



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 9/6/2022

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

P22SP00001 WONG FAMILY LP – N. THORNYDALE ROAD SPECIFIC PLAN REZONING

***Introduction/Background:**

The applicant requests a specific plan rezoning for approximately 2.35 acres from the CB-1[®] (Local Business – Restricted) and the CR-5[®] (Multiple Residence – Restricted) to the SP (Specific Plan) zone located at the southeast corner of N. Thornydale Road and W. Overton Road.

***Discussion:**

The specific plan rezoning proposes a 39-foot high, three-story, 114,800 square-foot building for self-storage and associated office use with an 47-foot-high architectural element. The property is located within the Maeveen Marie Behan Conservation Lands System (CLS) which was implemented in the 2018 rezoning of the subject property. The planned avoidance of the Important Riparian Area conforms to the previously approved CLS mitigation plan.

***Conclusion:**

A rezoning to the SP zone allows for the proposed uses and conforms to the Comprehensive Plan.

***Recommendation:**

Staff and the Planning and Zoning Commission recommend APPROVAL subject to standard and special conditions.

***Fiscal Impact:**

0

***Board of Supervisor District:**

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Terrill L. Tillman, AICP, Principal Planner

Telephone: 520-724-6921

Department Director Signature: _____

Date: _____

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____



TO: Honorable Rex Scott, Supervisor, District 1

FROM: Chris Poirier, Deputy Director *Bob Tom Drzewowski*
Public Works-Development Services Department-Planning Division

DATE: August 16, 2022

SUBJECT: P22SP00001 **WONG FAMILY LP - N. THORNYDALE ROAD SPECIFIC PLAN REZONING**

The above referenced Specific Plan Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, SEPTEMBER 6, 2022** hearing.

REQUEST: For a **specific plan rezoning** for approximately 2.35 acres (parcel code 225-02-027M) from the CB-1® (Local Business – Restricted) and the CR-5® (Multiple Residence – Restricted) zone to the SP (Specific Plan) zone located at the southeast corner of N. Thornydale Road and W. Overton Road, addressed as **9150 N. Thornydale Road**. The proposed specific plan rezoning conforms to the Pima County Comprehensive Plan which designates the property as Neighborhood Activity Center and Medium Low Intensity Urban.

OWNERS: Wong Family LP
Attn: Daniel Wong
3705 N. Swan Road, Suite 108
Tucson, AZ 85712-12559

AGENT: Lazarus & Silvyn, P.C.
Attn: Rory Juneman and Robin Large
5983 E. Grant Road, Ste. 290
Tucson, AZ 85712

DISTRICT: 1

STAFF CONTACT: Terrill L. Tillman, AICP, Principal Planner

PUBLIC COMMENT TO DATE: As of August 16, 2022, no written public comment has been received. One speaker at the Planning and Zoning Commission public hearing protested the height of the structure.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 7 – 3** (Commissioners Hanna, Membrilla and Truitt voted NAY)

STAFF RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Lands System (CLS) classified as Important Riparian Area (.50 acres), Multiple Use Management Area (1.86 acres) and entirely covered by Special Species Management Area.

TD/TT/ds
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P22SP00001

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FOR SEPTEMBER 6, 2022 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Deputy Director *Tom Drangowski*
Public Works-Development Services Department-Planning Division

DATE: August 16, 2022

ADVERTISED ITEM FOR PUBLIC HEARING

SPECIFIC PLAN REZONING

P22SP00001 WONG FAMILY LP - N. THORNYDALE ROAD SPECIFIC PLAN REZONING

Wong Family LP, represented by Lazarus and Silvyn, P.C., request a **specific plan rezoning** for approximately 2.35 acres (parcel code 225-02-027M) from the CB-1® (Local Business – Restricted) and the CR-5® (Multiple Residence – Restricted) zone to the SP (Specific Plan) zone located at the southeast corner of N. Thornydale Road and W. Overton Road, addressed as **9150 N. Thornydale Road**. The proposed specific plan rezoning conforms to the Pima County Comprehensive Plan which designates the property as Neighborhood Activity Center and Medium Low Intensity Urban. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 7 - 3** (Commissioners Hanna, Membrilla and Truitt voted NAY). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (July 27, 2022)

The public hearing was held virtually. Some commissioners were virtual while others attended through the telephonic option. Staff and the applicant attended and presented virtually.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions added to Section V of the final specific plan.

A commissioner asked about the height of the buildings across the street to the north. Staff replied that they are single-story and around 22 feet in height. The commissioner questioned the allowable CB-1 uses and whether the applicant was locked into the self-storage use with this request. Staff replied that if the applicant were to propose a use less intense with equivalent or less building square footage, they could have a use other than self-storage without a public

hearing, but the CB-1 uses would be limited to 30 feet as written within the specific plan.

The applicant's representative presented additional information about the proposed project and clarified that the project meets the scenic corridor viewshed and discussed that the existing CB-1 zoning allows a height of 39 feet and also allows for self-storage, but CB-1 zoning limits the self-storage use to one-story. The need for the specific plan is due to the three-stories, the height of the architectural feature and parking reduction.

A commissioner asked about the proposed mural along Thornydale Road. The applicant's representative replied that they would like the flexibility to have the mural along Thornydale Road or Overton Road because there may be more visibility along Overton Road. The applicant stated that it would specifically be for art work, something fun to add to the building and that the muralist he would use is Joe Pagac who has created most of the downtown murals. He further discussed that the mural may be something similar to a building in the City that has a lizard drinking a margarita which is on a building he had developed. The commissioner agreed that the location of the mural may be more visible from Overton Road.

The hearing was opened to the public.

Speaker #1 representing the Coalition for Sonoran Desert Protection discussed that there was a previously approved Conservation Lands System approval for the property. She stated that the Important Riparian Areas (IRA) of the site connects across Thornydale Road to the Maeveen Marie Behan Desert Sanctuary and with the avoidance of the IRA, she can support the request. She stated support for the height because greater heights allow for additional conservation of land.

Speaker #2 spoke in opposition to the request. She protested the height of the structure and discussed a future development that is not related to this project.

The applicant discussed the public comments made by Speaker #2 clarifying that she resides more than one mile from the project and is discussing a future project near her home.

The public hearing was closed.

Commissioner Maese made a motion to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**; Commissioner Becker gave second.

A commissioner discussed that there is a self-storage building like this within the City and that it is an enormous eye-sore, is antithetical to our community in terms of height and its aesthetics would cause it to stand out. The commissioner realizes that this is a personal opinion and that the request may meet the standards for a rezoning but is not located within an area that contains high-rises and he can't support a request that doesn't seem to fit into the community aesthetics.

A commissioner agreed with the previous commissioner and discussed that the height isn't suited for the location in an area that doesn't contain anything higher than 20 feet and he has concerns for a building this size going defunct.

A commissioner stated that he generally agreed with the previous commissioner's statement, however would be in support of the request because he doesn't believe the height will directly impact the neighborhood.

A commissioner stated that he shares the concern about the height, but believes this is a well

thought out project, the applicant has met and worked with the neighbors on a compromise for the wall, and since the use is all indoor he supports this request.

A commissioner stated that she is not in support of the request and that the building will be intrusive, especially since it is adjacent to the Maeveen Marie Behan Desert Sanctuary and Arthur Pack Regional Park which she believes is not appropriate.

The commission voted to recommend **APPROVAL** of the specific plan rezoning 7 – 3 (Commissioners Hanna, Membrila and Truitt voted NAY), subject to the following Standard and Special conditions added to Section V of the Specific Plan:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply.
3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.
4. Transportation conditions:
 - A. The site is limited to one access point on Overton Road, and one access point on Thornydale Road. The access point on Overton Road shall be located opposite the driveway to the Thornydale Village shopping center approximately 330 feet east of Thornydale Road. The access point on Thornydale Road shall be restricted to right-in and right-out turning movements or as approved by the department of transportation at time of development plan review.
 - B. A traffic memorandum shall be submitted for review and approval by the Department of Transportation with the development plan submittal. Offsite improvements determined necessary as a result of the traffic memorandum shall be provided by the property owner.
5. Flood Control District conditions:
 - A. At the time of development, the developer shall be required to provide an As-Built Monitoring Report for the disturbance to the Regulated Riparian Habitat authorized through the construction permit with the activity number P18SC00082.
 - B. At the time of development, the developer shall be required to provide a maintenance covenant for the storage of stormwater through underground detention.
 - C. First flush retention shall be provided in above-ground Low Impact Development practices distributed throughout the site.
 - D. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
6. Wastewater Reclamation conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) stating that treatment and conveyance capacity is available for any new development within the rezoning area,

- no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
- C. The owner(s) 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(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system is permanently committed for any new development within the rezoning area.
- 7. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
 - 8. Cultural Resources condition: 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 ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. 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.
 - 9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
 - 10. In the event the subject property is annexed, the property owner shall adhere to all applicable conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
 - 11. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the

