



## MEMORANDUM

**PUBLIC HEARING – May 29, 2019**

DATE: May 9, 2019

TO: Jim Portner, AICP, Hearing Administrator

FROM: Nick Coussoulis, Senior Planner

SUBJECT: **P19CU00008 PARTNERS LAND LLC – N. ORACLE ROAD**  
(Partners Land LLC –Owner)  
(Jordan Davis – Applicant)  
Type II Conditional Use – contractor’s yard

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### **LOCATION:**

The subject site, (16473 & 16515 N Oracle Road) is located on the west side of N. Oracle Road adjacent to the roadway. The closest intersection is E Pinal Street and N Oracle Road to the South. The property, approximately 2.38 acres, is zoned GR-1 (GZ-1) (Rural Residential – Gateway Overlay).

### **SURROUNDING LAND USE OR CONTEXT:**

There are several types of zoning in the general vicinity of the two parcels. The zones include: CB-1 (Local Business), CB-2 (General Business), TR (Transitional), CR-3 (Single Residence), and CR-4 (Mixed-Dwelling Type). The parcel is located along N Oracle Road, a scenic and State Route. The vast majority of the zoning in the area is CB-1 and CB-2. The Lariat Estates Subdivision is directly east of the subject property. To the north is vacant undeveloped property. To the south is a vacant/abandoned gas station. To the west is vacant undeveloped state land. The subject property is located along N Oracle Road, a scenic and state route.

### **PUBLIC COMMENT:**

When the staff report was written no public comment had been received on this case.

### **PREVIOUS CASES ON PROPERTY:**

There have been no previous conditional use permits on this parcel.

## **BACKGROUND INFORMATION**

The proposed type II Conditional Use Permit for a contractor's yard will be across both parcels as shown in the site plan submitted. The applicant is applying for a conditional use permit in order to use these properties as "a base of operation for the landscape services that are provided for Catalina, Rancho Vistoso, and Oro Valley." They seek to store equipment, trucks, trailers, and storage containers on the property. A complete development plan will be required upon permitting. Additionally, the applicant is seeking to apply for a variance, in specific regard to the required setback regulations. The Variance process and the DRC (Design Review Committee) process will be required prior to the final development plan.

## **DEVELOPMENT SERVICES COMMENTS:**

This is a type II conditional use permit for a contractor's yard in GR-1 zoning. Contractor's yard conditional use requirements refer to Section 18.12.030.B.15 of the Pima County Zoning Code. The development requirements are as follows: a one hundred (100) foot setback from any property line, yard to be completely enclosed by screening a minimum of six feet in height, access be onto a paved public road with "collector" classification or higher, and the parking and driveway areas be maintained to minimize the generation of dust. Staff does have concern with the placement and use of any "temporary buildings". Along the west property line, roughly ~25% of the parcels are within the HDZ (Hillside Development Zone). Approximately ~31% of the western edge of the parcels are within the important riparian area of the Conservation Land System.

## **DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL DISTRICT**

Flood control has no objection.

Any comments received from The Department of Transportation will be provided prior to the hearing.

## **CULTURAL RESOURCES**

Please be aware that Pima County cultural resources requirements could apply to Pima County Conditional Use Permits. If cultural or historic sites will be impacted by the proposed use, mitigation of impacts on sites eligible to the National Register of Historic Places could be required before the County issues the building permit. A first step in identifying the cultural resources status of your property is to request an archaeological records review from the Arizona State Museum (ASM), at 621-2096, and submit it with the permit application. The County Office of Cultural Resources and Historic Preservation will review the ASM report and determine whether additional cultural resources actions are necessary.

## **STAFF RECOMMENDATION**

If approved by the Board of Supervisors, this project will need to go to the Board of Adjustments for a variance and the Design Review Committee for a Gateway Overlay Zone Review. Both of these other processes involve public hearings. The Gateway review is meant to ensure that development within entry points to town,

are carefully reviewed and ensure compatibility with the surrounding natural environment, protect the southwest character of the community and provide a transition from the natural preserves and more urbanized areas. Staff believes that a complete development plan should be required should the hearing administrator decide to recommend approval. This will ensure that appropriate infrastructure is installed.

Should the hearing administrator recommend approval to the Board of Supervisors, staff is requesting the following conditions be included:

Standard Conditions:

1. Type II Conditional Use Permit Procedures
2. Minimum Setback: One hundred feet from any property line.
3. Yard to be completely enclosed by screening a minimum of six feet in height.
4. Access be onto a paved public road with "collector" classification or higher.
5. The parking and driveway areas be maintained to minimize the generation of dust.

Special Conditions:

1. Submittal and approval of a development plan.
2. Adherence to the approved site plan.
3. No expansion or modification of the type II CUP is permitted without a revised type II conditional use permit.

c: Tom Drzazgowski – Chief Zoning Inspector  
Jordan Davis, Applicant