



Pima County
Planning and Zoning Commission

MEETING LOCATION
Administration Bldg. - East
130 W. Congress Street
1st Floor
Tucson, AZ 85701

**Meeting Summary
8-25-2021**

This abstract is subject to editing and amending. Please let us know promptly if you believe there are any omissions or corrections; otherwise, we will proceed on this basis.


Chris Poirier, Executive Secretary

1. ROLL CALL – 9:00 a.m.

PRESENT

*District 1 *Mark Hanna
*Jan Truitt
District 2 *Armando Membrila
District 3 *Tom Tronsdal, Vice-Chair
*Ryan Maese
District 4 *William Matter
*David Hook, Chair
District 5 *Bob Cook
Bruce Gungle

ABSENT

District 2 Barbara Becker

NINE MEMBERS PRESENT

(Commissioner Membrila arrived during Item #6)

ALSO PRESENT

*Chris Poirier, Planning Official & Executive Secretary *Terrill Tillman, Principal Planner
*Tom Drzazgowski, Chief Zoning Inspector *Mark Holden, Principal Planner
*Donna Spicola, Planner & Commission Coordinator *Joseph Godoy, Project Manager

**Present Virtually or Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of July 28, 2021.
The motion **PASSED** 8-0 (Commissioners Becker and Membrila were absent).

4. CALL TO THE PUBLIC

No one from the public spoke.

NEW HEARINGS

COMPREHENSIVE PLAN AMENDMENTS

5. **P21CA00004 FIDELITY NATIONAL TITLE TR 60294 – N. TULA LANE PLAN AMENDMENT**

Fidelity National Title TR 90284, represented by T and T Engineering LLC, requests a **Comprehensive Plan amendment** of approximately 76.36 acres (Lots 1-48, Common Areas A and B and public streets of the Montanas del Sol subdivision, recorded at Book 63, Map 71, Sequence Number 20081020212), from Medium Intensity Rural (MIR) to Rural Crossroads (RX), located on the southwest corner of N. Tula Lane and W. Picture Rocks Road, in Section 12, Township 13 South, Range 11 East, in the Avra Valley Planning Area. (District 3)

ON MOTION, it was

Voted to **CONTINUE** to the September 29, 2021 hearing:

The motion **PASSED** 8-0 (Commissioners Becker and Membrila were absent).

6. **P21CA00005 FOOTHILLS LOT 2 LLC – N. CALLE CENIZA PLAN AMENDMENT**

Foothills Lot 2 LLC, represented by Engineering & Environmental Consultants, Inc., requests a **Comprehensive Plan amendment** of approximately 1.42 acres (parcels 108-18-034B and 108-18-034D, and **addressed as 4520 N. Calle Ceniza**), from Low Intensity Urban 1.2 (LIU-1.2) to Neighborhood Activity Center (NAC), located approximately 800 feet north of the intersection of N. Campbell Avenue and E. River Road, in Sections 19 and 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area. (District 1)

ON MOTION, it was

Voted to recommend **APPROVAL to amend the land use designation to Neighborhood Activity Center (NAC); staff recommended MODIFIED APPROVAL to amend to Community Activity Center (CAC).**

The motion **PASSED** 6-3 (Commissioners Cook, Membrila and Truitt voted Nay; Commissioner Becker was absent).

MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITIONS

7. **Co9-83-08 SPEER – ORANGE GROVE ROAD REZONING**
Co9-93-08 SOUTHWEST FOOD SYSTEMS, INC. – ORACLE ROAD REZONING
Co9-00-35 SOUTHWEST FOOD SYSTEMS, INC. – ORACLE ROAD #2 REZONING

Request of QuickTrip Corporation, represented by Cawley Architects, for a **modification (substantial change)** of the following rezoning conditions from three rezoning cases on one parcel of land addressed as **401 W. Orange Grove Road**.

- #15 (Co9-83-08), #11 (Co9-93-08) and #9 (Co9-00-35). These three rezoning conditions prohibit the use of an Automated Self-Service Car Wash. The request is to modify the conditions to allow an Automated Self-Service Car Wash.