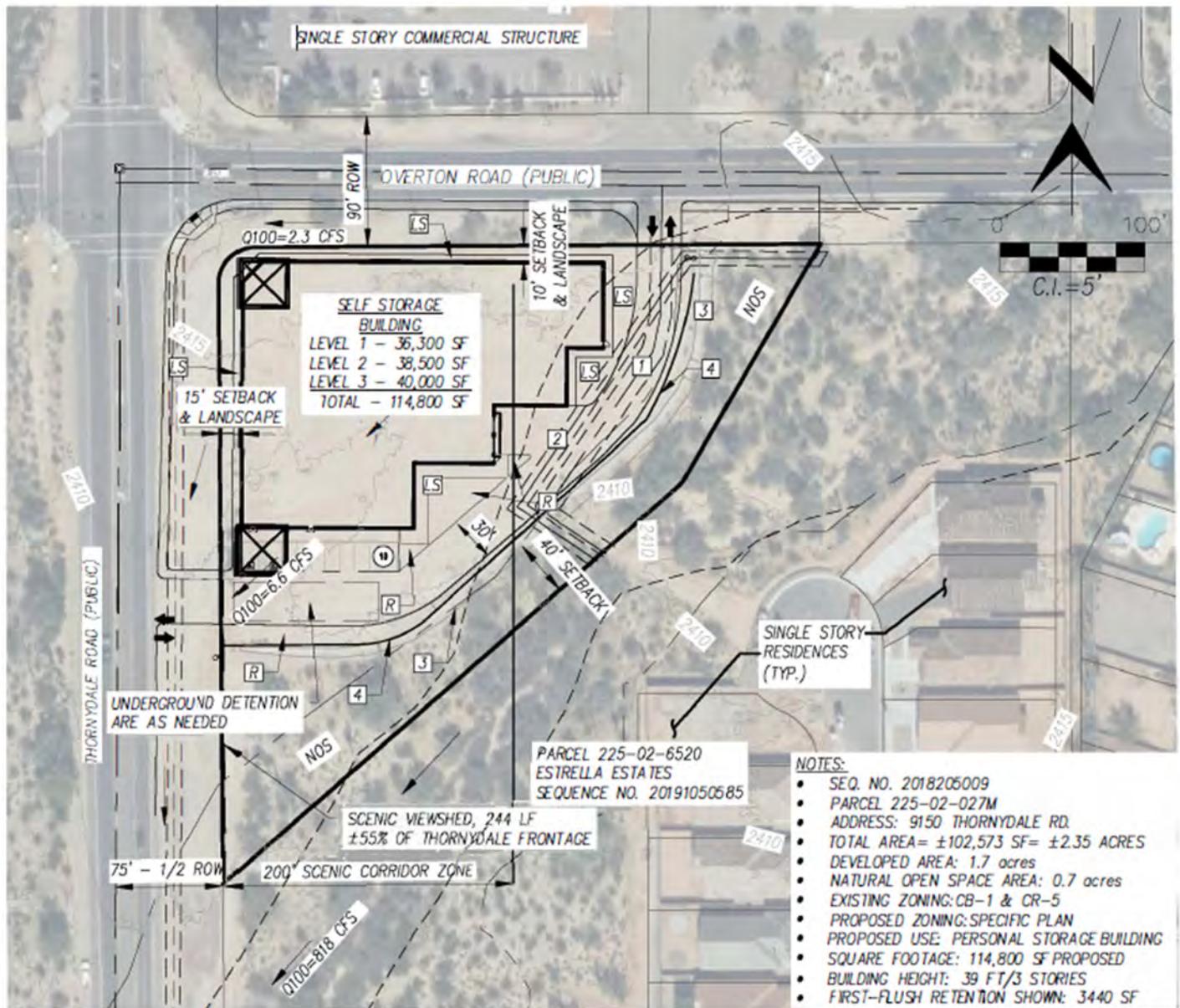
Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ds
Attachments

c: Rory Juneman & Robin Large, Silvyn & Lazarus, P.C.

Thornydale Storage Specific Plan

Exhibit II.A: Preliminary Development Plan



LEGEND

- 1 EX. 15' WIDE WATER EASEMENT
- 2 EX. 10' WIDE ELECTRIC EASEMENT
- 3 EXISTING BANK PROTECTION
- 4 5' SITE WALL
- LS PROPOSED LANDSCAPE

LEGEND

- PROPERTY BOUNDARY
- EROSION HAZARD SETBACK
- FLOW DIRECTION
- RIPARIAN
- EXISTING FLOOD PLAIN
- LANDSCAPE AREA WITH RETENTION/DETENTION [R]



Engineering and Environmental Consultants, Inc.

555 E. River Road, Suite 301 | Tucson, Arizona 85704

Tel 520.321.4625 | Fax 520.321.0333

THORNYDALE STORAGE
PRELIMINARY DEVELOPMENT PLAN
9150 N THORNYDALE ROAD
PIMA COUNTY, ARIZONA

JULY 2022

EEC JOB NO. 22013

SHT 1 OF 1



Case #: P22SP00001

Case Name: WONG FAMILY LP - N. THORNYDALE SPECIFIC PLAN REZONING

Tax Code(s): 225-02-027M

AERIAL EXHIBIT



0 220 440 880 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:



Map Scale: 1:6,000

Map Date: 7/5/2022 - ds



**SPECIFIC PLAN
PLANNING AND ZONING COMMISSION
STAFF REPORT**

HEARING DATE	July 27, 2022
CASE	P22SP00001 Thornydale Storage Specific Plan
SUBREGION	Tortolita Planning Area
DISTRICT	1
LOCATION	The property is located at the southeast corner of N. Thornydale Road and W. Overton Road (parcel code 225-02-027M).
ACREAGE	2.35 (+/-) acres
REQUEST	A Specific Plan rezoning from the CB-1® (Local Business - Restricted) and the CR-5® (Multiple Residence – Restricted) zones for multi-story, self-storage facility.
OWNERS	Wong Family LP Attn: Daniel Wong 3705 N. Swan Road, Suite 108 Tucson, AZ 85712-1259
AGENTS	Lazarus & Silvyn Attn: Rory Juneman & Robin Large 5983 E. Grant Road, Suite 290 Tucson, AZ 85712

APPLICANT'S PROPOSED USE

The applicant proposes a Specific Plan rezoning on approximately 2.35 acres for a three-story, 114,800 square-foot building for self-storage with an associated office.

APPLICANT'S STATED REASON

"The vision for the property is to develop a state of the art, secure, multi-story self-storage facility to address increased market demand in the area. A multi-story self-storage facility is an ideal design for urban areas where land is limited and rentable space is maximized to meet increasing demands. The Specific Plan provides the regulatory framework and guidelines for implementing the vision for the proposed development."

STAFF REPORT SUMMARY

Staff recommends **APPROVAL** of the Thornydale Storage Specific Plan subject to Section V conditions. (*Section V conditions are added to the final approved specific plan per rezoning condition #1.*) The property adheres to the Pima Prospers Comprehensive Plan Policies by conserving the Important Riparian Area (IRA), supporting land uses appropriate for urbanized areas and through compact development where infrastructure is in place.

PUBLIC COMMENT

As of the writing of this staff report, staff has not received any public comments.

Published and mailed notice of the proposal along with the website posting of staff's report will occur a minimum of fifteen days prior to public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors.

COMPREHENSIVE PLAN AND REGIONAL PLAN POLICIES

The subject property's land use designations are Neighborhood Activity Center (NAC) and Medium Low Intensity Urban (MLIU). NAC designates lower intensity mixed-use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs providing direct pedestrian and bicycle access to the surrounding neighborhoods. The MLIU designation plans for a mix of medium density single family and lower density attached dwellings. The proposed use conforms to the land use designations. The entire specific plan site is within the Maeveen Marie Behan Conservation Lands System (CLS). The MLIU area will remain natural and undisturbed, and all development will occur within the NAC area, which will meet all required CLS open space mitigation (see CLS section, below).

The proposal is supported by the Comprehensive Plan Regional Policies listed below:

Use of Land:

- Support land uses, densities, and intensities appropriate for the urban, suburban, and rural areas of the unincorporated County
- Promote a compact form of development in urban and suburban areas where infrastructure is planned or in place and the market is receptive

Environmental Element:

The following Conservation Guidelines apply to the IRA within the CLS:

- Every effort should be made to protect, restore and enhance the structure and functions of the IRA, including their hydrological, geomorphological and biological functions
- Areas within an IRA that have been previously degraded or otherwise compromised may be restored and/or enhanced

The policies of Pima Prospers are implemented within the specific plan rezoning by providing compatible, compact development along the rapidly developing Thornydale Road corridor where infrastructure is in place. The environmental policies of Pima Prospers were implemented under the previous rezoning for the site and subsequent mass grading maintaining the IRA in its natural state. The preliminary development plan demonstrates compliance through avoidance of the IRA.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CB-1	Walgreens/Unoccupied Commercial
South:	CR-5	Developed Residential Subdivision
East:	CR-5	Developed Residential Subdivision
West:	SR	Arthur Pack Regional Park

The general area is mostly developed and consists of higher-density residential subdivisions and areas of low-density parcels further east and southeast of the subject property. The lower density properties are the result of lot splitting over the years and are not serviced by sewer, are accessed through named easements and contain no street infrastructure. South and east adjacent to the

property are developed high-density single-family residential subdivisions. North of the subject property is developed commercially with a Walgreens and strip retail buildings. Further north, approximately one-half of a mile, at the northwest corner of N. Thornydale Road and W. Linda Vista Boulevard, are grocery, restaurants, and strip commercial uses. There are schools and churches that support the residential uses in the area. West of the property is Arthur Pack Regional Park. A Golder Ranch Fire Station lies approximately one mile northeast of the property.

PREVIOUS REZONING CASES ON PROPERTY

There have been two previous rezonings for the subject property. In 1979, a rezoning (Co9-79-15) was requested for TR (Transitional) and CR-5 (Multiple Residence) zoning and included the adjacent 20 acres to the east. The request was withdrawn by the applicant.

