.

Ellen Kurtz, Stakeholder participant, said suggestions proffered by Stakeholder participants in their meetings with the developer were not agreed to by Fairfield. She cited as an example, the building height requirement of 24 feet which the developer did not agree to. When the Quality Inn Hotel was constructed in Green Valley, they adhered to the 24 foot requirement with two stories. Additionally, the County Administrator said the Stakeholders were to be involved in the review process of the Development Agreement, however, the Stakeholders were left out and did not even receive copies of the agreement. She said she obtained copies of the agreement and provided them to Daniel Preston of the Tohono O'Odham Nation, Terry Owen of the Phelps Dodge Corporation, Dan Brocious of the Smithsonian Whipple Observatory, as well as individuals of various institutions and corporations. Further, ownership of the equestrian center should be under County ownership but added it was not revealed until the last minute that Fairfield had every intention of retaining ownership. She felt this issue should be continued because the Stakeholders did not have a chance to review the Development Agreement and they had many unanswered questions.

Supervisor Carroll asked whether the east frontage road would be extended 1.2 miles with or without the proposed development?

Mr. Huckelberry responded the extension and connection of the east frontage road to the Canoa Interchange was already a transportation project with or without the Canoa Development. The extension was deemed appropriate to facilitate traffic movement in the area and if these items are approved for the development to go forward, those improvements and connection become even more important. He added that the developer was expected to pay Development Impact Fees in order to make those improvements.

The following individuals addressed the Board in support:

a. Bill Zales;
b. Jerry Juliani;
c. Audrey White;
d. Donald White;
e. Richard Harris;
f. Charles Catino;
g. Ron Kloff;
h. Bob Allen;
i. Dan Winters and
j. Cheri Raftery, Manager of the equestrian center.

The speakers provided the following reasons for their support:

1. There is a need for commercial development along with planned community growth;
2. Adequate parking spaces are not available when residents do their weekly grocery shopping;
3. An additional commercial area would serve not only Green Valley but also serve Tubac and other areas;
4. When residents purchased their homes and property in this area, there were no guarantees proffered to preserve their viewshed;
5. While there is gratitude for attempting to preserve the heritage of the ranch, the residents believed the east side of I-19 should be acquired and retained as open space with development occurring west of I-19 to preserve the cattle ranching heritage;
6. Many residents believe Fairfield has always considered the land and surrounding areas when developing an area, and their consideration of development over the years is unsurpassed by anyone;
7. Much of the open space in this area is littered with trash making that open space unsightly;
8. The developer originally began this process with 9,000 homes and currently agreed to 2,000 homes which indicates the developers willingness to work with the County and community; and
9. The current changes in large measure preserves much of the historic nature of Canoa Ranch while providing some fairness and equity for the owner and developer.

Cheri Raftery, Manager of the equestrian center, stated she and her husband have a good rapport with Fairfield maintaining a gentleman's agreement for nearly three years for the management of the equestrian center. She urged the Board to approve the Development and Settlement Agreements and the rezoning.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Grijalva, and unanimously carried by a five to zero vote, to close the public hearing.

Ms. Richter again advised the Board to first consider and vote on the Development Agreement, the Settlement Agreement and then finally the rezoning, in that order.

Chairman Grijalva stated his office received many calls regarding whether the developer would be required to pay Development Impact Fees, and he noted the developer was expected to pay Development Impact Fees. He asked when those fees are paid, what can those monies be used for?

Mr. Huckelberry explained Development Impact Fees are collected based on an existing County ordinance for transportation purposes. The Impact Fee structure was adopted by the Board of Supervisors after going through a statutory process to assess those fees. The current structure for the use of those Impact Fees under the current ordinance needs to be addressed because the fees collected from residential development would go into a fund for improvements in the area. Based on the existing ordinance, Development Impact Fees are only collected from residential development and not from business development.

Chairman Grijalva asked whether the Development Impact Fees were only to be used for transportation purposes?

Mr. Huckelberry responded yes, those fees can only be used for transportation capacity improvements because the ordinance is very explicit regarding what those fees can be used for. Those fees cannot be used for safety improvements or any other improvements unless they are directly related to the capacity of the transportation system in the area.

Supervisor Bronson pointed out that while Development Impact Fees are explicit in what they can be used for, the Board has, in the past, established rooftop fees. She asked whether that was an option available to the Board?.

Mr. Huckelberry responded he did not believe there were many Development Agreements where the County had a specific fee per unit of development. A Development Agreement between the County and Rocking K Ranch was entered into five or six years ago that called for a schedule of improvements based on the level of development. While they were not actually rooftop impact fees, those fees contained in the Development Agreement were not used in other agreements.