- #19 (Co9-83-08), #8 (Co9-93-08) and #10 (Co9-00-35). These three rezoning conditions require adherence to the May 21, 2010 revised preliminary development plan. The request is to modify the revised preliminary development plan to change the use and demonstrate the Automated Self-Service Car Wash use.
- #22 (Co9-83-08), #12 (Co9-93-08) and #13 (Co9-00-35). These three rezoning conditions require a 10-foot type “D” bufferyard adjacent to the streets, the south and west boundaries. The request is to modify the required 10-foot wide bufferyard “D” along the west boundary of the property to allow a minimum 5-foot bufferyard “D”.
- #23 (Co9-83-08), #13 (Co9-93-08), #14 (Co9-00-35). These three rezoning conditions limit the height of the buildings to 15 feet, excluding the parapet for the CB-2 use. The request is to modify the conditions to allow for a maximum building height of 23 feet and allow architectural elements to be a maximum height of 30 feet.
- #24 (Co9-83-08), #14 (Co9-93-08) and #15 (Co9-00-35). These three rezoning conditions limit the hours of operation for the CB-2 use of a car wash in conjunction with vehicle sales and rental. Car wash hours of operation are limited to 7:30 a.m. through 6 p.m. Sales and car rental hours of operation are limited to 8 a.m. through 9:00 p.m. The request is to modify the hours of operation for an Automated Self-Service Car Wash from 7 a.m. to 9 p.m. with the exit tunnel open to the north or east.
- #18 (Co9-83-08). This rezoning condition requires that the south 25 feet of the subject property to be graded downward to the level of the adjacent property and landscaped with decomposed granite and low water use vegetation. The request is to strike/remove this condition.

The approximately 1.64-acre property is zoned CB-2® (General Business - Restricted) and is located on the southwest corner of W. Orange Grove Road and N. Oracle Road. (District 1)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS:**

Co9-83-08

1. ~~Submittal of a complete hydraulic and hydrologic drainage report as determined necessary by the Department of Transportation and Flood Control District. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.~~
2. ~~Submittal of a development plan if determined necessary by the appropriate County agencies.~~
3. ~~Dedication of necessary right-of-way for roads and drainage by separate instrument if the property is not to be subdivided.~~
4. ~~Recording of an acceptable plat which will provide for dedication of necessary rights-of-way for roads and drainage if the property is to be subdivided.~~
5. ~~Completion of the requirements for a rezoning ordinance within three (3) years from the date of approval by the Board of Supervisors.~~
6. ~~Recording of a covenant holding Pima County harmless in the event of flooding.~~
7. ~~Conformance with County paving policies as determined appropriate by the Department of Transportation and Flood Control District.~~
8. ~~Recording of the necessary development-related covenants as determined appropriate by the various County agencies.~~
9. ~~Provision of development-related assurances as required by the appropriate agencies.~~

~~10. Recording a covenant to the effect that there will be no further lot splitting or subdividing without written approval from the Board of Supervisors.~~

~~11.2.~~ Wastewater Reclamation conditions:

- A. The owner/developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes and agreement with the owner/developer to that effect.
- B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
- C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
- D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by Arizona Department of Environmental Quality, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

~~12.3.~~ Transportation conditions:

- A. One access shall be allowed on Orange Grove Road and one on Oracle Road. The existing driveways and/or any changes shall require approval from Arizona Department of Transportation and/or Pima County Department of Transportation.
- B. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a development plan and subdivision plat.
- C. The property owner(s) shall provide off-site improvements to Orange Grove Road and/or Oracle Road as determined necessary by Arizona Department of Transportation and Pima County Department of Transportation.
- D. A Traffic Impact Study shall be submitted for review and approval by the Department of Transportation during the development plan process.

~~13.4.~~ Flood Control District conditions:

- A. The submittal of a hydrologic and hydraulic drainage study which explicitly details how Roller Coaster Wash will be contained and the effects this action will have on the developments located west of the site as well as downstream of the site.
- B. Dedication of all rights-of-way or easements for drainage as determined by Pima

County's Flood Control District.