In 2018, rezoning case P18RZ00001 was approved for CB-1 (Local Business) and CR-5 zoning for the subject property and included the CR-5 zoning for the developed subdivision, Estrella Estates, to the south with on-site and off-site CLS open space conservation. This specific plan is for the northern portion of the previous rezoning and will change the use, height and square footage of the building.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

- *Rezoning case P16RZ00005* - W. Hardy Road for SR (Suburban Ranch) to CR-5 for 19.81 acres located approximately 1,000 feet to the southeast of the subject property for a 55-lot single family residential infill development with both on-site and off-site open space conservation was approved by the Board of Supervisors on September 6, 2016.
- *Rezoning case P16RZ00012* - Shannon Road rezoning for SR to CR-2 (CL) (Single Residence – Cluster) (78.6 acres) south of the Linda Vista Boulevard alignment located approximately three-fourths of a mile northeast of the subject property. The rezoning was approved November 7, 2017 for a 94-lot single-family cluster development with both on-site and off-site CLS conservation.
- *Rezoning case P17RZ00003* - N. Shannon Road for SR to CR-1 (Single Residence) (4.73 acres) zone located approximately one-half mile south of the subject property. The rezoning was approved was approved by the Board of Supervisors August 21, 2017 for five, approximately one-acre lots to be developed with a single family residence on each parcel.
- *Rezoning case P17RZ00006* – W. Sumter Drive for SR to CR-4 (Mixed-Dwelling Type) for 77.95 acres located approximately one-half mile north of the subject property for a 200-lot single family residential development with both on-site and off-site CLS open space conservation was approved by the Board of Supervisors on January 2, 2018.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR. Areas adjacent to and near the site were rezoned in the 1980's and early 1990's to CR-4, CR-5, and TR with resultant single-family subdivision lot development despite some instances of original rezoning approvals for attached townhome and condominium style development. There has also been a number of lower density, one-acre sized CR-1 rezonings in the general area.

Rezonings resulting in commercial service and apartment development have also occurred, including a shopping center and apartments at, and near the northwest corner of Thornydale Road

and Linda Vista Boulevard and retail and other commercial buildings at the northeast corner of Thornydale Road and Overton Road.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS)

The subject property is located within the CLS classified as Important Riparian Area (IRA) (.50 acres), Multiple Use Management Area (1.86 acres) and entirely covered by Special Species Management Area. The 2018 rezoning included the subject property and the subdivision to the south and required approximately 52 acres of CLS natural open space with a minimum of 3 acres on-site and the remaining balance provided off-site. Much of the required CLS on-site and off-site mitigation was satisfied within the subdivision plat and grading plan for Estrella Estates. With the planned IRA open space along the southern boundary of the subject property, the property will be in compliance with the CLS guidelines and the previously approved preliminary development plan.

PLANNING REPORT

Staff supports the request because the subject rezoning is a compatible and complimentary land use and acts as a transitional use in between the more intense commercial uses to the north and the single-family uses adjacent to property. Self-storage facilities are low traffic generators and are generally a quiet neighbor and the request conforms to the comprehensive plan. Concurrency of infrastructure exists employing the efficient use of existing infrastructure needed to support the use.

Specific plans are a planning document that allow for flexibility in the development of a property through the writing of the development standards which are typically outside the normal parameters of standard zoning classifications. The Thornydale Storage Specific Plan proposes the self-storage use, but will also allow for all CB-1 (Local Business) uses which are typically retail strip uses, personal services and restaurants with or without a bar. CB-1 zoning does allow for more intense uses such as automobile lubrication and oil change operation, but must be operated within a completely enclosed building. The proposed CB-1 uses would be considered equivalent to the more intensive commercial uses to the north and are planned for a maximum height of 30 feet.

The self-storage use of the property is planned for a single, 114,800 square foot building. The hours of operation are from 6 am to 10 pm for storage access with office hours of 9 am to 6 pm. Adequate setbacks of 15 feet adjacent to Thornydale Road and 10 feet adjacent to Overton Road are demonstrated within the preliminary development plan with one access from Overton Road and one access from Thornydale Road. The property contains IRA along its southern boundary where significant vegetation exists which will remain natural. There has been a grading permit issued and subsequent grading for the subject property and the riparian area has been left intact. The proposed preliminary development plan demonstrates avoidance of the IRA for continued CLS compliance approved under the previous rezoning in 2018. A 15-foot-wide bufferyard is planned along Thornydale Road and a 10-foot-wide bufferyard is planned adjacent to Overton Road. No bufferyard nor setback is planned along the southern boundary of the site as the natural riparian area acts as a buffer from the commercial use to the residential uses.

Thornydale Road is designated as a Major Street and a Scenic Route (MSSR). Within 200 feet of the Thornydale Road MSSR, a maximum height of 24 feet is allowed as long as a 20% view corridor is provided and buildings are required to be earth tone in color. The specific plan allows for a maximum height of 39 feet for the building and 47 feet for the architectural feature which may not be greater than 10% of the total of the roof area. Signage along with public art or mural painting along the Thornydale Road frontage is planned. If the specific plan is approved by the

Board of Supervisors, the specific plan will supersede the zoning code height allowance, view corridor and allow public art adjacent to Thornydale Road. Architectural design features are demonstrated within the specific plan and will utilize earth tone colors intended to blend in with similar commercial developments along the major Thornydale Road corridor.

Concurrency of Infrastructure:

Concurrency of infrastructure exists or to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	Minor Concurrency Concern
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	N/A	
WATER	Yes	A will-serve letter is contained within the SP
DEPARTMENT OF ENVIRONMENTAL QUALITY	Yes	No objection

TRANSPORTATION REPORT

The property is subject to transportation rezoning conditions #2A - D from the previous 2018 rezoning which were met under previously approved development permits with the exception of condition #2C limiting the property to two access points on Thornydale Road, and one access point on Overton Road. One access point on Thornydale Road has already been constructed to serve the residential portion. Therefore, condition #2C will be re-written as part of the specific plan request.

Thornydale Road has been recently improved per capital improvement project number 4TCFLV. Thornydale Road is a paved two-lane roadway with a two-way left turn lane and paved shoulders maintained by the County. Thornydale Road is classified as Urban Minor Arterial by its federal functional classification with a posted speed limit of 40 miles per hour. The most recent traffic count for Thornydale Road just south of its intersection with Overton Road is 16,956 average daily trips (ADT), and north of Overton Road is 19,514 ADT. The traffic capacity of Thornydale Road is 16,815 ADT.

One access point will be allowed on Overton Road and it shall be located directly opposite the driveway to the Thornydale Village shopping center approximately 330 feet east of Thornydale Road. The access point on Thornydale Road is proposed 270 feet south of Overton Road and it is located at the opening for the northbound left-turn lane at the signalized intersection that provides access to the Arthur Pack Regional Park. The Subdivision and Development Street Standards (SDSS) does not allow the placement of driveways within the functional limits of the

intersection unless approved by Pima County. The functional limits are defined as the area between the near curb line of the cross street and the beginning of tapers for right- and left-turn lanes. Therefore, due to potential for conflicts between northbound left turning vehicles at the Thornydale Road and Overton Road intersection and southbound left-turns into the project driveway, the driveway on Thornydale Road shall be restricted to right-in and right-out turning movements, or as approved by the Department of Transportation at time of development plan review.

Thornydale Road is at traffic capacity at the rezoning site, but given this project is expected to generate approximately 174 average daily trips and benefits from existing users of Thornydale Road, it will not create a significant increase in new daily trips for this corridor. There is a minor transportation concurrency concern due to capacity.

The Department of Transportation recommends approval given the following conditions subject to rezoning conditions #4A-B.

FLOOD CONTROL REPORT

The Regional Flood Control District (RFCD) offers the following comments:

1. This property contains Flood Control Resource Areas (FCRA) located from the north to southeast boundary of the property. The FCRA is comprised of approximately 0.53 acres of Regulated Riparian Habitat (RRH) classified as Important Riparian Area with an underlying classification of Xeroriparian Class C habitat. Approximately 0.16 acres of RRH was authorized to be disturbed through a construction permit (Activity number P18SC00082). A requirement of the project was to provide an As-Built Monitoring Report (Report) documenting implementation of the mitigation plantings. This Report has not been provided to the District. An As-Built Monitoring Report shall be submitted to the District for review and approval to demonstrate the development has met the development obligation. A condition will be provided to ensure at the time of development the required Monitoring Report will be submitted for District review and approval.
2. The FCRA also contains a Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) Zone AE. The construction permit (P18SC00082) authorized construction of bank protection along the west bank of the regulatory wash. The bank protection reduced the associated erosion hazard setback and the FEMA SFHA boundaries were revised through a Letter of Map Revision (LOMR). The acceptance date of the LOMR was April 20th, 2020. The Specific Plan has been updated to reflect the LOMR.
3. The property is located within a Critical Basin where a 10% reduction is required. This project shall meet Critical Basin detention requirements and the narrative states the project will provide up to a 15% reduction of pre-development conditions. The location of the basin(s) have been provided on the revised PDP and now shows a note that states, "Underground Detention Area as Needed." The District does not prohibit utilizing underground storage as a method of Detention however due to the complexities of maintenance a maintenance covenant will be required at the time of development.
4. First Flush retention is a requirement. The Site Analysis Section E. Hydrology indicates this requirement will be incorporated into the project however the PDP does not indicate where the basins are located that provide the First Flush retention. Retention shall be provided in above-ground basins to supplement irrigation and can reduce the required detention volume. The PDP provides a note stating First Flush retention will be used as a method of retention.
5. This site has an assured water supply by the Metro Water District during the initial 2018 rezoning (P18RZ00001). At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals

or exceeds 15 points and includes a combination of indoor and outdoor measures. A condition will be provided to ensure compliance with the Water Policy of the Comprehensive Plan.

The Regional Flood Control District has no objection subject to rezoning conditions #5A-D.

WASTEWATER RECLAMATION REPORT

Capacity is currently available for this development in the 21" public sewer G-84-024, downstream from manhole 4201-16 (P22WC00135 Type I, dated May 5, 2022).

The Pima County Regional Wastewater Reclamation Department (PCRWRD) has no objection to the proposed rezoning subject to rezoning conditions #6A-F.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection subject to rezoning condition #7.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of conditions #8.