Ms. Richter explained that contractually, the developer could agree to an impact fee per rooftop but it must be a fee the developer agreed to. The current Development Impact Fee Ordinance was adopted under an old statute, however, a new statute now allows the Board to adopt a more open process but until that action takes place the current provisions of the Development Impact Fees would remain in place.

Supervisor Bronson asked whether the Development Agreement could require Development Impact Fees for commercial development?

Ms. Richter responded that imposing Development Impact Fees on commercial development would require an amendment to the agreement.

Chairman Grijalva asked Mr. Huckelberry to explain the covenant for the equestrian center.

Mr. Huckelberry said in initial discussions with Fairfield, the County requested to have ownership of the equestrian center. However, Fairfield made physical improvements to the center and held long term lease commitments, therefore, they preferred to retain ownership. Discussions and debates back and forth ensued resulting in the Development Agreement restricting the facility to its existing use as an equestrian center for a period of not less than 50 years. A caveat was added that the use cannot be changed unless approved by the Board in writing because conditions change from time to time. The intent was to retain the existing use to be compatible with historic Canoa Ranch for a period of 50 years.

Supervisor Carroll stated the operator of the equestrian center indicated they were operating on a gentleman's agreement, not a long term lease. What does the long term lease agreement cover and what is it for?

Mr. Huckelberry explained he could only report to the Board what was reported and represented to him in discussions with the owner. He had no knowledge regarding what the long term lease agreement was for.

Supervisor Carroll asked Ms. Raftery whether they held a long term lease agreement for the operation of the equestrian center?

From the audience, Ms. Raftery responded no, not in writing.

Chairman Grijalva stated since many of the speakers addressed the issue of height, he was prepared to ask the Board to consider stipulating a consistent height requirement in the Development Agreement. He asked the Board to consider adding a height restriction because Green Valley has height restrictions of 24 feet that they strictly adhere to.

Mr. Huckelberry explained that adding a height stipulation would change both the Development Agreement and zoning condition No. 16G to restrict both residential and commercial development to a height limit of 24 feet. One of the issues the Board could consider was the issue of the viewshed which many of the speakers discussed. This issue could become part of Condition No. 16J which talks about the historical/architectural review committee.

Supervisor Bronson stated concerns were expressed at the Stakeholder meetings regarding the make up of the Architectural Review Committee. She asked what steps would be required to expand the committee to seven members to include membership by individuals with historic expertise, master developer representatives, design professionals, particularly at the architectural level, as well as representatives for the observatory and area residents? Would expansion of this committee require an amendment to the Development Agreement or an amendment to the rezoning conditions?

Mr. Huckelberry responded Condition No. 16J is wide open to the Board to specify membership because the condition states "to be appointed by the Board," and there are no limitations regarding the number of members that will make up this committee. Membership of the committee is at the discretion of the Board of Supervisors. He noted Condition No. 16J was a rezoning condition, not a condition contained in the Development Agreement.

In addition, he said if the Board wanted the equestrian center under County ownership, the center could be conveyed at cost. The question would then be, what is the necessary cost of the trade off to have the equestrian center transferred to County ownership versus the 50 year restricted use?

Supervisor Carroll stated since Green Valley adheres to a 24 foot height restriction, he asked whether a height restriction of 24 feet could be imposed for all development on the east side of I-19?

Mr. Huckelberry responded the height restriction could be inserted into both the Development Agreement and conditions of rezoning. He said commercial height was generally one story for the purposes of hiding mechanical or other equipment for architectural and aesthetic purposes. The height restriction was at the discretion of the Board.

Supervisor Bronson asked what is the estimated time frame when the proposed golf course would be using reclaimed water?

Mr. Huckelberry responded it would be a very long time unless development occurs beyond Canoa Ranch in the Amado area. There would be no need to build a treatment facility for 2,000 residential units which means the golf course would have to wait on a pipeline delivery system coming back to the existing Green Valley Wastewater Treatment Plant. Adequate effluent does not exist in Green Valley to irrigate all the golf courses so in order to provide adequate

effluent to all the golf courses, effluent would have to be exported from Roger Road to Green Valley.

Supervisor Bronson asked whether the current rate of $100.00 an acre foot for water could be addressed in the Development Agreement?