- C. Any channelization or encroachment would have to be planned such that it would terminate at the logical conclusion which would create no adverse flooding conditions to adjoining properties, such as diverting flow, concentrating flow, or increasing flooding potential.
 - D. If the above condition cannot be feasibly met, the applicant must obtain a hold harmless agreement, signed by all affected property owners, which indicates acceptance of drainage onto adjoining properties in the manner proposed.
- ~~14-5.~~ Landscaping to consist of low water use vegetation.
- ~~15-6.~~ CB-2 (General Business) zone uses are restricted to automated self-service car wash and the sale, rental and display of automobiles. Car washing associated with ~~for the sale, rental and display of automobiles~~ ~~CB-2 use~~ shall be limited to the vehicles that are for sale or rent on the site only and shall not be conducted outdoors. Car wash doors shall open only to the north or east. No outdoor storage of auto parts, maintenance equipment, or other materials. All waste oils and other fluids are subject to all applicable requirements for disposal. TR (Transitional) zone uses and CB-1 (Local Business) zone uses are permitted excluding: Auto mechanical repair; Automobile tires, batteries and accessories installation in conjunction with a department store; Billiard or pool hall; Feed store: No sales or storage of hay; Large scale retail establishment; Liquor store; Religious rescue mission or temporary revival; ~~Self-service car wash~~; Station: Bus or stage; Trailer rental; Wholesale of oil; Trailer or manufactured home for caretaker; and Feed store: Including sales and outdoor storage of hay. The CB-1 use of Auto parking lot (with or without a building) shall be subject to the conditions related to the CB-2 use of sale, rental and display of automobiles. The Performance Standards codified for the CB-1 zone shall apply to the CB-1 uses.
- ~~16-7.~~ A solid masonry wall on the west side of the property and an acceptable buffer as approved by the Pima County Planning Department to be provided along the east and west sides of the property.
- ~~17-8.~~ Floodplain Ordinance violation must be resolved prior to the rezoning being forwarded to the Board of Supervisors.
- ~~18-9.~~ ~~The south 25 feet of the subject property will be graded downward to the level of the adjacent property and landscaped with decomposed granite and low water use vegetation.~~
- ~~19-10.~~ Adherence to the 2020 revised preliminary development plan ~~dated May 21, 2010~~ (Exhibit B).
- ~~20-11.~~ Use of an outdoor sound system shall be prohibited.
- ~~21-12.~~ Outdoor lighting shall be shielded and directed away from residential areas to the south and west.
- ~~22-13.~~ The 10-foot type "D" bufferyard along the street frontage shall contain the minimum plant densities required by code. A six-foot-high solid masonry wall and minimum 15-gallon trees shall be used in the south 10-foot type "D" bufferyard. ~~The 15-gallon trees in the south bufferyard shall be of a variety which grows to less than 20 feet in height at maturity.~~ A six-foot-high solid masonry wall shall be used in the west ~~105-foot~~ type "D" bufferyard. The rear of the proposed building can be used as part of the west bufferyard wall.
- ~~23-14.~~ The maximum building height shall be ~~45~~ 23 feet, excluding the parapet for the CB-2 use. Architectural elements shall be limited to a maximum of 30 feet.
- ~~24-15.~~ Automated self-service car wash hours of operation are from 7:00 a.m. to 9:00 p.m. with the exit tunnel open to the north or east. Car wash operations for the ~~CB-2 use~~ sale, rental and display of automobiles shall be limited to between 7:30 a.m. and 6:00 p.m. ~~Sale and rental~~ ~~Office operations for the CB-2 use~~ sale, rental and display of automobiles shall be limited to between 8:00 a.m. and 9:00 p.m.
- ~~25-16.~~ Building heights for CB-1 uses shall be limited to a maximum of 28 feet (including architectural elements) from the average existing grade of the property.
- ~~26-17.~~ The existing sign shall be removed and replaced with a monument sign as required by Pima

County.

~~27-18.~~ Auto service bays shall open only to the north and east.

~~28-19.~~ Deliveries, loading, idling, or similar operations shall not occur between 10:00 p.m. and 6:00 a.m. unless the activity occurs within a loading bay or on the street side of the building.

~~29-20.~~ Cultural Resources condition:

A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

Co9-93-08

~~1. Submittal of a development plan if determined necessary by the appropriate County agencies. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.~~

~~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 the written approval of the Board of Supervisors.~~

~~6. Prior to the preparation of development related covenants and any required dedication, a title report evidencing ownership of the property shall be submitted to the Department of Transportation, Property Management Division.~~

~~7-2.~~ Wastewater Reclamation conditions:

A. The owner/developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.

B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.

C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.

D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.