DEPARTMENT OF ENVIRONMENTAL QUALITY REPORT

Pima County Department of Environmental Quality will require an Air Quality Permit prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

The US Fish and Wildlife Service have no concerns regarding the rezoning.

WATER DISTRICT REPORT

Metropolitan Water District has no comment. A will serve letter is contained within the specific plan.

FIRE DISTRICT REPORT

Golder Ranch Fire District has provided the applicant comments for compliance with fire code requirements.

IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply.
3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.

4. Transportation conditions:
 - A. The site is limited to one access point on Overton Road, and one access point on Thornydale Road. The access point on Overton Road shall be located opposite the driveway to the Thornydale Village shopping center approximately 330 feet east of Thornydale Road. The access point on Thornydale Road shall be restricted to right-in and right-out turning movements or as approved by the department of transportation at time of development plan review.
 - B. A traffic memorandum shall be submitted for review and approval by the Department of Transportation with the development plan submittal. Offsite improvements determined necessary as a result of the traffic memorandum shall be provided by the property owner.
5. Flood Control District conditions:
 - A. At the time of development, the developer shall be required to provide an As-Built Monitoring Report for the disturbance to the Regulated Riparian Habitat authorized through the construction permit with the activity number P18SC00082.
 - B. At the time of development, the developer shall be required to provide a maintenance covenant for the storage of stormwater through underground detention.
 - C. First flush retention shall be provided in above-ground Low Impact Development practices distributed throughout the site.
 - D. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
6. Wastewater Reclamation conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) stating that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) 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(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review

- of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
- F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system is permanently committed for any new development within the rezoning area.
7. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
8. Cultural Resources condition: 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 ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. 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.
9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
10. In the event the subject property is annexed, the property owner shall adhere to all applicable conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
11. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,






Terrill L. Tillman, AICP
Principal Planner

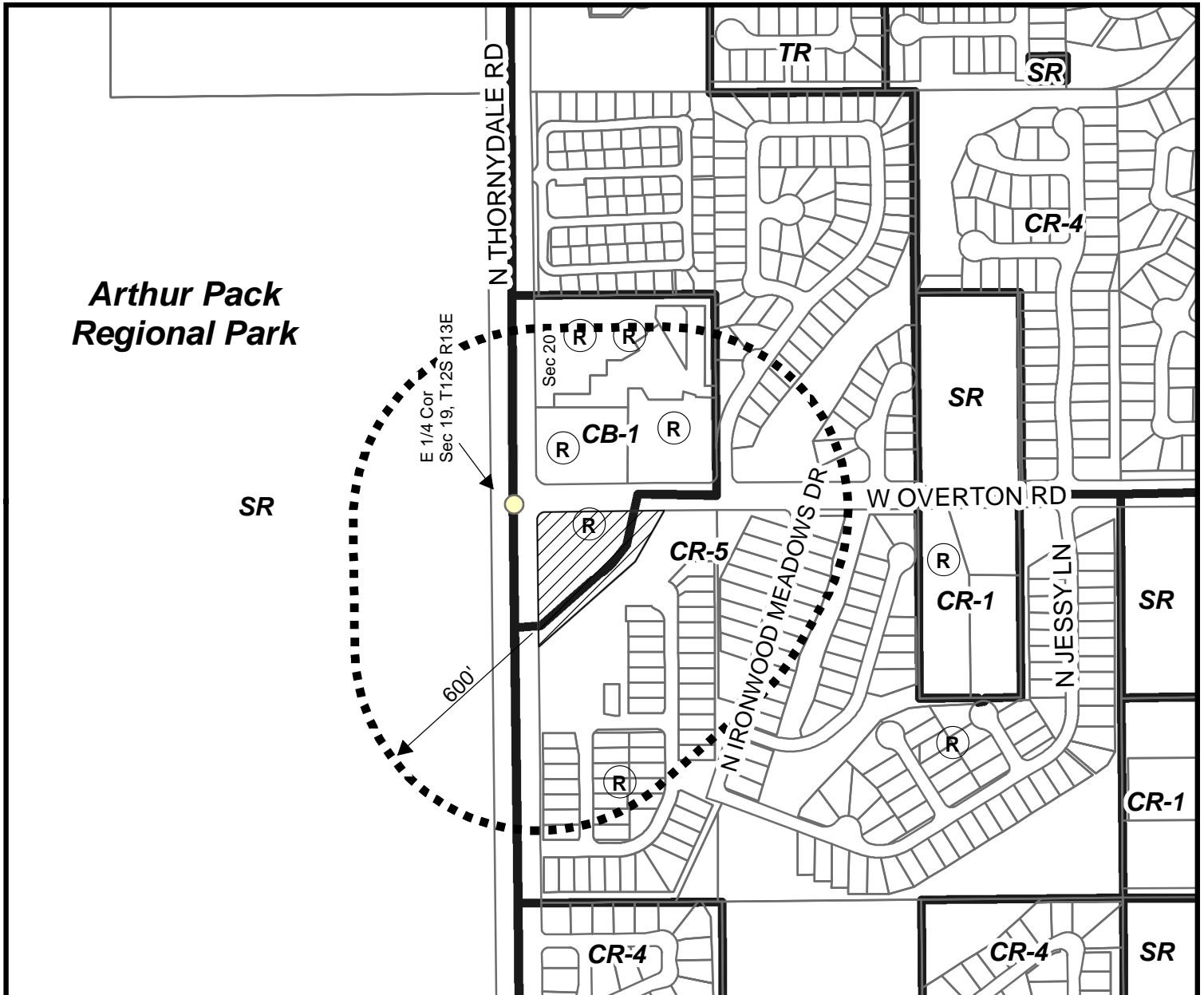
c: Lazarus & Silvyn, Attn: Rory Juneman & Robin Large

Case #: P22SP00001

Case Name: WONG FAMILY LP - N. THORNYDALE SPECIFIC PLAN REZONING

Tax Code(s): 225-02-027M

-  Subject Property
-  600' Notification Aea
-  Zoning Boundary



0 220 440 880 Feet

Area of proposed rezoning from CB-1® & CR-5® to SP



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 7/27/22 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 161

Map Scale: 1:6,000

Map Date: 7/5/2022 - ds



Neighborhood Activity Center (NAC)

Objective: 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. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are to be located on arterials. Smaller mixed use centers may contain medium density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how the project serves to create or enhance the mixed use character of the designated activity center as a whole.

- Residential Gross Density: (if applicable) Minimum- 5 RAC; Maximum- 12 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 5 RAC; Maximum- 8 RAC



Land Use Legend and Map

Medium Low Intensity Urban (MLIU)

Objective: To designate areas for a mix of medium density single-family and lower density attached dwelling units; to provide opportunities for a mix of housing types throughout the region.

- Residential Gross Density: Minimum- 2.5 RAC; Maximum- 5 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 2.5 RAC; Maximum- 4 RAC

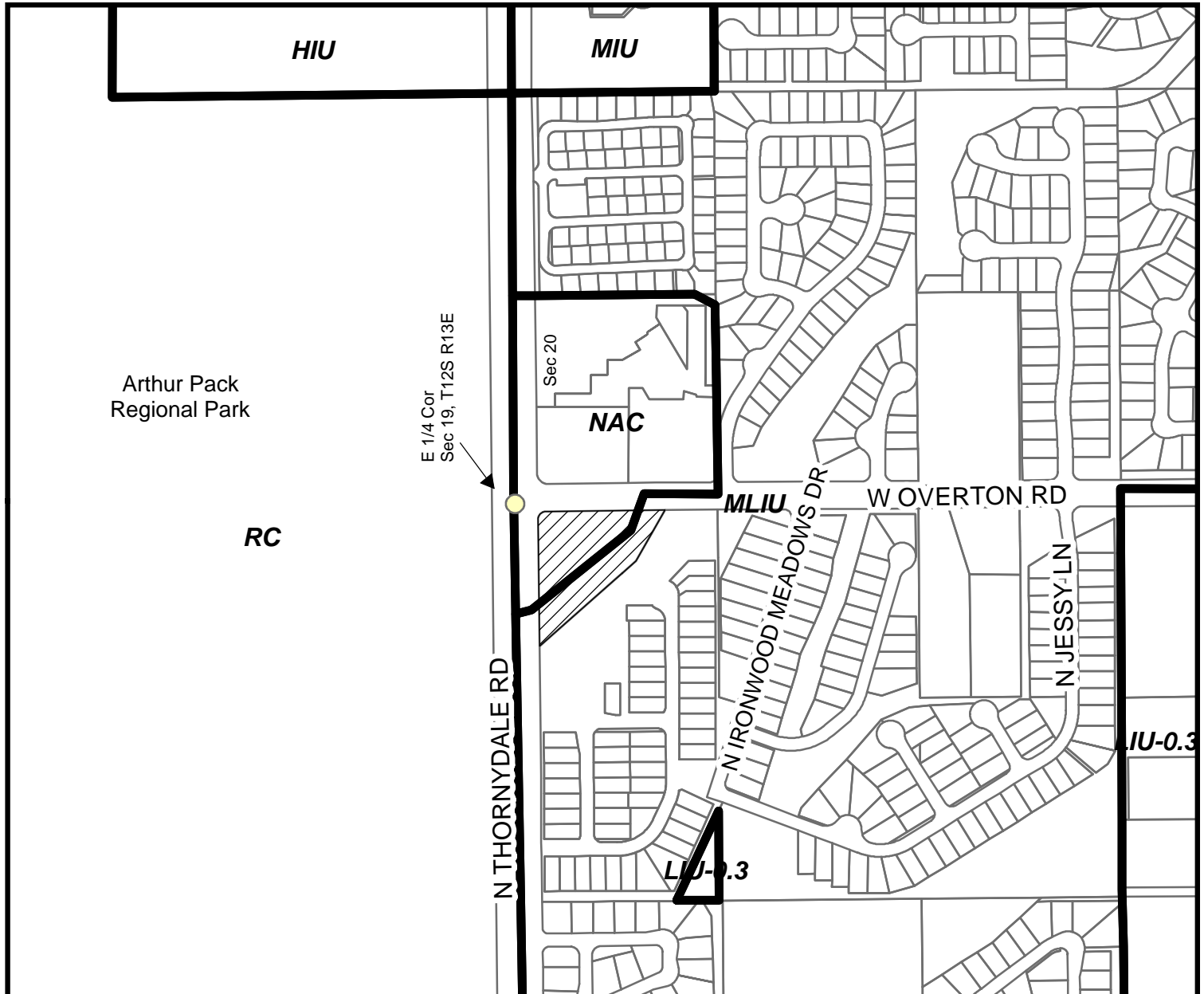
Case #: P22SP00001

Case Name: WONG FAMILY LP - N. THORNYDALE SPECIFIC PLAN REZONING

Tax Code(s): 225-02-027M

COMPREHENSIVE PLAN EXHIBIT

 Subject Property



0 220 440 880 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Map Scale: 1:6,000