Mr. Huckelberry responded yes then suggested the Board could provide an incentive to convert or import effluent for irrigation purposes. He noted that even if an incentive was provided to the developer, that would not relieve them of their obligation to replenish the amount of groundwater taken out. The replenishment requirement was according to State law with the Active Management Area (AMA). That replenishment requirement would take place at the Pima Mine Road Recharge Facility.

Supervisor Bronson stated concerns that were expressed over and over was the fact area residents were afraid their private wells would be impacted since the golf course would be irrigated using groundwater. Will the recharge effort at Pima Mine Road help restore the aquifer in the region where those private wells are located?

Mr. Huckelberry explained the area was downstream of the point of withdrawal and would not benefit the AMA in the Elephant Head area. He said the Central Arizona Water District was considering the extension of a pipeline all the way to FICO (Farmers Investment Company) and perhaps with the acquisition of Canoa Ranch, the pipeline could be extended to Elephant Head Bridge but noted that would be done in the future.

Supervisor Bronson asked whether the residents had recourse in the event their wells fail due to the pumping of groundwater for golf course irrigation purposes?

Mr. Huckelberry responded those citizens would have the same recourse as anyone else within the allowance of the law with the Arizona Department of Water Resources. Further, if the Board was concerned about the value of the fee per acre foot that would be charged, a sentence can be inserted into the Development Agreement to indicate a cumulative consumer price index (CPI) change for a specified period of time.

Supervisor Bronson asked why would the County use CPI and how does CPI relate to the cost of groundwater? She said CPI will adjust to whatever the inflation index was but that would not be reflective of the cost of pumping groundwater. She believed the cost would grow at a rate greater than CPI making CPI insufficient.

Mr. Huckelberry said as a corollary condition to the development pumping groundwater, they must also replenish the water. They would have to buy water from CAWD (Central Arizona Water District) at their current rate.

Supervisor Bronson stated the replenishment requirement would not benefit area residents because the replenishment efforts would take place at Pima Mine Road where the flow is to the north.

Supervisor Carroll stated other places in the County, especially the Vail area have, with the cooperation of the developers, imposed voluntary impact fees for the school district. He asked whether there was anything contained in the agreement that would preclude homes in the Canoa Ranch development area from paying a voluntary impact fee?

Mr. Huckelberry responded the Board could add a voluntary impact fee, but the Board should be cognizant of the fact those fees were voluntary as a concession on the part of the developer. Those fees are typically used for overcrowded schools and this area does not have a problem with schools due to the fact it is largely a retirement community. He pointed out that in Master Planned Communities the County extracted an approximate average of 30% open space. This agreement with Fairfield is a combination extraction/payment with the County reaping 85% open space which makes imposing a voluntary impact fee difficult.

Supervisor Carroll commented he thought it was important to have educational facilities, even those fees were used to teach the cultural history of Canoa Ranch and surrounding areas.

Chairman Grijalva asked whether the County could require stricter compliance with the Lighting Code in the Development Agreement?

Mr. Huckelberry responded if the Board was concerned about the long term stability of the current County Lighting Code, they should insert a zoning condition which would require all development to conform with the existing code as it is today or working out the requirement with the developer should the requirement become stricter.

Chairman Grijalva stated the recommendations provided in the Development Agreement are exclusionary of some individuals who gave much of their time and soul to this issue over the past six years. He asked whether the Board could integrate into the Historical/Architectural Review Committee membership, representatives from the Heritage

Committee, Amigos De Canoa, the Tohono O'Odham Nation, the Tucson/Pima Historical Commission and people affected by this development from Green Valley?

Mr. Huckelberry suggested the Board could modify the Development Agreement to enumerate membership of that committee but added, the purpose of the committee was to ensure public funds were managed by Board appointed members. The Board could be specific in the Development Agreement regarding which groups or individuals were represented on that committee.

Supervisor Carroll stated he was willing to tender his resignation from the Canoa Ranch Cultural Heritage Committee to allow someone else the opportunity to be a part of the process as it moves forward.

Mr. Huckelberry stated the primary purpose of the committee was to ensure those public monies were managed by the commission who has that fiduciary responsibility.

Chairman Grijalva stated many of the speakers addressed the issue of the RV park and their desire not to have one. He asked whether the Board had the option of designating additional housing rather than approving the RV park?

Mr. Huckelberry responded he provided written options to the Board regarding the RV park. Besides the options presented, minor modifications could be made in the rezoning conditions that placed more restrictions on commercial uses. Should the RV park be converted to residential, the rezoning cap would have to be changed from 2,000 units to 2,199 units. Further, should the land area dedicated to commercial use on the east side be reduced, the Board may want to strike Table II.B. to add more flexibility but maintain the cap of 2,199 units overall.

