### 2015 PLAN AMENDMENT PROGRAM

**PLANNING AND ZONING COMMISSION**

**STAFF REPORT**

<table>
<thead>
<tr>
<th>HEARING DATE</th>
<th>August 26, 2015</th>
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<tbody>
<tr>
<td>CASE</td>
<td>Co7-15-01 MAGEE COMO DEVELOPMENT ASSOCIATION, LLC – N. LA CHOLLA BOULEVARD PLAN AMENDMENT</td>
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<td>PLANNING AREA</td>
<td>Tortolita Planning Area</td>
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<tr>
<td>DISTRICT</td>
<td>1</td>
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<tr>
<td>LOCATION</td>
<td>North side of W. Magee Road, west of N. La Cholla Blvd.</td>
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<tr>
<td>REQUEST</td>
<td>Medium High Intensity Urban (MHIU) / Medium Intensity Urban (MIU) under Pima Prospers to Neighborhood Activity Center (NAC) on 0.88 acres</td>
</tr>
<tr>
<td>OWNERS</td>
<td>Magee Como Development Association, LLC</td>
</tr>
<tr>
<td>AGENT</td>
<td>Craig Courtney</td>
</tr>
</tbody>
</table>

**APPLICANT’S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:**

The amendment site is Lot 4 of Magee Center. Lots 3 and 5 are located to the south and east of the site, have Neighborhood Activity Center (NAC) land use designation, and are zoned CB-2 General Business. The incorporation of Lot 4 with Lots 3 and 5 can create critical mass for a mixed use / medium-density project on the strategic corner of La Cholla Boulevard and newly-rebuilt Magee Road. This location north of Foothills Mall provides the potential for an upscale mix of retail, office, hotels and restaurants in a relatively small, compact configuration serving this vital area.

**EXISTING ZONING/LAND USE**

TR Transitional Zone / Cleared but undeveloped

**SURROUNDING LAND USE DESIGNATIONS (per Pima Prospers, Aug. 17, 2015)**

| North         | Medium Intensity Urban (MIU) |
| South         | Neighborhood Activity Center (NAC) |
| East          | Medium Intensity Urban (MIU), Neighborhood Activity Center (NAC) |
| West          | Medium Intensity Urban (MIU) |

**SURROUNDING ZONING/EXISTING LAND USE**

| North         | SR Suburban Ranch Zone / single residence on large lot |
| South         | CB-2 General Business Zone / cleared but undeveloped |
| East          | CB-2 General Business Zone, TR Transitional Zone / cleared but undeveloped |
| West          | TR Transitional Zone / high-density two-story residential and office |
STAFF REPORT:
Staff recommends APPROVAL of the request to amend the Comprehensive Plan land use designation to Neighborhood Activity Center (NAC) for the 0.88-acre site. The land use designation on the site was Medium High Intensity Urban (MHIU) when the amendment application was submitted in April 2015. The Comprehensive Plan Update, approved by the Board of Supervisors in August 2015, down-planned the site and surrounding region to Medium Intensity Urban (MIU); other areas immediately surrounding kept the same NAC designation. Staff's recommendation is based on certain Growing Smarter Acts principles, urban infill, plan designation consistency, infrastructure availability and provision of commercial services (see plan amendment criteria, below).

Uses on the parcels immediately to the south (Magee Center Lots 3 and 5) are restricted by rezoning conditions and staff recommends the addition of the following rezoning policy should this amendment be approved:

Uses of the property are limited to restaurants with/without a bar and CB-1 zoning uses except for automotive related uses, drive-through restaurants and stand-alone bars.

The 0.88-acre site is Lot 4 of the Magee Center Development Plan area. The site and surrounding area are flat, have been cleared of most vegetation, and portions have been paved. The area is served by utilities, sewer and paved roads – the Magee / La Cholla intersection was recently improved, and roads are designated Major Scenic and Major Routes, respectively.