Map Date: 7/5/2022 - ds



P0230

PIMA CO CLERK OF THE BOARD
PICKUP

SEQUENCE:

20182260377

NO. PAGES:

6

08/14/2018

14:36:18

ORDINANCE 2018- 24

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 18.3 ACRES OF PROPERTY (PARCEL CODES 225-02-027F, 225-02-027G and 225-02-027J) FROM THE SR (SUBURBAN RANCH) TO THE CB-1(LOCAL BUSINESS)(3.0 ACRES) AND CR-5 (MULTIPLE RESIDENCE)(15.3 ACRES) ZONES, IN CASE P18RZ00001 WONG FAMILY LIMITED PARTNERSHIP – N. THORNYDALE ROAD REZONING, LOCATED AT THE SOUTHEAST CORNER OF N. THORNYDALE ROAD AND W. OVERTON ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 161.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The 18.3 acres located at the southeast corner of N. Thornydale Road and W. Overton Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 161, is rezoned from the SR (Suburban Ranch) to the CB-1(Local Business)(3.0 acres) and CR-5 (Multiple Residence)(15.3 acres) zones subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. The property owner shall dedicate 45 feet of right-of-way for Thornydale Road, the right-of-way shall be dedicated to Pima County within 45 days of Board of Supervisors approval of the rezoning.
 - B. The property owner shall dedicate 15 feet of right-of-way for Overton Road.
 - C. The property is limited to two access points on Thornydale Road, and one access point on Overton Road.
 - D. An emergency access/pedestrian crossing shall be located between the rezoning site and Ironwood Meadows Drive.
 - E. The subdivision shall be designed to the greatest extent possible to create cohesive pedestrian access. The proposed detention basin on the eastern boundary of the property shall not be walled off from the neighboring subdivision.
3. Regional Flood Control District conditions:
 - A. The Tentative Plat shall show on-site habitat mitigation and first flush retention in the overbank floodplain area and shall be designed to utilize on-site drainage that is proposed to be received from the northern residential watershed shown on the PDP.
 - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points including water harvesting to support the riparian habitat mitigation area.

4. Regional Wastewater Reclamation Department conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) 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(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning conditions:
 - A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines by providing a total of 52 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the Preliminary Development Plan (PDP) (Exhibit B), the property owner shall provide a minimum of four (4) acres of natural open space for every acre developed in order to achieve full compliance with the CLS Conservation Guidelines. No less than 3 acres of NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved PDP. The difference between the total 52 acres of NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies found in Pima Prospers, Pima County's 2015 Comprehensive Land Use Plan (Section 3.4 Environmental Element, Policy 11: "Conservation Lands System Mitigation Lands") and must comply with all of the following:
 - 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and

- 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.

B. Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

6. Cultural Resources condition: 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 ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. 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.
7. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

9. The property owner shall execute the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning, or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Section 3. Time limits of conditions. Conditions 1 through 9 of Section 2 shall be completed no later than May 1, 2023.

Section 4. 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.

Section 5. The effective date of this Ordinance is the date the Chairman of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this 7th day of August, 2018.



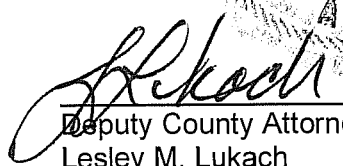
Chairman, Pima County Board of Supervisors

ATTEST



Clerk, Board of Supervisors

Approved As To Form



Deputy County Attorney
Lesley M. Lukach

Approved



Executive Secretary
Planning and Zoning Commission

7-5-18

EXHIBIT A

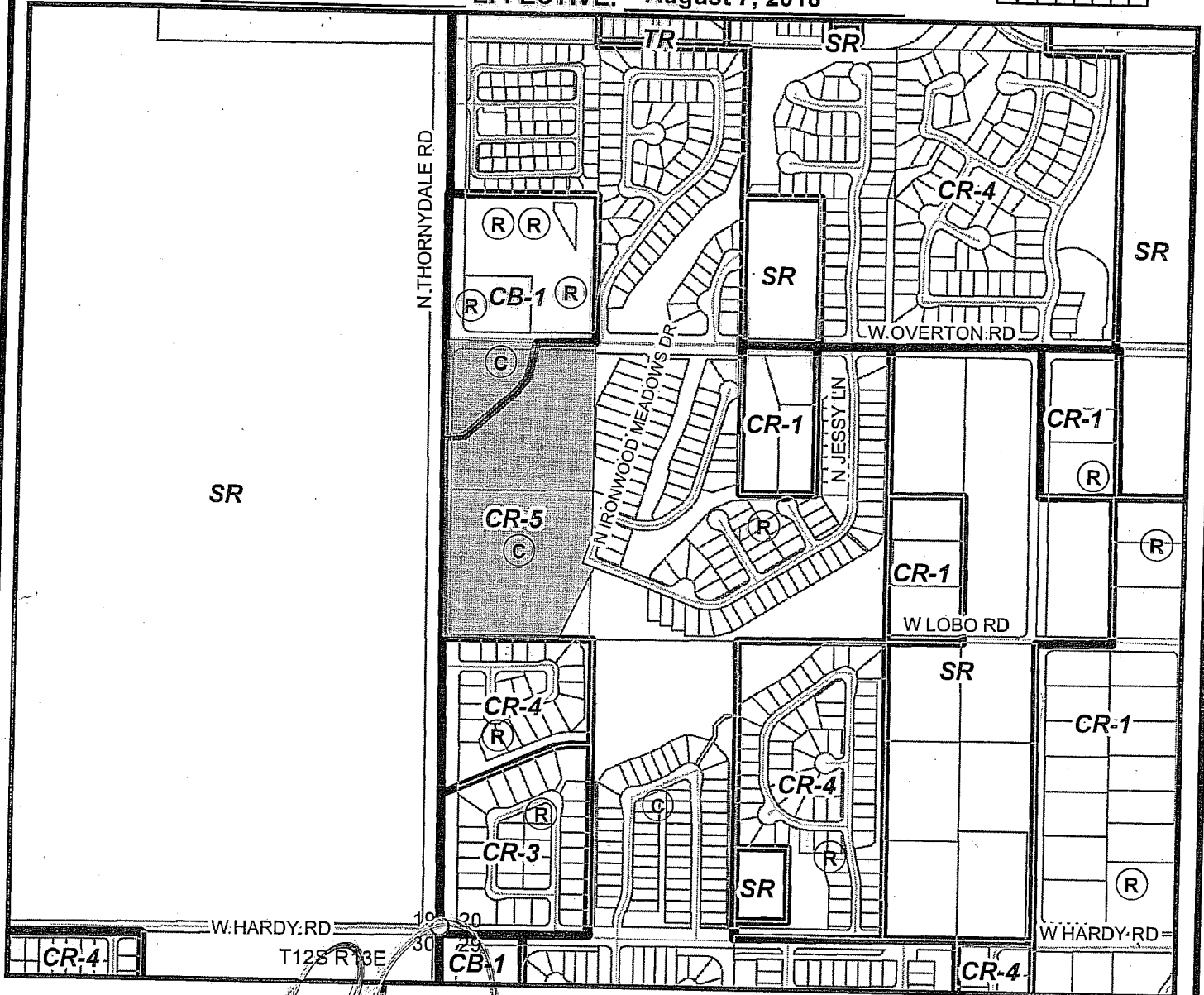
AMENDMENT NO. 57 BY ORDINANCE NO. 2018-024
 TO PIMA COUNTY ZONING MAP NO. 161 TUCSON AZ. PARCEL 27F,
 27J AND 27G BEING A PART OF THE NW 1/4 OF THE SW 1/4 OF SEC 20 T12S R13E.



0 165 330 660 Feet

ADOPTED: August 7, 2018

EFFECTIVE: August 7, 2018



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
 FROM SR 18.03 ac
 ds-June 19, 2018



P18RZ00001
 22502027F, 27J, 27G

LEGEND

- PDP Boundary
- New Zoning / Property Boundary
- On-Site CLS Set-Aside Area (Natural Open Space)
- Proposed Bank Protection (Post-Development 100-year Floodplain)
- Proposed Detention Basin
- Mapped Riparian Habitat Important Riparian Areas (CLS-IRA) with underlying Xeroriparian "C"
- Hardy Wash Trail #160 Proposed Alignment
- 20' wide Pedestrian/Emergency Access
- Area A (3.0 AC); Proposed CB-1 zoning (See Proposed Uses; this page right)
- Area B (15.3 AC); Proposed CR-5 zoning (See Proposed Uses; this page right)
- Post-Development Flows / Concentration Points Exiting the Site
- Storm Drain
- Surface Flow Direction
- Grade Break
- Limit of Scenic Route Setback and Color / Height Limitations
- Lots limited to single-story residences

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917

SEC THORNYDALE ROAD at OVERTON ROAD
(Ownership Entity: Wong Family Limited Partnership)
REZONING: SR to CR-5 & CB-1

ALLIANCE
ENGINEERING, PC
CIVIL ENGINEERING



GRS
LANDSCAPE ARCHITECTS, LLC

PROJECTS INTERNATIONAL, INC.

STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

PRELIMINARY DEVELOPMENT PLAN

Page 6 of 6

Thornydale Storage Specific Plan – Thornydale Rd. & Overton Rd.

Neighborhood Meeting Summary

Project: ZDC Properties, LLC (“ZDC”) is proposing to develop approximately 2.35 acres of land at the southeast corner of Thornydale Road and Overton Road in unincorporated Pima County (“County”), Assessor’s Parcel Number 225-02-027M (the “Property”). ZDC is proposing to develop the Property’s developable area with a new multi-level Self-Storage facility (the “Project”). The Property is split zoned to delineate its developable and non-developable areas. The Property’s development area is zoned Local Business (“CB-1”) and its Comprehensive Plan, *Pima Prospers* (the “Comprehensive Plan”), land use designation is Neighborhood Activity Center (“NAC”). The Property’s protected open space area (established with a prior rezoning) is zoned Multiple Residence (“CR-5”), and its planning land use designation is Medium/Low Intensity Urban (“MLIU”).

Date/Time: Tuesday, June 14, 2022
6:00 p.m.

Location: Mountain View Baptist Church, 3500 W Overton Rd, Tucson, AZ 85742

Meeting Invitation: The meeting invitation was sent to all property owners within 600 feet of the Property via First-class Mail using a County-generated mailing list. (*See attached meeting invitation letter and mailing labels.*)

Attendance: Other than the Project Team, six neighbors attended the meeting; four arrived by 6:00 p.m. and two arrived at approximately 6:30 p.m. (*See Neighborhood Meeting Sign-In Sheets.*)

Project Team: The Project Team in attendance included:

- Zach Channing (Developer)
- Rory Juneman, Robin Large, & Jackson Cassidy of Lazarus & Silvyn (Planning/Zoning Consultants)

Meeting Synopsis: Mr. Juneman opened the meeting at 6:10 pm. Mr. Juneman welcomed the attendees and introduced them to Mr. Channing, Ms. Large, and Mr. Cassidy. Mr. Channing introduced himself, discussed his background, and explained how ZDC has responded to demand for self-storage in the area. Mr. Juneman then reviewed the agenda for the evening’s presentation.

Mr. Juneman oriented attendees to the vacant Property’s location at the southeast corner of Thornydale Rd. and Overton Rd. Mr. Juneman explained the Property’s existing zoning (CB-1 and CR-5), the zoning and land uses of nearby properties, and the Property’s Comprehensive Plan land use designation (NAC and MLIU).

Mr. Juneman explained the reason for this rezoning to a Specific Plan, showed attendees the preliminary development plan (“PDP”) for the Project, and presented several architectural renderings of the Project.

Mr. Juneman then explained the County's rezoning process and dedicated the rest of the meeting for questions. (*See attached meeting presentation slides.*)

Q&A: Topics: The second portion of the meeting was dedicated to answering questions and listening to comments. Attached is a list of question topics asked by attendees and summaries of the Project team's responses.

The meeting ended at approximately 7:00 p.m.

Questions and Answers

Thornydale Storage Specific Plan – Thornydale Rd. and Overton Rd.

Neighborhood Meeting

Tuesday, June 14, 2022, 6:00pm – 7:00pm

Below is a summary of topics discussed at the neighborhood meeting.

Road Improvements

- A question was asked about whether there would be a turn lane installed on Thornydale Rd. or Overton Rd. for the Project. Mr. Juneman replied that there will not be turn lanes installed because the Project's low traffic counts and surrounding roadways do not warrant one.
- A question was asked whether cars with trailers would be able to turn into and maneuver within the Project. Mr. Juneman replied that there would be enough space for trailers to enter, exit, and maneuver within the loading area.
- A question was asked whether there would be gated access to the Property. Mr. Juneman replied that the Project will not provide gated access from the street, but the building itself would be access-controlled via key-card or code.
- Mr. Channing noted that a mural painting (non-commercial) will be on one of the building facades fronting either Overton or Thornydale to enhance the visual quality of the Project from the street.

Other Storage Facility Nearby

- Mr. Channing was asked if he was aware of a different Self-Storage project currently under construction nearby. Mr. Channing replied that he was aware of it and that demand for Self-Storage was high enough in the area that this other project would not affect the Project. He also noted that the other project appeared to be an older storage concept and that this Project will be a modern, vertical concept with climate-controlled units and interior drive-in access, resembling a typical office or commercial/retail building.

Security

- A question was asked about security measures for the Project. Mr. Juneman replied that the Project would be monitored by CCTV cameras 24 hours per day. This attendee then asked whether customers would have 24/7 access to the building, and Mr. Juneman replied that customer access would be limited the hours of 9 a.m. to 10 p.m., with an employee onsite from 9 a.m. to 6 p.m.

Landscaping

- Attendees asked what the Project's landscaping would look like. Mr. Juneman replied landscaping would be drought-tolerant and located only around the building and interior walks and that no landscaping would be added to the open space corridor adjacent to the neighborhood.

Existing Elevation

- An attendee commented that the elevation of the Property was higher than homes to the south. Mr. Juneman acknowledged the comment and said that the Property was about 5 feet higher than these houses.

Outcomes for the Community

- A question was asked about what outcomes this Project would have for the community. Mr. Juneman replied that this Project would help satisfy current demand for Self-Storage in this area, that a mural would be provided on the building, and that the Property was already in a business zone.
- Attendees commented they had hoped for something like a restaurant on the Property but were glad Project activity would occur indoors and that this would not be a gas station or other commercial use, for example.

Traffic

- Attendees asked how the Project would affect traffic in the area. Mr. Juneman replied that Self-Storage uses have very low traffic counts and that the Project would have very minimal impacts to existing traffic and roadways in the area.

Views

- An attendee commented that the Project would block his western views. Mr. Juneman acknowledged this comment and noted that the Project will have quality finishes and will look like an office or commercial building. Mr. Channing replied that the Project would utilize faux windows for privacy concerns and aesthetic purposes.

Utilities

- A question was asked about the location of air conditioning units on the roof and whether they would be visible from the neighborhood. Mr. Channing replied he had not considered their location yet but would make sure to screen them from view.
- A question was asked about whether the Project would locate electric lines underground. Mr. Juneman replied yes, they would be located underground.

Car Headlights

- A question was asked about whether car headlights would shine onto the homes nearby when cars turn into the Project. Mr. Channing acknowledged this concern and committed to build a screen wall around the entire southeast Property boundary. This has been added to the Project's PDP.

June 1, 2022

Dear Neighbors and Nearby Property Owners:

ZDC Properties, LLC ("ZDC") is proposing to develop a personal storage facility at 9150 N. Thornydale Rd. on the southeast corner of Thornydale Rd. and Overton Rd. (the "Property"). See *Location Map below*. The Property is zoned CB-1, which permits personal storage but limits storage uses to one story. ZDC is proposing a modern, multi-story storage facility ("Project") that will have an enhanced design and focus all loading activities inside the building, therefore having little effect on the surrounding area. To allow for this building design, we are requesting to rezone the Property to Specific Plan.

As a nearby property owner and neighbor, we invite you to join us for a neighborhood meeting to learn more about the Project and our proposed rezoning. The meeting will include a presentation about the Project, a review of the County's rezoning process and plenty of time for questions. The in-person meeting will be held on:

Tuesday, June 14, 2022, at 6:00pm

Mountain View Baptist Church
3500 W. Overton Rd.

ZDC owns and operates modern self-storage facilities that are designed to fit within existing neighborhoods. ZDC's enhanced design for the Project will have the look and feel of a retail or office building, including using a variety of materials and architectural features. ZDC's design maximize its customers' experience by providing climate-controlled storage in a safe environment where all loading/unloading occurs inside the building. Because the Project will generate little traffic and noise, it will have almost no impact on the nearby neighborhood. As a low-impact use, the Property is in an ideal location to allow ZDC to meet the increasing demand for storage from both nearby businesses and residents. To accomplish this, ZDC is requesting this rezoning.

If you cannot attend the meeting, or if you have questions about the Project or the rezoning process, please contact Rory Juneman or Robin Large at (520) 207-4464, or via email at:

RJuneman@LSLawAZ.com or
RLarge@LSLawAZ.com.

We look forward to seeing you on June 14th.

Sincerely,
Rory Juneman & Robin Large
Lazarus & Silvyn, P.C.



June 14, 2022, 6:00pm

Name	Address	Phone	Email	Affiliation
Mary Kuhn	3584 W Ironwood newspaper pl	N/A	N/A	IN AREA of NEW const.
Rocky & Jennifer Larson	9135 N. Wagon Spoke ct.	520-906-1284	rocky.larson@gmail.com	Estrella Estates homeowner
Russ Healey	9050 N Wagon Spoke ct 85742	720-239-8066		ESTRELLA ESTATES Homeowner
ANDREW & RACHEL MITCHELL	9151 N. WAGON SPOKE CT	562 556-7895		Estrella estates Home owners
Rashel Dada	9079 N Wagon Spoke			Home owner.