Supervisor Carroll accepted partial responsibility for the idea of an RV park in the proposed development. He asked whether the property could be transferred and split to take 20 acres from the proposed commercial development and place residential there? In addition, take 20 acres from the proposed residential to the south and convert that to commercial use, would that be possible to do? That would leave 70 acres for the RV park.

Mr. Mazzocco responded he did not believe a split could occur without going back to the Planning and Zoning Commission. He suggested the intensity of this area could be lessened by designating the TH zone to a CR-5 use and then designating that change as residential use.

Ms. Richter stated the other problem with shifting and moving residential and commercial areas as outlined in the proposed rezoning was the fact that the Plan Amendment, as approved, was very specific about the location and number of acres involved. Mr. Mazzocco pointed out the intensity could be reduced by changing the RV park to residential, but to move the areas around would require a separate Plan Amendment.

Supervisor Bronson asked whether moving the proposed development to the west side as suggested by speakers both in opposition and support would be allowed?

Mr. Huckelberry responded a change to move the development area to the west was not possible without a Plan Amendment or another rezoning. The 150 acres on the east side represents 3% of Canoa Ranch that would be preserved, so of the 4,800 acres of preservation, 4,500 acres is located on the west side. The east side of I-19 is as undeveloped as it can be without being completely undeveloped.

Supervisor Bronson stated in reading the Development Agreement, it was her understanding that Escondido Wash was to be retained by the County. Does the County have control of the wash on the west side?

Mr. Huckelberry responded the County controls absolute fee ownership of the wash on the east side and controls the wash on the west side. The Development Agreement calls for the wash to remain in its natural state. A public conservation easement was granted which allows the County the right to place trails and other improvements anywhere in the area. He said it was effectively the public conservation easement that was the same as a conveyance and it would probably be conveyed fee simple to the County in the future.

Supervisor Bronson stated many of the speakers indicated the County changed the terms and conditions of the proposed development. Initially the Comprehensive Plan was changed with the idea that growth would pay for itself with no impact to the County's General Fund. The rezoning as presented to the Board has indicated the County would have to come up with 6.6 million dollars and only two million dollars was available. The recommendations provided by the County Administrator indicated there was 1.5 million dollars available through Open Space Bonds that would be used strictly for restoration, thereby making those funds unavailable for the purchase of open space. She expressed concern that the County would expend General Fund monies for the Canoa Ranch purchase. The County currently has many

unmet needs and it was not foreseen that General Fund monies would be used for this purchase. She asked whether there were other sources available to the County for the additional 4.6 million dollars for the Canoa Ranch purchase? Is the purchase and monies a decision required to be made this date? If so, what is the urgency in making that decision this date? She said she felt as many of the individuals did because she did not receive the Development Agreement until Friday, March 9, 2001.

Supervisor Eckstrom stated there were probably other areas where the necessary funding could be found without having to go into the General Fund, and he had several suggestions he could offer. If his suggestions were utilized, any General Fund monies that might be used would be minimal. He challenged the County Administrator to find those sources and if none could be found, he offered to find them.

Mr. Huckelberry responded he agreed with Supervisor Eckstrom's statement, there were probably other ways to fund the purchase other than the simple way he suggested without hurting any other program in the County and still preserve the flexibility the Board has to deal with the General Fund. He said it took six years to get to this point, and the development plans have gone through a whole series of changes. Original plans called for dominant development of the ranch to the one currently proffered which calls for 86% preservation and 2,000 dwelling units, depending upon what the Board wants to do with the RV park. The acquisition will be the single most important open space acquisition this Board conducts this decade because it sets the tone for a 5,000 acre ranch preservation at a cost of approximately $1,370.00 per acre when it is all added up. When Cienega Creek was acquired, it was probably one of the more important natural preservation actions in the County at a cost of $2,100.00 an acre. The County will acquire Canoa Ranch at a cost of $1,370.00 per acre which is less than what was spent for open space ten and twelve years ago. He added an opportunity like that does not come along every day so the urgency of approving the agreements and rezoning offers the County to preserve 5,000 acres of historic Canoa Ranch at this price. If action is delayed on these matters, the developer could lose the transaction. The County would not again have this opportunity at this cost, the cost could go higher for the acquisition.