The site is located in a region of mixed land uses and zoning. There are office complexes and townhouses immediately around the site, with a big-box store, Foothills Mall, and other commercial services and restaurants further to the south on La Cholla Boulevard. Residential development around the site ranges from a single low-density home site, to medium-density single family homes, and high-density apartments and townhouses. Commercial zoning, mainly along Magee Road and La Cholla Boulevard, is TR Transitional, CB-1 Local Business and CB-2 General Business zones; residential zoning includes SR Suburban Ranch, CR-1 Single Residence and CR-5 Multiple Residence zones.

Plan Amendment Criteria
Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

1. The plan amendment would promote:
   a. Implementation of the Growing Smarter Acts, with particular emphasis given to the principles of smart growth, such as: (i) mixed use planning, (ii) compact development, (iii) multi-modal transportation opportunities, (iv) rational infrastructure expansion/improvements, (v) conservation of natural resources, and (vi) the growth area element (where applicable);
   b. The implementation of other Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies.
   c. Compatibility with the Maeveen Marie Behan Conservation Lands System;
2. Fulfillment of the purpose of the Annual Plan Amendment Program as stated in the Pima County Zoning Code, 18.89.040(A) (2) & (3):
   The annual plan amendment program provides an opportunity to address oversights, inconsistencies, or land use related inequities in the plan, or to acknowledge significant changes in a particular area since the adoption of the plan or plan updates. Annual amendments are reviewed concurrently in order to analyze potential cumulative impacts.
Growing Smarter Acts
The plan amendment to the higher intensity NAC land use designation could meet the mixed use planning, compact development, multi-modal transportation, and rational infrastructure improvements principles of the Growing Smarter Acts. The site would contribute to a proposed commercial infill development that would complement an existing mixed use development just to the west (Magee Center office condominiums and Como del Sol townhouses) and residential development located nearby. The applicant proposes a compact configuration of development on the site, and has about 3¼ acres of developable area total when including surrounding vacant lots. For multi-modal transportation, the site is located at the intersection of two SunTran bus routes; the intersection of La Cholla Boulevard and Ina Road, about ¾ of a mile to the south, is served by five bus routes. The site also has wastewater conveyance and newly improved road infrastructure, and is served by Metropolitan Water District.

Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies
The site is located in a region that was down-planned from MHIU land use designation to MIU in the 2015 Comprehensive Plan Update. While this change reduces residential density from 24 residences per acre (RAC) maximum under MHIU to 5-13 RAC under MIU, the new MIU designation allows a mix of medium density residential housing types, in addition to office, medical office and hotel uses. The requested NAC land use designation would allow lower-intensity commercial services for day-to-day and weekly living needs, and fits the designation of surrounding properties and the proposed commercial infill use for the group of properties.

Within the 2015 Comprehensive Plan Update, Section 3.1 Land Use Element, Goal 1 (Long-range viability of the region), the proposed amendment supports a number of policies, including providing an appropriate mix of land uses; supporting land uses, densities and intensities appropriate for urban areas; promoting a compact form of development in urban areas where infrastructure is in place; and, supporting horizontal and vertical mixed use development along key transportation corridors (specifically, designated Major Scenic Routes and Major Routes).

The site is not currently covered by Special Area or Rezoning policies. Magee Center Lot 3 (immediately to the south) is covered under Rezoning Policy RP-131 and subsequent rezoning condition stating that uses on the property are limited to restaurant (with or without a bar) and CB-1 zoning uses except for automotive related uses, drive-through restaurants and stand-alone bars – staff recommends the same rezoning policy for this amendment request.

Maeveen Marie Behan Conservation Lands System
The site lies outside of the Maeveen Marie Behan Conservation Lands System (MMBCLS).

Fulfillment of the Purpose of the Annual Plan Amendment Program
The site’s current TR zoning conforms to the MHIU and new MIU land use designations; however, TR zoning is inappropriate for the commercial infill use on the properties. Magee Center Lot 5 (1.95 acres, located immediately south and east) had its land use designation amended from MHIU to NAC in 2004 (Co7-03-11). Similarly, Lot 3 (0.46 acres) was also amended from MHIU to NAC through a concurrent Comprehensive Plan amendment / rezoning in 2013 (Co7-13-09). Lots 3 and 5 were subsequently rezoned to CB-2 but remain undeveloped. Amending the land use on this site (Lot 4) to NAC, with a subsequent rezoning, would provide a contiguous 3½-acre group of parcels for the proposed commercial infill development.