THORNYDALE STORAGE SPECIFIC PLAN

Neighborhood Meeting
June 14, 2022

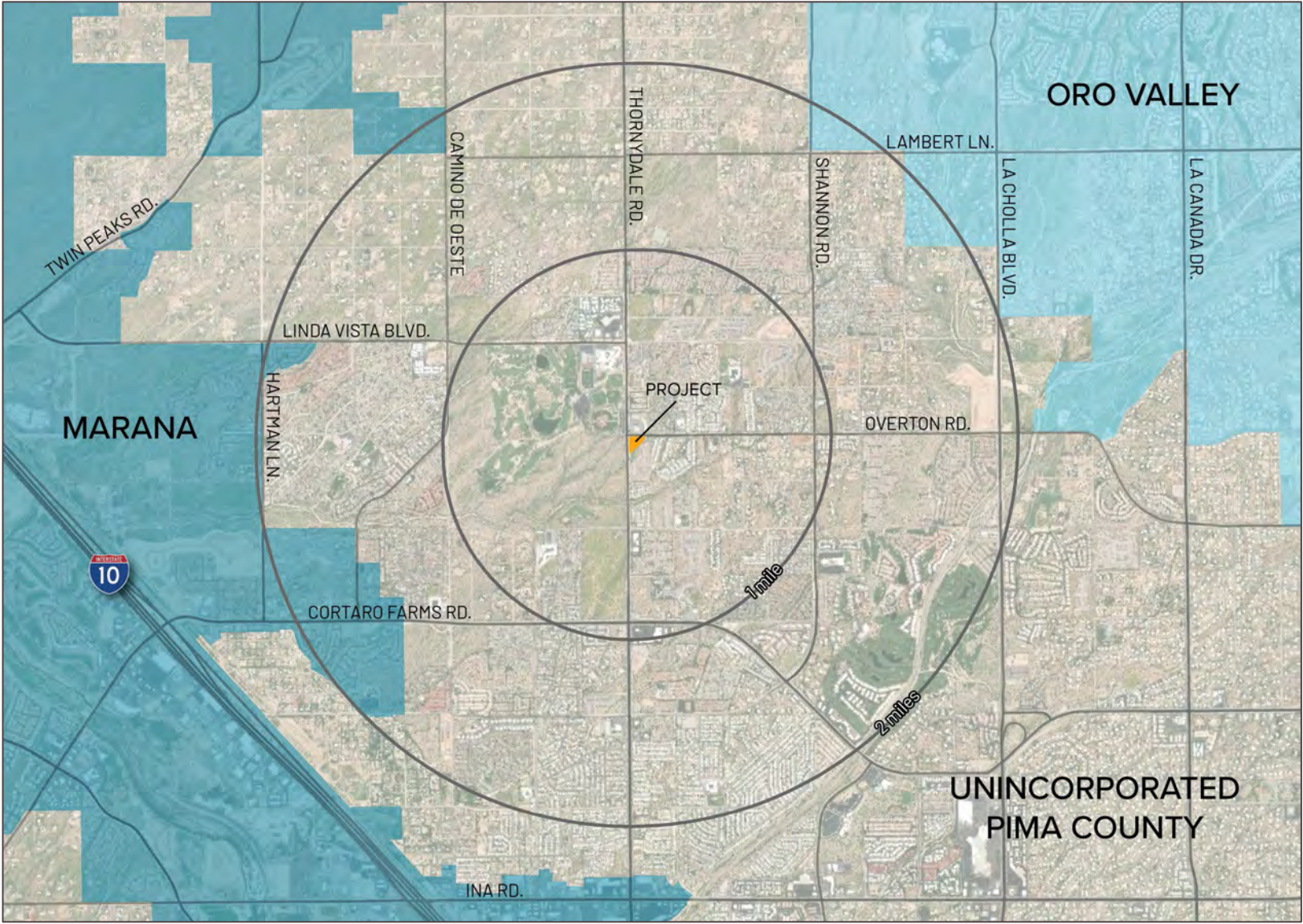


Law Offices of
Lazarus & Silvyn, P.C.

AGENDA

- Property Location
- Existing Zoning & Comprehensive Plan Designation
- Project Overview
- Rezoning Process
- Q&A