Chairman Grijalva stated areas that would have to be reconciled with the rezoning and the Development Agreement are as follows:

a. Wording changes regarding what funding sources would be used for the acquisition of Canoa Ranch without using General Fund monies entirely;
b. Whether to impose a height restriction which caused concern to many of the speakers;
c. Lighting and a determination whether the Lighting Code would require existing or stricter regulations;
d. Membership guidelines regarding which groups or individuals and how many members would comprise the Architectural Review Committee;
e. A determination whether Fairfield would retain ownership of the equestrian center or whether ownership would be conveyed to the County;
f. The viability of adding a roof tax assessment; and,
g. A presentation regarding what options are available to the Board regarding the RV park and whether the RV park could be replaced with additional housing.

Supervisor Bronson stated she wanted a requirement added into the agreement which would require the developer to abide by the current ordinances or any stricter revision of those ordinances. She asked whether that requirement would present any problems? In reference to groundwater withdrawal, she said she would be happy to have that withdrawal indexed to CPI since it would be for the operation of the historic ranch. She asked whether that could be done every five years?

Supervisor Carroll requested assistance from Fairfield over the next 48 months to show a true measure of partnership when it comes to in-kind contributions.

RECESS

Without objection, the Chairman declared a closed captionist recess at 12:20 p.m

RECONVENE

The Board of Supervisors meeting reconvened at 12:45 p.m. All members were present.

Mr. Huckelberry stated he would address the points raised before the recess.

The developer requested the height limit be changed from 39 feet to 30 feet for commercial development to allow some variation in height among buildings. The height variation was requested so that the roofline of the development was not a uniform 24 feet across the entire commercial area.

The Architectural and Historic Board and its composition, both in the Development Agreement and the zoning, is at the discretion of the Board. The Board establishes and sets up the committee and historic board and how the public monies are managed.

Fairfield has indicated if they are going to make in-kind contributions as requested, they want to be a member of the committee. They have made significant in-kind charitable contributions and want to continue to do so but they do not want it specifically spelled out in the agreement because it might threaten the charitable contribution if it has a number attached to it.

Supervisor Carroll stated it was his preference to have a specific in-kind contribution number in the Development Agreement on an annual basis because it would allow the County to come back to the Smithsonian or any other group to say they had a good start on the renovation of the site. Some of the required work included shoring of the wash, replanting, building sidewalks, cart paths and roadways. He asked why the developer does not want to insert a specific dollar amount?

David Williamson, President and CEO of Fairfield Homes, Inc., stated they did not want to add a specific in-kind dollar amount into the Development Agreement because they did not know what those monies would be used for.

Supervisor Carroll responded the ranch has a lot of deferred maintenance and the funding would make it look as though someone was ready to move in tomorrow. The area has to be secured and cleaned and patchwork carried out where it was necessary.

Mr. Williamson stated they would agree to an in-kind contribution in the amount of $200,000.00 for a four year period.

Supervisor Carroll stated he dropped his requested amount to $400,000.00 over a 48 month period which amounted to $100,000.00 a year. He asked Mr. Williamson to consider an in-kind contribution of $400,000.00.

Mr. Williamson replied they have gone as far as they could and the in-kind contribution offer is $200.000.00 per year.

Chairman Grijalva stated the County has 1.5 million dollars to work on renovations of the ranch. Supervisor Carroll requested an in-kind contribution of $400,000.00 over a 48 month period, the request was declined but an

offer of $200,000.00 was made. He said it was at the Board's discretion to decide if that was an appropriate response.

Mr. Huckelberry continued addressing the points the Chairman outlined. Regarding the $100.00 per acre foot on groundwater withdrawal was fine with an escalator every five years CPI.

Regarding the equestrian center, a substantial restriction was added into the Development Agreement which indicated the developer could not change it for a 50 year period. The wording "Board of Supervisors" can be struck from the language if it would make everyone more comfortable. He pointed out that equestrian centers are encumbered by the 1,00 foot development buffer contained around the boundary of historic Canoa Ranch. The developer agreed to give the County the first right of refusal to purchase the equestrian center in five years.

Mr. Huckelberry said the existing Lighting Code is fairly well covered in the design criteria and guidelines but indicated they could be repeated both in the Development Agreement and rezoning conditions as the existing code. In the event a more restrictive code was adopted, the developer was required to adhere to the more restrictive code.

The developer agreed to substitute the RV park for 199 residential dwelling units similar to the scope of what the developer builds in Green Valley. That change would require a modification of the Development Agreement to increase the cap of 2,000 homes to 2,199 and a modification to the rezoning conditions.

Supervisor Bronson asked whether the changes mentioned were an amendment to the Development Agreement?

Mr. Huckelberry responded yes. The Development Agreement would be changed to strike RV and insert other language.