In short, the plan amendment to NAC for the 0.88-acre site is justified by elements of the Growing Smarter Acts (mixed use planning, compact development, multi-modal transportation, and existing infrastructure). The site would also match adjacent parcels also amended to the NAC land use designation, and provide a larger area for the applicant’s proposed commercial infill development in a region of mixed commercial and office uses, and residential development.
AGENCY/DEPARTMENT COMMENTS:

Environmental Planning Comments:
The Comprehensive Plan amendment site is outside the MMBCLS, and contains no Priority Conservation Areas for species of concern in Pima County. The site has been cleared of most vegetation, with the exception of a few scattered trees. Overall, the site likely contributes very little to the preservation of habitat or important undisturbed natural areas locally, or the movement of wildlife through the region.

Regional Flood Control District:
The Pima County Regional Flood Control District (District) has reviewed the proposed Comprehensive Plan amendment request and offers the following comments:

▪ The site is not within floodplains or riparian habitat regulated by the District
▪ No Water Supply Impact Assessment is required as the site is less than 4 acres in area

In conclusion, the District has no objection to the proposed amendment.

Department of Transportation:
Due to the location, access changes and off-site improvements will not be needed. All changes to circulation or traffic volumes should have a marginal impact on traffic in the vicinity. During the rezoning phase, Department of Transportation (DOT) will further analyze on-site changes to the PDP as well as impacts to the transportation network as a whole. La Cholla and Magee have recently been redesigned. With the completion of this CIP project, access to this site, as well as circulation patterns in the area have already been established. Capacity should not be impacted due to the small size of the site, proposed use, and completed upgrades to the roadway network.

At this time, DOT has no objection to the above referenced amendment.

Regional Wastewater Reclamation Department:
The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the proposed request to amend 0.88 acres to NAC land use designation, to be a mixed-use development subject to obtaining the proper zoning.

The site is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor.

PCRWRD advises that no person shall construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner / developer to that effect. By accepting this plan amendment, the owner / developer acknowledges that adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner / developer and other affected parties.

PCRWRD has no objection to the proposed comprehensive plan amendment.

Cultural Resources & Historic Preservation:
The Cultural Resources and Historic Preservation Division of the Office of Sustainability and Conservation conducted a cultural resources review of the proposed request to amend the land use designation to NAC for approximately 0.88 acres located at the north side of W. Magee Road, west of N. La Cholla Boulevard.
The Division reviewed County records, which indicate that the subject property lies within a High Archaeological Sensitivity zone per the Sonoran Desert Conservation Plan, has not been previously surveyed for cultural resources, and has been subjected to land-leveling in recent times (surface disturbance appears to be extensive). Nearby cultural resources surveys indicate a low probability that future development would negatively impact intact buried cultural resources and the proposed Comprehensive Plan amendment has a low potential to negatively affect significant cultural resources.

However, prior to ground modifying activities, the property should be assessed by a professional archaeologist to determine whether an on-the-ground archaeological and historic sites survey should be conducted and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property should be submitted to Pima County at the time of, or prior to, the submittal of any tentative plat or development plan. All work should be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County’s cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code. A cultural resources survey and, if necessary, mitigation of any cultural resources by professional qualified archaeologists would be required.

Given this recommendation, the Pima County Office of Sustainability and Conservation has no objection to this request for Comprehensive Plan amendment.

**Natural Resources, Parks and Recreation Department:**
The Department reviewed the proposed amendment and has no objections.

**United States Fish and Wildlife Service:**
The Service has no concerns relating to the subject property, and requests no policies regarding mitigation measures.

**Mountain Vista Fire District:** The district reviewed the request and had no comment.

**Tucson Electric Power Company:** No comments were received.

**Metropolitan Water District:** No comments were received.

**SunTran:** No comments were received.

**PUBLIC COMMENTS:**

A notice of the hearings for this amendment request has been sent to property owners of record within 300 feet of the amendment site. As of the writing of this report, staff has received one e-mail in support of the proposed amendment from a medical office tenant adjacent to the site.