- E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by Arizona Department of Environmental Quality, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- ~~8.3.~~ Adherence to the 2020 revised preliminary development plan ~~dated May 21, 2010~~ (Exhibit B).
- ~~9.4.~~ There shall not be an outdoor sound system used on this property.
- ~~10.5.~~ Outdoor lighting shall be shielded and directed away from residential areas to the south and west.
- ~~11.6.~~ CB-2 (General Business) zone uses are restricted to automated self-service car wash and the sale, rental and display of automobiles. Car washing associated with ~~for the sale, rental and display of automobiles~~ CB-2 use shall be limited to the vehicles that are for sale or rent on the site only and shall not be conducted outdoors. Car wash doors shall open only to the north or east. No outdoor storage of auto parts, maintenance equipment, or other materials. All waste oils and other fluids are subject to all applicable requirements for disposal. TR (Transitional) zone uses and CB-1 (Local Business) zone uses are permitted excluding: Auto mechanical repair; Automobile tires, batteries and accessories installation in conjunction with a department store; Billiard or pool hall; Feed store; No sales or storage of hay; Large scale retail establishment; Liquor store; Religious rescue mission or temporary revival; ~~Self-service car wash~~; Station: Bus or stage; Trailer rental; Wholesale of oil; Trailer or manufactured home for caretaker; and Feed store: Including sales and outdoor storage of hay. The CB-1 use of Auto parking lot (with or without a building) shall be subject to the conditions related to the CB-2 use of sale, rental and display of automobiles. The Performance Standards codified for the CB-1 zone shall apply to the CB-1 uses.
- ~~12.7.~~ The 10-foot type "D" bufferyard along the street frontage shall contain the minimum plant densities required by code. A six-foot-high solid masonry wall and minimum 15-gallon trees shall be used in the south 10-foot type "D" bufferyard. ~~The 15-gallon trees in the south bufferyard shall be of a variety which grows to less than 20 feet in height at maturity.~~ A six-foot-high solid masonry wall shall be used in the west ~~10.5-foot~~ type "D" bufferyard. The rear of the proposed building can be used as part of the west bufferyard wall. The maximum building height shall be ~~45~~ 23 feet, excluding the parapet for the CB-2 use. Architectural elements shall be limited to a maximum of 30 feet.
- ~~13.8.~~ Automated self-service car wash hours of operation are from 7:00 a.m. to 9:00 p.m. with the exit tunnel open to the north or the east. Car wash operations for the ~~CB-2 use~~ sale, rental and display of automobiles shall be limited to between 7:30 a.m. and 6:00 p.m. ~~Sale and rental of~~ Office operations for the ~~CB-2 use~~ sale, rental and display of automobiles shall be limited to between 8:00 a.m. and 9:00 p.m.
- ~~14.9.~~ Landscaping to consist of low water use vegetation.
- ~~15.10.~~ Building heights for CB-1 uses shall be limited to a maximum of 28 feet (including architectural elements) from the average existing grade of the property.

- ~~16-11.~~ The existing sign shall be removed and replaced with a monument sign as required by Pima County.
- ~~17-12.~~ Auto service bays shall open only to the north and east.
- ~~18-13.~~ Deliveries, loading, idling, or similar operations shall not occur between 10:00 p.m. and 6:00 a.m. unless the activity occurs within a loading bay or on the street side of the building.
- ~~19-14.~~ Transportation conditions:
- A. One access shall be allowed on Orange Grove Road and one on Oracle Road. The existing driveways and/or any changes shall require approval from Arizona Department of Transportation and/or Pima County Department of Transportation.
 - B. Written certification from Arizona Department of Transportation stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a development plan and subdivision plat.
 - C. The property owner(s) shall provide off-site improvements to Orange Grove Road and/or Oracle Road as determined necessary by Arizona Department of Transportation and Pima County Department of Transportation.
 - D. A Traffic Impact Study shall be submitted for review and approval by the Department of Transportation during the development plan process.
- ~~20-15.~~ Cultural Resources condition: A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

Co9-00-35

- ~~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.~~
- 6.1. There shall be no further lot splitting or subdividing of residential development without written approval from the Board of Supervisors.
- ~~7-2.~~ Transportation conditions:
 - A. One access shall be allowed on Orange Grove Road and one on Oracle Road. The existing driveways and/or any changes shall require approval from Arizona Department of Transportation and/or Pima County Department of Transportation.
 - B. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to development services department prior to approval of a development plan and subdivision plat.