Ms. Richter stated there was a paragraph in the Development Agreement that talks about new ordinances. She suggested the County add an applicability of new ordinance to be able to insert the Environmentally Sensitive Land Ordinance (ESLO) in that list with the indication it has not yet been adopted but will be.

Mr. Huckelberry stated the developer was more comfortable with vague language with no specific dollar amount delineated in the agreement for in-kind contributions. In addition to securing the facility, the

Fairfield group has agreed to a $200,000.00 in-kind contribution of four years as countered by Supervisor Carroll's $300,000.00 over four years and that is where that stands. These items can be included as modifications in the motion for approval into the Development Agreement and brought back at the next meeting for ratification.

Ms. Richter stated the particular conditions were spelled out very clearly, and they could be approved this date.

Supervisor Carroll stated when you look at the planning area map, Exhibit II.A., for the 50 acres of RV park and 50 acres for commercial, he asked whether the combined 100 acres could be used for the addition of 199 residential homes?

Mr. Huckelberry responded he did not believe that type of change could be made based on the specifics of the Comprehensive Plan Amendment. The Board can affect a change in the RV if some of the language was struck regarding where residential was allocated. That change might allow some of the commercial to be located on the east side to be converted to residential in section five.

Supervisor Carroll asked whether the developer would agree to that change?

Mr. Mazzocco stated section five currently has a request to rezone to CB-2 which would allow residential development. The rezoning could restrict this portion to residential development or one-half of it could be designated residential development. Perhaps the northern half can be designated residential and the southern half designated commercial, it depends on where the Board wants to go in this matter. The Board has the option of placing restrictions on the zoning district.

Chairman Grijalva asked whether the comments made by Mr. Huckelberry would be enumerated in the Development Agreement regarding height, committee membership, in-kind contributions from Fairfield, the equestrian center, and striking "Board of Supervisors" from the language and reinforcing the 1,000 foot no development requirement, first right of refusal to purchase the equestrian center, wording attached to the Lighting Code and the conversion of the RV park to 199 residential units to set the overall residential cap at 2,199? He asked if he missed anything.

Mr. Huckelberry stated ESLO and other ordinances were missed.

Supervisor Carroll asked whether the Board could restrict 50% of commercial development in section five as residential?

Mr. Huckelberry recommended modifying some language that Planning staff discussed. He said allocation of that residential would probably occur anyway rather than being restrictive.

A. **COUNTY ADMINISTRATOR: DEVELOPMENT AGREEMENT**

On consideration, it was moved by Supervisor Eckstrom, seconded by Supervisor Bronson, to approve the Development Agreement of Fairfield Canoa Ranch as presented with amendments stated for the record.

The amendments are as follows:

a. Height restriction set at 30 feet;
b. Committee membership to be set by the Board of Supervisors;
c. In-kind contribution of $200,000.00 over a four year period from Fairfield;
d. The equestrian center language would strike "Board of Supervisors" and reinforce a 1,000 foot no development area at the equestrian center and gives the County first right of refusal for the purchase of the center;
e. Wording attached to the Lighting Code which requires the developer to adhere to the existing Light Code or if changes are adopted making the code more restrictive, the developer would abide by the stricter regulations;
f. Conversion of the RV park to residential and amending the cap from 2,000 residential units to 2,199 units; and
g. The developer would adhere to existing ordinances and new ordinances upon adoption including the insertion of an Environmentally Sensitive Land Ordinance.

No vote was taken at this time.

Supervisor Carroll asked the maker of the motion to include restricting commercial development to 50% on section five.

Supervisor Eckstrom responded he believed that should be part of the motion when they deal with the rezoning as opposed to the Development Agreement.

Supervisor Carroll asked Supervisor Eckstrom to accept a friendly amendment to include the in-kind contribution at $300,000.00 rather than $200,000.00.

Supervisor Eckstrom declined to include the amendment.

A roll call vote was requested.

Upon roll call vote being taken, the motion was unanimously carried by a five to zero vote.

B. **COUNTY ADMINISTRATOR: SETTLEMENT AGREEMENT**

On consideration, it was moved by Supervisor Eckstrom, seconded by Supervisor Bronson, to approve the Settlement Agreement to settle the case of Fairfield Canoa Ranch L.L.C., et. al, v. Pima County Superior Court Case No. 336450.

A roll call vote was requested.

Upon roll call vote being taken, the motion carried unanimously by a five to zero vote.