Respectfully Submitted,

Mark Holden, AICP
Principal Planner

cc: Magee Como Development Assn., LLC, Craig Courtney, Tucson, AZ 85704
Co7-15-01 Magee Como Development Association, LLC – N. La Cholla Boulevard Plan Amendment
Comprehensive Plan Land Use Designations
COMPREHENSIVE PLAN AMENDMENT

Planned Land Use and Notice Area

Co7-15-01 MAGEE COMO DEVELOPMENT ASSOCIATION, LLC - N. LA CHOLLA BOULEVARD PLAN AMENDMENT

Request: Medium Intensity Urban (MIU) under Pima Prospers to Neighborhood Activity Center (NAC) 0.88 Acres +/-

Location: North side of W. Magee Road, west of N. La Cholla Boulevard

Tortolita Planning Area under Pima Prospers
Section 33, Township 12 South, Range 13 East

Planning and Zoning Commission Hearing: August 26, 2015
Board of Supervisors Hearing: October 6, 2015 (projected)

Map Scale: 1:5,000
Map Date: August 3, 2015

Taxcode: 225-44-5470
Co7-15-01 Magee Como Development Association, LLC – N La Cholla Blvd. Plan Amendment

Current Land Use Designations

Medium-High Intensity Urban (MHIU)
To designate areas for a mix of medium to high density residential housing types, including cluster option developments, single family attached dwellings and apartment complexes, and other compatible uses. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses. Residential gross density: minimum = none, maximum = 24 residences per acre (RAC)

Medium Intensity Urban (MIU) (per Pima Prospers Comprehensive Plan 2015 Update)
To designate areas for a mix of medium density housing types such as attached dwellings, garden apartments, and single family, as well as non-residential uses such as offices, medical offices, and hotels. Site design should assure that uses are compatible with adjacent lower density residential uses. Residential gross density: minimum = 5 RAC, maximum = 13 RAC

Requested Land Use Designation

Neighborhood Activity Center (NAC)
To designate lower intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. NACs provide lower-intensity commercial services (e.g. grocery market as principal anchor tenant with other services such as drug store, hardware store, self-service laundry, or bank); areas are generally less than 25 acres in size.

Rezoning Policy RP-131
Concurrent Comprehensive Plan amendment / rezoning Co7-13-09 / Co9-13-04
Location: Lot 3, Magee Center, northwest corner of N. La Cholla Blvd. and W. Magee Road
Uses of the property are limited to restaurants with/without a bar and CB-1 zoning uses except for automotive related uses, drive-thru restaurants and stand-alone bars.
TO:        Mark Holden, DSD  
           Senior Planner

FROM:    Greg Saxe, Ph.D.  
           Env. Plg. Mgr

DATE:     June 30, 2015

SUBJECT:  Co7-15-01 Magee Como Development Assoc – N La Cholla Blvd Plan Amendment

The Pima County Regional Flood Control District (District) has reviewed the subject request and offers the following comments:

1. The site is not within floodplains or riparian habitat regulated by the District.
2. No Water Supply Impact Assessment is required as the site is less than 4 acres.

In conclusion the District has no objection.

If you have any questions regarding these comments or need further information, please contact me at 520-724-4600.

GS/sm

Cc:        File
Co7-15-01 DOT Comments

From: Jeanette DeRenne
To: Mark Holden
Date: July 22, 2015

At this time, DOT has no objection to the above referenced amendment. Due to the location, access changes and off-site improvements will not be needed. All changes to circulation or traffic volumes should have a marginal impact on traffic in the vicinity. During the rezoning phase, DOT will further analyze on-site changes to the PDP as well as impacts to the transportation network as a whole. La Cholla and Magee have recently been redesigned. With the completion of this CIP project, access to this site, as well as circulation patterns in the area have already been established. Capacity should not be impacted due to the small size of the site, proposed use, and completed upgrades to the roadway network.