- C. The property owner(s) shall provide off-site improvements to Orange Grove Road and/or Oracle Road as determined necessary by Arizona Department of Transportation and Pima County Department of Transportation.
 - D. A Traffic Impact Study shall be submitted for review and approval by the Department of Transportation during the development plan process.
- ~~8-3.~~ Flood Control District conditions:
- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
- ~~9-4.~~ CB-2 (General Business) zone uses are restricted to automated self-service car wash and the sale, rental and display of automobiles. Car washing associated with ~~for the sale, rental and display of automobiles~~ CB-2 use shall be limited to the vehicles that are for sale or rent on the site only and shall not be conducted outdoors. Car wash doors shall open only to the north or east. No outdoor storage of auto parts, maintenance equipment, or other materials. All waste oils and other fluids are subject to all applicable requirements for disposal. TR (Transitional) zone uses and CB-1 (Local Business) zone uses are permitted excluding: Auto mechanical repair; Automobile tires, batteries and accessories installation in conjunction with a department store; Billiard or pool hall; Feed store: No sales or storage of hay; Large scale retail establishment; Liquor store; Religious rescue mission or temporary revival; ~~Self-service car wash~~; Station: Bus or stage; Trailer rental; Wholesale of oil; Trailer or manufactured home for caretaker; and Feed store: Including sales and outdoor storage of hay. The CB-1 use of Auto parking lot (with or without a building) shall be subject to the conditions related to the CB-2 use of sale, rental and display of automobiles. The Performance Standards codified for the CB-1 zone shall apply to the CB-1 uses.
- ~~10-5.~~ Adherence to the 2020 revised preliminary development plan ~~dated May 21, 2010~~ (Exhibit B).
- ~~11-6.~~ Use of an outdoor sound system shall be prohibited.
- ~~12-7.~~ Outdoor lighting shall be shielded and directed away from residential areas to the south and west.
- ~~13-8.~~ The 10-foot type "D" bufferyard along the street frontage shall contain the minimum plant densities required by code. A six-foot-high solid masonry wall and minimum 15-gallon trees shall be used in the south 10-foot type "D" bufferyard. ~~The 15-gallon trees in the south bufferyard shall be of a variety which grows to less than 20 feet in height at maturity.~~ A six-foot-high solid masonry wall shall be used in the west ~~405-foot~~ 23 type "D" bufferyard. The rear of the proposed building can be used as part of the west bufferyard wall.
- ~~14-9.~~ The maximum building height shall be ~~45~~ 23 feet, excluding the parapet for the CB-2 use. Architectural elements shall be limited to a maximum of 30 feet.
- ~~15-10.~~ Automated self-service car wash hours of operation are from 7:00 a.m. to 9:00 p.m. with the exit tunnel open to the north or the east. Car wash operations for the ~~CB-2 use~~ sale, rental and display of automobiles shall be limited to between 7:30 a.m. and 6:00 p.m. ~~Sale and rental of~~ Office operations for the CB-2 use sale, rental and display of automobiles shall be limited to between 8:00 a.m. and 9:00 p.m.
- ~~16-11.~~ Building heights for CB-1 uses shall be limited to a maximum of 28 feet (including architectural elements) from the average existing grade of the property.
- ~~17-12.~~ The existing sign shall be removed and replaced with a monument sign as required by Pima County.
- ~~18-13.~~ Auto service bays shall open only to the north and east.
- ~~19-14.~~ Deliveries, loading, idling, or similar operations shall not occur between 10:00 p.m. and 6:00 a.m. unless the activity occurs within a loading bay or on the street side of the building.

~~20-~~15. Wastewater Reclamation conditions:

- A. The owner/developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes and agreement with the owner/developer to that effect.
- B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
- C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
- D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by Arizona Department of Environmental Quality, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

~~24-~~16. Cultural Resources condition: A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

The motion **PASSED** 7-2 (Commissioners Hanna and Membrilla voted NAY; Commissioner Becker was absent).

NON-PUBLIC HEARING

ZONING CODE STUDY SESSION

8. COMPREHENSIVE PLAN AND REZONING LAND USE REFRESHER
9. BOARD OF SUPERVISORS DISPOSITION OF CASES
10. FLOODPLAIN MANAGEMENT PLAN UPDATE
11. ADJOURNMENT

Meeting adjourned at 12:04 a.m.

The meeting summary will be posted on the website at <http://pima.gov/DSDBCC/>