C. **DEVELOPMENT SERVICES: REZONING**

Co9-01-01, PIMA COUNTY - CANOA RANCH REZONING

Mr. Huckelberry stated on his cover memorandum he discussed several modifications to the rezoning conditions. Condition No. 7C was added since it was the entire issue of sequencing master drainage, Transportation and Wastewater studies with the platting. Modifications to the rezoning conditions are required, particularly Condition No. 16B which talks about a maximum number of units at 2,000. If the RV was removed, the overall cap would have to changed to reflect an overall number of units at 2,199. He recommended the Board strike the language, "as allocated by planning area in Table II-B" for the conversion of commercial to residential and some portion thereof. The area would then be restricted on the commercial side both east and west of I-19 as included in Condition No. 16C which reads as follows:

"16. C
The CB use zoning on the east and west sides of I-19 is restricted to the uses allowed in 18.45.030A, 030B and 030C, truck stops, truck and trailer repair, outside storage uses except for plant nurseries are prohibited on the east and west sides of I-19."

Mr. Mazzocco stated there was another issue regarding the issuance of building permits. He said Section 3, No. 3 should be deleted because Section 2, No. 8 already covers the issue.

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Grijalva, to approve Co9-01-01 subject to the amendment change as recommended by Mr. Mazzocco to delete Section 3, No. 3. The recommendations for change as outlined by Mr. Huckelberry to add Condition No. 7C; to convert the RV park to residential for 199 units and setting an overall residential cap of 2,199 units; strike the language "as allocated by planning area in Table II.B." and adding Condition 16C restricting commercial uses as noted in the March 13, 2001, memorandum to the Board; to pass and adopt Ordinance No. 2001 - 35 .

No vote was taken at this time.

Mr. Huckelberry stated regarding the issue of the Lighting Code compliance, the language used in the Development Agreement can be used as a new condition of rezoning.

Supervisor Bronson asked whether they needed to include the Environmentally Sensitive Land ordinance as a condition of rezoning?

Ms. Richter responded she did not believe the ESLO needed to be included only the Lighting Code compliance.

Supervisor Bronson included Lighting Code compliance in her motion for approval.

Supervisor Carroll asked whether the County was protected regarding restrictions to lessen the commercial development to residential?

Mr. Huckelberry responded it was his opinion that would be the net result of this action.

Supervisor Carroll asked for an explanation regarding which portion?

Mr. Huckelberry responded the Board would have to go into more detail regarding how many units the developer can have without encroaching on their commercial on the west side in order to locate residential on the east side. It was difficult to answer that question because until the platting is done on the west side, you really do not know what is left over for the east side to convert commercial to residential.

Supervisor Carroll requested the planner to publicly state that sections three and five would have as much residential as possible to prevent commercial from encroaching into nearby residents viewshed.

Mr. Huckelberry responded section three would definitely be residential.

Supervisor Bronson inquired whether other viewshed protection could be carried out by the Architectural Design Review Committee?

Mr. Huckelberry responded that was something that could be added as a condition of rezoning into the motion. The condition would indicate any preference in the plan was to allocate residential to Planning Area Five which establishes the intent without tying numbers down.

Supervisor Bronson stated she would add that to her motion for approval.

Ms. Richter asked that the developer state for the record their acceptance of the added conditions.

Alice Milton, Attorney representing Fairfield, stated they were confused about what the conditions are. She asked that they be restated so they are in complete cognizance about what they are agreeing to.

Mr. Huckelberry stated the RV park was to be converted to residential for a maximum of 199 units because it would then exceed the major change and have to go back to the condition if more residential units were added.

Ms. Richter interjected that under the Comprehensive Plan Amendment, CR-5 was the type of residential that zoning would allow and it would be consistent with the Comprehensive Plan.

Mr. Huckelberry stated the overall residential cap would then become 2,199 units with the conversion of the RV park to residential as previously allocated to particular planning units, mostly on the west side. If the commercial uses and the CB-1 and CB-2 uses on the west side are maximized, it was probable that not all of the residential units of 2,000 could be built on the west side. The piece that is No. 3 would be restricted to 199 units but not necessarily 199. The intent was that if any of the commercial was reduced, it would be reduced in Planning Area No. 5 to the north which would then allow some of that commercial to be reduced and the residential units substituted. That action would still conform to the overall cap of 2,199.

Frank Thomson, Planner, stated as long as there was an understanding that there was no quantitative reduction or quantitative restriction on the 50 acre commercial and the

only quantitative reduction would be to the RV which would be purely residential but commercial could be used there to accommodate residential, the developer would agree. There would be no specific restriction on the 50 acres of commercial.

Supervisor Bronson responded no, Ms. Richter indicated the Board would have to look at a Comprehensive Plan Amendment if they were to do anything beyond that.