Thank you for the opportunity to comment.

JNDR
July 18, 2015

TO: Mark Holden, Principal Planner
Planning Division
Pima County Development Services Department

FROM: Mirela Hromatka, Senior Planner
Planning and Engineering Section
Pima County Regional Wastewater Reclamation Department

SUBJECT: Co7-15-01 – Magee Como Development Association, LLC – N La Cholla Boulevard Comprehensive Plan Amendment
From MHIU to NAC
Tax Parcel #225-44-5470; 0.88 acres

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has received and reviewed the proposed amendment. The Plan Amendment would allow 0.88 acres to be in conjunction with the properties east and south of the subject parcel be developed as a mixed-use development subject to obtaining the proper zoning. The applicant is requesting the Neighborhood Activity Center (NAC) designation to support the proposed use, over the current designation of Medium High Intensity Urban (MHIU).

The plan amendment area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor.

The PCRWRD has no objection to the proposed comprehensive plan amendment but adds the following comment:

No person shall construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner / developer to that effect. By accepting this plan amendment, the owner / developer acknowledges that adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner / developer and other affected parties.

If you wish to discuss the above comments/conditions, please contact me at 724-6488.

MH
Copy: Project
DATE:   July 7, 2015

TO:     Mark Holden, Development Services

FROM:   Loy Neff, Cultural Resources

SUBJECT: Co7-15-01 Magee Como Development Assn, LLC – N La Cholla Blvd and Magee – Comprehensive Plan Amendment – Parcel #225-44-5470 – Cultural Resources Comments

I conducted a cultural resources review of Co7-15-01 Magee Como Development Association, LLC – N La Cholla Blvd and Magee – Comprehensive Plan Amendment – Parcel #225-44-5470 (.88 acre). The request is to amend the Comprehensive Plan land use designations from Medium High Intensity Urban (MHIU) / Medium Intensity Urban (MIU) under 2015 Comprehensive Plan update, to Neighborhood Activity Center (NAC) for approximately 0.88 acres located at the north side of W. Magee Road, west of N. La Cholla Boulevard. The subject property is in Pima County, Section 33, Township 12 South, Range 13 East.

I reviewed County records, which indicate that the subject property lies within a High Archaeological Sensitivity zone, per the Sonoran Desert Conservation Plan, has not been previously surveyed for cultural resources, and has been subjected to land-leveling in recent times (surface disturbance appears to be extensive). Nearby cultural resources surveys indicate a low probability that future development would negatively impact intact buried cultural resources and the proposed Comprehensive Plan Amendment has a low potential to negatively affect significant cultural resources.

However, prior to ground modifying activities, the property should be assessed by a professional archaeologist to determine whether an on-the-ground archaeological and historic sites survey should be conducted and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property should be submitted to Pima County at the time of, or prior to, the submittal of any tentative plat or development plan. All work should be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County’s cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code. A cultural resources survey and, if necessary, mitigation of any cultural resources by professional qualified archaeologists would be required.

Given this recommendation, the Pima County Office of Sustainability and Conservation has no objection to this request for Comprehensive Plan Amendment.
DATE:       June 24, 2015

TO:       United States Fish and Wildlife Service
          201 N. Bonita Ave., Suite 141
          Tucson, AZ  85745

FROM:       Mark Holden, Principal Planner

SUBJECT:   Comprehensive Plan Amendment request for your review and comments
           Case: Co7-15-01   Magee Como Development Assn., LLC – N. La Cholla Boulevard Plan Amendment

====================================================================================================

USFWS

Reviewer:   Scott Richardson

Address:    201 N. Bonita Ave., Suite 141  Tucson, AZ 85745

Phone:      (520) 670-6144 x 242

E-mail:     scott_Richardson@fws.gov

XX  No  Concerns relating to the subject property

Yes  Concerns relating to the subject property

Description of species impacted, concerns and suggested mitigation measures:

None.
RE: Comprehensive Plan amendment request Co7-15-01

Lisa Douglas <ldouglas@mountainvistafire.org>

Sent: Fri 06/19/2015 9:29 AM
To: Mark Holden

The Mountain Vista Fire District approves without comment.