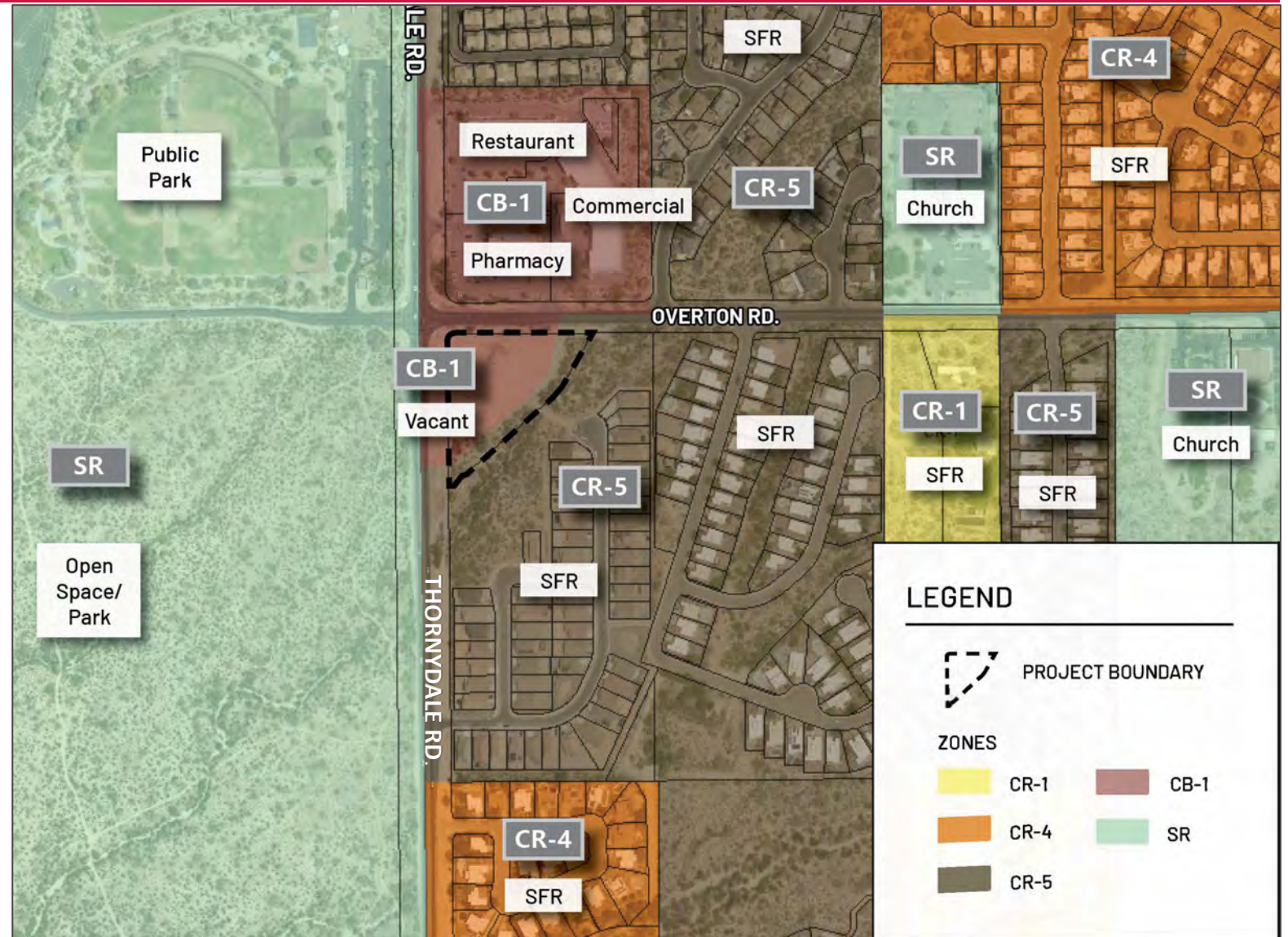
LOCATION MAP



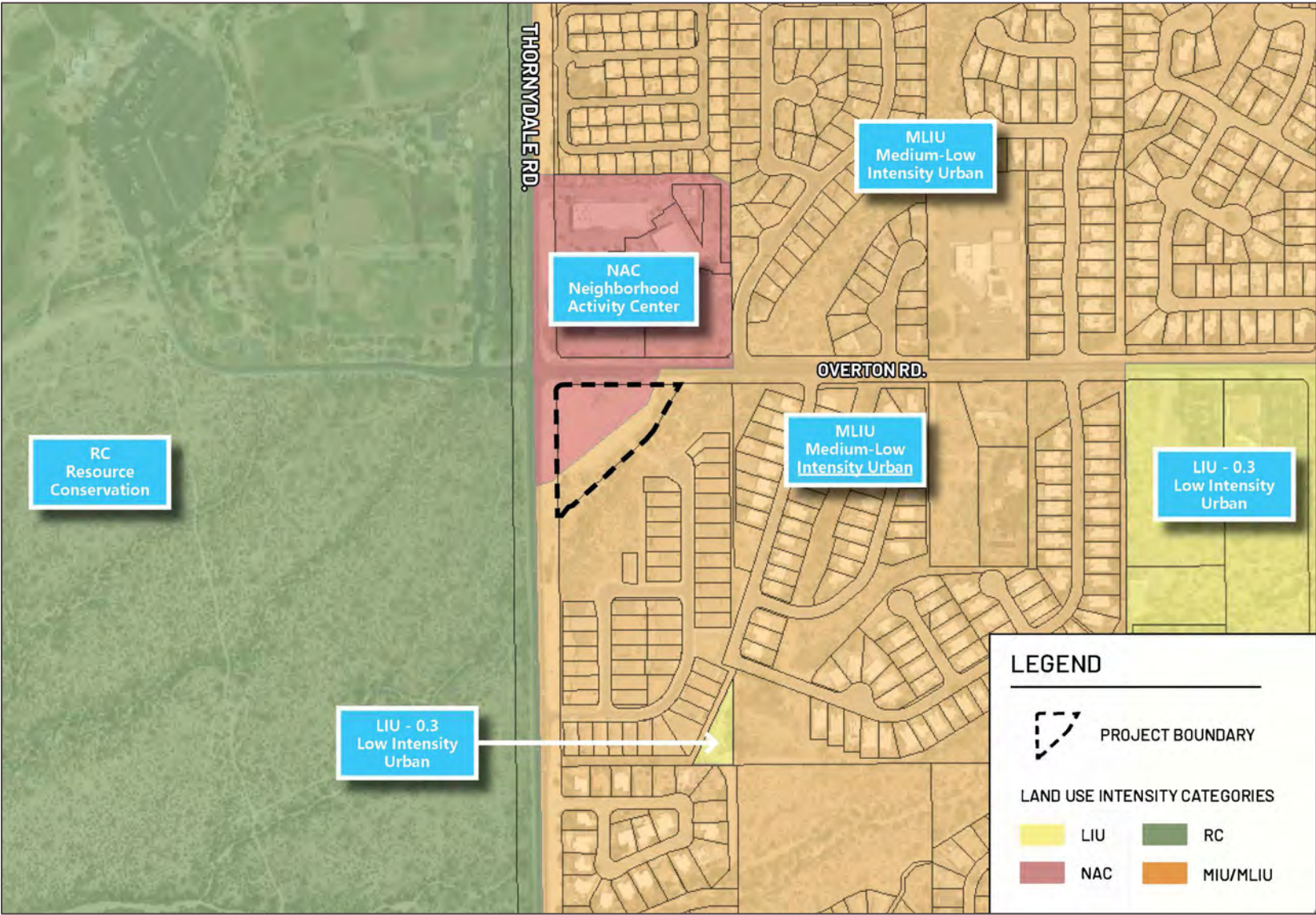


ZONING MAP

- Current Zoning: CB-1
 - Part of larger 2018 rezoning from SR
- Uses Currently Permitted in CB-1
 - Restaurant w/ drive-thru
 - Gas Station
 - Office - 3 stories, 39 feet
 - Oil & Lube
 - Personal Storage...but only one story



COMPREHENSIVE PLAN MAP



WHY ARE WE REZONING?

- CB-1 allows personal storage – but for “old storage” design
- Modern personal storage mimics look of office/retail – all activity occurs from the interior of the building
- Requires additional height to allow for modern design
- Specific Plan = zoning tailored to address unique aspects of a specific site
- Allows standard CB-1 height for personal storage, unique setbacks
- Includes design guidelines not available in standard zoning

PRELIMINARY DEVELOPMENT PLAN (PDP)

- Project Area: 2.35 AC
- Current Zoning: CB-1& CR-5
- Proposed Zoning: Specific Plan
- Height: 3 stories/38 feet
- Floor Area: 114,800 SF
- Setbacks
 - Thornydale Rd. = 15 ft.
 - Overton Rd. = 10 ft.
 - Rear \geq 40 ft.
- Loading/Unloading Interior to Building



ARCHITECTURAL ELEVATIONS



June 14, 2022

ARCHITECTURAL ELEVATIONS



June 14, 2022

OTHER CHANNING CORP. STORAGE PROJECT



Interior Loading

Palm Beach Gardens, Florida

Exterior

June 14, 2022

PIMA COUNTY REZONING PROCESS



Specific Plan Submittal (May 2022)



Staff Review (May – August 2022)



Neighborhood Meeting – June 14, 2022



Planning & Zoning Commission Public Hearing (July 27, 2022)



Board of Supervisors Public Meeting (estimated September 2022)

QUESTIONS?

Rory Juneman | Lazarus & Silvyn, P.C.

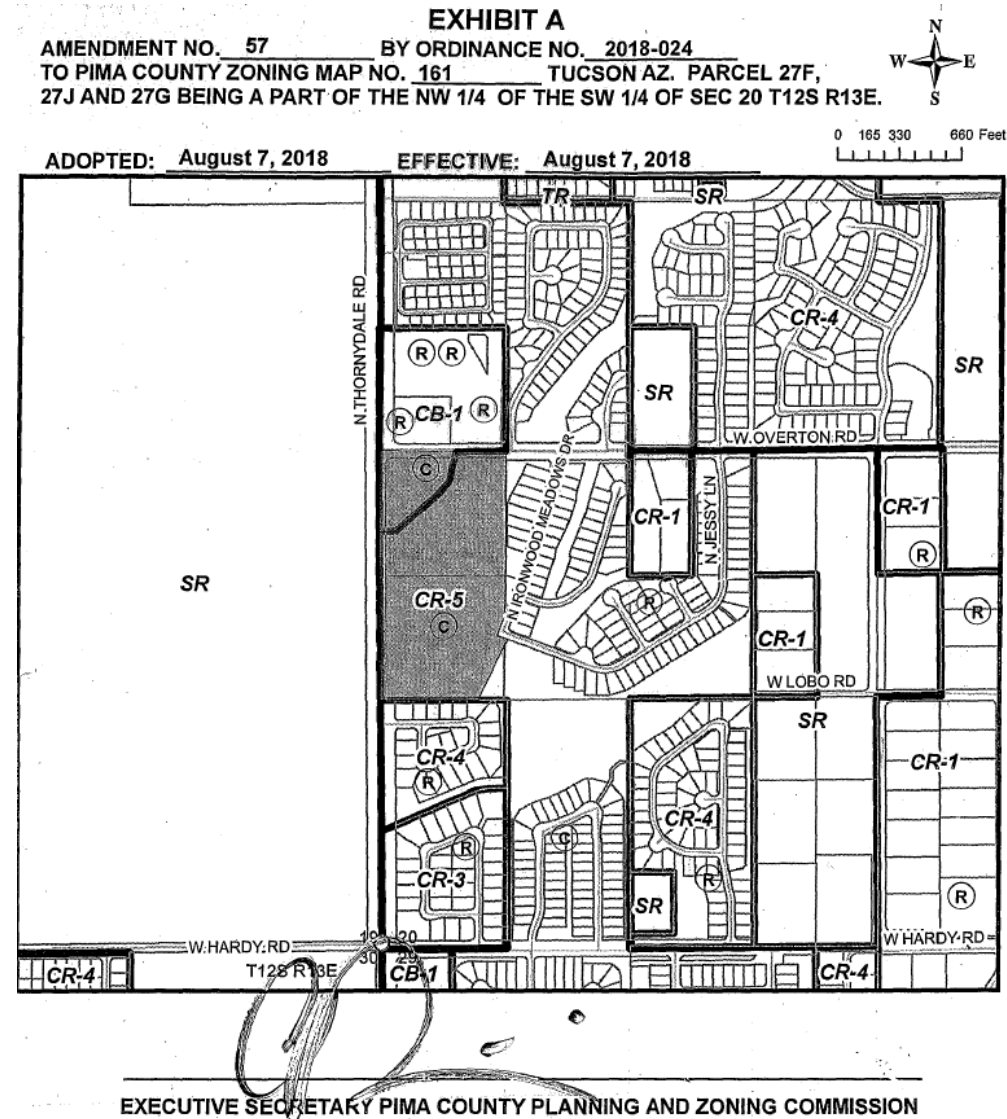
RJuneman@LSLawAZ.com | 520.207.4464

Robin Large | Lazarus & Silvyn, P.C.

RLarge@LSLawAZ.com | 520.207.4464

2018 REZONING

THORNYDALE STORAGE SPECIFIC PLAN



June 14, 2022

From: [DSD Application for Rezoning or Specific Plan](#)
To: [DSD Planning](#)
Subject: Application for Rezoning / Specific Plan Submission
Date: Sunday, May 22, 2022 7:03:41 PM
Attachments: [Letter of Authorization Document - Owner Authorization Letter Executed.pdf](#)

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

New submission

You received a new submission.

Owner name

Wong Family LP (contact: Daniel Wong)

Owner address

3075 N. Swan Rd., Ste. 108

Owner city

Tucson

Owner state

AZ

Owner zipcode

85712

Owner phone

5208705872

Email

dantenpro@aol.com

Applicant name

Rory Juneman & Robin Large, Lazarus & Silvyn

Applicant address

5983 E. Grant Rd., Ste. 290

Applicant city

Tucson

Applicant state

AZ

Applicant zipcode

85712

Applicant phone

5202074464

Applicant_email

RLarge@LSLawAZ.com

Property address

9150 N. Thornydale Rd.

Property parcel number

225-02-027M

Property acreage

2.35

Property present zone

CB-1

Property proposed zone

Specific Plan

Policies

Tortolita Planning Area/Neighborhood Activity Center

Letter of authorization document

[Owner Authorization Letter Executed.pdf](#)

Ftp-link

<https://lsblandlaw.sharefile.com/d-sdb12fc09a9814133af79ccb6c7e6d483>

Signature

I confirm the information provided is true and accurate 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. (By checking the box, I am electronically signing this application.)

Application date

22-May-2022

Date: 05/16/22

Planning & Development Services
Pima County
201 N. Stone Ave., 1st Floor
Tucson, AZ 85701

Re: Property Owner Authorization – Thornydale Personal Storage Rezoning

Dear Pima County Development Services:

The Wong Family LP owns the real property located at the southeast corner of N. Thornydale Road and W. Overton Road, identified as Pima County Tax Assessor Parcel Number 225-02-027M (the "Property").

As an authorized representative of the Wong Family LP, this letter is to authorize Lazarus & Silvyn, their respective employees and other engaged consultants to take such action required to obtain all zoning/development entitlements and related approvals for the Property, including, but not limited to, filing applications for the rezoning, development plan, or any other related permit applications necessary to obtain zoning entitlements for the Property.

By:  *Daniel Wong* 05/16/22

Name: Daniel K Wong

Its: Managing Partner

of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ds
Attachments

c: Rory Juneman & Robin Large, Silvyn & Lazarus, P.C.