Mr. Huckelberry stated the commercial area was overstated from a market perspective, therefore, it would be converted to residential or a significant portion thereof.

Ms. Milton stated the developer would agree to the changes.

A roll call vote was requested.

Upon roll call vote being taken, the motion carried unanimously by a five to zero vote.

Chairman Grijalva stated in closing comments regarding this issue, the level of satisfaction for all parties was not as great as they had hoped. These actions presented an opportunity to possibly acquire an island of land for future generations and was a very important decision concluded by the Board this date.

Supervisor Bronson complimented the Stakeholders as well as the developer for working out the issues and coming to an agreement. As the matter moves forward, she said the Design Review Committee and the Historic Commission would really shape the future of this piece of land and in many respects, the future of the Sonoran Desert Conservation Plan.

ADDENDUM I

21. **COUNTY ADMINISTRATOR: CANOA RANCH OPEN SPACE AGREEMENT**

Agreement to accept interest in Canoa Ranch Open Space with the Arizona Open Land Trust (AOLT) to accept transfer of interests of the AOLT in lands with the Canoa Ranch. (District 3 & 4)

On consideration, it was moved by Supervisor Bronson, seconded by Chairman Grijalva, and unanimously carried by a five to zero vote, to continue this item to the Board of Supervisors regular meeting of March 20, 2001.

RESOLUTION NO. 2000- 235

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 6300 ACRES IN THE SOUTHERN PORTION OF THE SAN IGNACIO DE LA CANOA LAND GRANT IN THE UPPER SANTA CRUZ VALLEY SUBREGION.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map, Upper Santa Cruz Valley Subregion, is hereby amended to change the planned land use classification for approximately 6,300 acres, as referenced in Co7-00-18, located on both sides of the Santa Cruz River and Interstate 19, generally south of Demetrie Wash, west of the Canoa Road alignment, north of Elephant Head Road, and east of the Land Grant Boundary, as shown on the map attached hereto as Exhibit A and incorporated herein by this reference, from Resource Conservation (RC) to Low Intensity Urban 3.0 (LIU 3.0), Multifunctional Corridor (MFC), Neighborhood Activity Center (NAC) and Resource Conservation (RC).

Section 2. The Pima County Comprehensive Plan Regional and Special Area Policies are also hereby amended to include the subject site as a Special Area with the following policy:

Location:
On both sides of the Santa Cruz River and Interstate 19, generally south of Demetrie Wash, west of the Canoa Road alignment, north of Elephant Head Road, and east of the Land Grant Boundary.

Policies:

A. Special Area Policy on Santa Cruz River and Madera and Escondido Washes - The Santa Cruz River, as well as Madera and Escondido Washes, will remain in their natural states. No encroachment in the 100-year floodplain nor flood control improvements will be allowed except for those flood control improvements necessary to protect historic Canoa Ranch and the historic Canoa irrigation ditch.

B. Special Area Policy on Architectural Design for Development East of Interstate 19 and West of the Santa Cruz River - To ensure the historic integrity of Canoa Ranch, no development will be allowed within 1,000 feet of historic Canoa Ranch, and any development east of Interstate 19 and west of the Santa Cruz River will be required to conform to an architectural style compatible with historic Canoa Ranch, as well as be limited to no more than one story in height. Further, no single building shall be larger than 100,000 square feet and parking shall not be massed in aggregates of 400 spaces or more unless a 100-foot tree buffer is provided adjacent to Interstate 19. If any use is larger than 100,000 square feet, approval must be received by the Board of Supervisors. Finally, an historical/architectural review committee shall be formed to review the site, as well as architectural plans for any development east of Interstate 19 and west of the Santa Cruz River. Membership of the architectural review committee shall be approved by the Board of Supervisors.

C. Stakeholder Process - The owner/developer shall establish a stakeholder process, that will occur during the rezoning phase, to be reviewed by the Planning and Zoning Commission and the Board of Supervisors.

D. Golf Course Development - Any proposed golf course shall have no more than nine holes.

Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this resolution.

PASSED AND ADOPTED this 12th day of December, 2000, by the Board of Supervisors of Pima County, Arizona.

ATTEST:

Lori Godoshian

Clerk, Board of Supervisors

BOARD OF SUPERVISORS

Sharon Bronson

Chair, Board of Supervisors
12/12/00

APPROVED AS TO FORM:

K. Richter

Deputy County Attorney

APPROVED:

J. McGovern

Executive Secretary
Planning and Zoning Commission