Lisa Douglas
Fire Inspector

Mountain Vista Fire District
1175 West Magee Road | Tucson, AZ 85704
Direct: 520-328-8230 | Cell: 520-307-5273
Fax: 520-441-5386
Email: ldouglas@mountainvistafire.org | mountainvistafire.org
From: David Jacobs [davidjacobsmd.dj@gmail.com]
To: Mark Holden
Date: Mon 08/17/2015 9:23 AM

Mark
Thank you for taking time to speak with me today.
I can't make it to the meeting.
I am a medical/commercial (tr) user.
My address is 2262 w magee.
From what you described, I would support a NAC ie restaurants, hotel use etc..

Thank you
David Jacobs
520-219-0482
April 30, 2015

Mr. Jim Veomett, Senior Planner
Pima County Development Services
Planning Division
201 North Stone Ave. 2nd floor
Tucson, Arizona 85701

Re: Comprehensive Plan Amendment for Lot 4 from MHIU to NAC

Dear Mr. Veomett:

Please accept this letter as the Owner’s written request to initiate a Comprehensive Plan Amendment for Lot 4 of Magee Center from MHIU to NAC.

The property, currently zoned TR, is approximately .88 acres in size and located at 7791 La Cholla Blvd. Tucson, Arizona. The Tax Code Parcel # is 225-44-5470. The Property is owned by Magee Como Development Association, LLC, An Arizona Limited Liability Company with the following members:

1. Craig R Courtney, (520-247-3306)
2. Janine C Courtney,
3. M. Beth Haas, and

In addition, please accept this letter as the Owners’ authorization and your notification that Michael G Byrne (520-3071290), Craig R Courtney (520-247-3306), and/or M. Beth Haas (520-850-7121) are authorized and instructed by Magee Como Development Association, LLC, to represent the company in all matters necessary to achieve a Comprehensive Plan, Rezoning and Development Plan for Lot 4 of Magee Center.

Please accept any of the above parties’ written instructions, and/or request as those of the owner’s directly.

Thank you for your cooperation in this matter.

Sincerely,

Craig R. Courtney, Member
SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): **MAGES COMO DEVELOPMENT ASSOCIATION**
DAYTIME PHONE: *(520) 247-3306*  
FAX: *(620) 293-7728*
ADDRESS: **5791 N. ORACLE RD, STE 210, TUCSON, ARIZONA, 85718**  
E-MAIL: **ECOURTNEY@AZRECO.COM**
APPLICANT (if other than owner): **SAME**  
ADDRESS: 

SECTION II. AMENDMENT REQUEST INFORMATION

TAX CODE NO(S): **225-64-5710**
TOTAL ACRES: **ONE ACRE APPROX.**
GENERAL PROPERTY LOCATION: **LOT 4 OF MAGES CENTER, BOOK 56, OF MAP & PLATE, PAGE 94, SECTION 13, TOWNSHIP 13E, RANGE 13N**

COMPREHENSIVE PLAN SUBREGION(S): **NW - NORTH WEST**
ZONING BASEMAP(S): **BOARD OF SUPERVISORS DISTRICT(S): **ONE**
CURRENT/CONDITIONAL ZONING:** **TR**
EXISTING LAND USE: **VACANT**
CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): **MHIU (E)**
REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): **NAC**

SPECIAL AREA OR REZONING POLICIES BY POLICY #, WHICH CURRENTLY APPLY TO THE PROPERTY:

**NONE**
SPECIAL AREA OR REZONING POLICIES PROPOSED AS PART OF THE AMENDMENT REQUEST:

NONE

SECTION III. SURROUNDING PROPERTIES INFORMATION

CURRENT PLANNED LAND USE DESIGNATIONS OF SURROUNDING PROPERTIES (within 500 feet):
NORTH: MHIU
SOUTH: CBZ
EAST: CB-2
WEST: TR

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):
NORTH: VACANT / SFR
SOUTH: MEDICAL OFFICES / VACANT LAND
EAST: VACANT LAND
WEST: CONDOMINIUM PROJECT - BUILT OUT

EXISTING AND CONDITIONAL ZONING OF SURROUNDING PROPERTIES (within 500 feet):
NORTH: SR
SOUTH: CB-2
EAST: CBZ
WEST: TR

SECTION IV. REASONS FOR PROPOSED AMENDMENT - GROWING SMARTER

Please refer to Section I(F) of the Application Process Requirements document. Explain why you think one or more of the reasons described in Section I(F) support your Plan Amendment request. Attach additional page(s), if necessary.

To the east of lot 4 is lot 5 which is zoned CB-2 (NAC) and is currently vacant. Immediately south is lot 3 which is also zoned CB-2 (NAC). An exciting opportunity exists to incorporate lot 4 into the mix with lot 3 and 5 creating the critical mass for a mixed-use/medium-density project situated at the strategic corners of La Cholla and the newly rebuilt Magee Road. Located just north of Foothills Mall, we see the potential for an upscale mix of retail, office, hotels and restaurants in a relatively small compact configuration serving this vital area.
SECTION VI. SUBMITTALS

THE FOLLOWING ITEMS MUST BE INCLUDED IN THE APPLICATION:
  □ Site map - refer to Section I(E) of this application form for requirements.
  □ Ownership verification:
    ○ Assessor's map and property inquiry (APIQ) printout.
    ○ Original letter(s) of authorization (if applicant is not the property owner).
    ○ If a trust, original signature of trust officer and list of beneficiaries (if applicable).
    ○ If a corporation, original signature with person's title and the list of corporate officers (if applicable).
  □ PDF files of application materials, if applicable.
  □ Additional materials, if any
  □ Processing Fee (See attached Comprehensive Plan Amendment Fee Schedule Summary).

SECTION VII.

This complete application is true and correct to the best of my knowledge. I am the owner of the above-described property or have been authorized by the owner to make this application.

[Signature]

DATE 4/29/15

NAME OF APPLICANT - PRINTED

Michael Byrne
Book-Map-Parcel: 225-44-5470

Property Address:
Street No: 7791  
Street Direction: N  
Street Name: LA CHOLLA BL

Taxpayer Information:
MAGEE COMO DEVELOPMENT ASSOC LLC
5151 N ORACLE RD STE 210  
TUCSON AZ

85704-3757

Valuation Data:

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Property Information:
Section: 33
Town: 12.0
Range: 13.0E
Map & Plat: 56/94
Block: 
Tract: 
Rule B District: 14
Land Measure: 38382.00F
Group Code: 000
Census Tract: 4609
Use Code: 0021 (VACANT COMMERCIAL URBAN SUBDIVIDED)
File Id: 1
Date of Last Change: 8/22/2011

Valuation Area:
Condo Market: 11
DOR Market: 15
MFR Neighborhood: FW.WEST.NW
SFR Neighborhood: 01001810
SFR District: 

Supervisor District:
(1) ALLY MILLER

Recording Information:
4/30/2015
MAGEE CENTER
LOTS 1-5 AND COMMON AREA "A" (PRIVATE INGRESS-EGRESS / PRIVATE STREET AND PARKING AREA)
AND COMMON AREA "B" (PRIVATE INGRESS-EGRESS / PRIVATE STREET)
A RESUBDIVISION OF LOTS 10-23, 28-47, 50-68 & A PORTION OF COMMON AREAS "A" AND "B" OF COMO DEL SOL AMENDED.
LOTS 1-83 & BLOCK 1, & COMMON AREAS "A" AND "B" AS RECORDED IN MAPS AND PLATS BOOK 33, PAGE 79, SECTION 33, T-12-S, R-13-E,
PIMA COUNTY ARIZONA

NOVEMBER, 2002

JEFFREY A. STANLEY
Engineering
3409 W. Green Ridge
Tucson, Arizona 85741
(520) 881-1046

COMPANY: __________

CASE REFERENCE: 00-9-09-27, PG00-049

PI02-049

DEPARTMENT: __________

SHEET: 2 of 2