



MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Honorable Ramon Valadez, Supervisor, District # 2

FROM: Arlan Colton, Planning Director 

DATE: February 5, 2014

SUBJECT: Co9-96-65 Fidelity National Title Agency Trust #10589 – Los Reales Road Rezoning

The above referenced Modification of Rezoning Conditions is within your district and is scheduled for the Board of Supervisors' **TUESDAY, FEBRUARY 18, 2014** hearing.

REQUEST:

The applicant requests to waive rezoning condition #9 which prohibits direct access to Comstock Road unless combined at the property line of Lot 1 and Lot 2 of Los Reales Industrial Subdivision or which otherwise allows access to the subject Lot 2 to be combined with the property adjacent to the west which has access to Los Reales Road via the approved rezoning preliminary development plan for rezoning case Co9-04-11.

OWNER:

Commonwealth Mortgage Company
Attn: Attn: Cole Quilliam, President
P.O. Box 13205
Tucson, AZ 85732-3205

AGENT:

American Design Consultants, LLC
Attn: George Holguin, AIA
11100 E. Sundance Drive
Tucson, AZ 85749

DISTRICT:

2

STAFF CONTACT:

David Petersen

PUBLIC COMMENT TO DATE: As of February 5, 2014, staff has not received any comments.

STAFF RECOMMENDATION: APPROVAL of waiver of rezoning condition #9.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The subject property lies outside the Maeveen Marie Behan Conservation Land Systems (MMBCLS).

CP/DP/ar
Attachments



Board of Supervisors Memorandum

Subject: Co9-96-65

Page 1 of 4

FOR FEBRUARY 18, 2014 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan Colton, Planning Director *AC*
Public Works-Development Services Department-Planning Division

DATE: February 5, 2014

ADVERTISED ITEM FOR PUBLIC HEARING

MODIFICATION OF REZONING CONDITIONS

Co9-96-65 Fidelity National Title Agency Trust #10589 – Los Reales Road Rezoning

Request of **Commonwealth Mortgage Company**, represented by **American Design Consultants, LLC**, for a waiver of the rezoning condition #9 which prohibits direct access to Comstock Road unless combined at the property line of Lot 1 and Lot 2 of Los Reales Industrial Subdivision or which otherwise allows access to the subject Lot 2 to be combined with the property adjacent to the west which has access to Los Reales Road via the approved rezoning preliminary development plan for rezoning case Co9-04-11. The applicant proposes direct and exclusive access for Lot 2 to Comstock Road as originally planned within the referenced subdivision. The subject property is approximately one acre zoned CI-2 (General Industrial) and is located on the west side of Comstock Road, approximately 180 feet north of Los Reales Road. Staff recommends **APPROVAL of waiver of rezoning condition #9.**
(District 2)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of waiver of rezoning condition #9, which prohibits direct access to Comstock Road unless combined at the property line of Lot 1 and Lot 2 of Los Reales Industrial Subdivision or which otherwise allows access to the subject Lot 2 to be combined with the property adjacent to the west which has access to Los Reales Road via the approved rezoning preliminary development plan for rezoning case Co9-04-11.

~~9. No direct access shall be allowed on Comstock Road unless combined at the property line of Lot 1 and Lot 2 of Los Reales Industrial Subdivision or access to the subject property (Lot 2) may be combined with the rezoning site of Co9-04-11 (access to Los Reales as approved on the Preliminary Development Plan for Co9-04-11).~~

STAFF REPORT:

Staff supports the requested waiver of condition #9 because it does not appear that the access alternatives provided in the condition are feasible under the circumstances of current property ownerships and because the requested alternative for direct, exclusive access to Comstock Road for the subject Lot 2 was originally implied within the industrial subdivision.

The subject Lot 2 is one of 32 acre-sized lots within the Los Reales Industrial Subdivision. Comstock Road is one of three named road segments within the subdivision which provide access to the lots and which link to Los Reales Road. The subdivision was platted under CI-1 (Light Industrial/Warehousing) zoning.

In 1997, Lots 1 and 2 of the subdivision were rezoned to CI-2 (General Industrial) under case Co9-96-65 for the proposed use of "auto dismantling" (auto salvage) which was already being conducted on the lots.

In 2004, the owner of Lot 2 (Sherman) rezoned a 3.5-acre parcel to CI-2 under case Co9-04-11. This rezoning was outside of the subdivision, but adjacent to the west of Lots 1 and 2. The proposed use was also for auto salvage and vehicle storage which also was already being conducted on the parcel.

In 2005, the Board of Supervisors closed the CI-2 rezoning for Lot 1 and granted a rezoning time extension for Lot 2 pertaining to Co9-96-65. The two lots were under separate ownership. As part of the time extension, the subject condition #9 was approved by the Board upon recommendation from the Transportation Department. The common ownership by Sherman of Lot 2 and the parcel adjacent to the west allowed for the feasibility of condition #9 which provided for the option of shared access between these two properties to Los Reales Road.

In 2008, a Certificate of Compliance was issued for the two rezoning cases based in part on an approved development plan (P1205-070) for auto salvage and repair that included shared access to Los Reales Road and no access to Comstock Road.

Currently, the use of auto salvage and repair is not conducted on either property and Sherman is no longer the owner. According to the condition waiver request letter, the current owner, a mortgage company, has tried to sell the properties, but has found buyers only interested in one or the other. In order to sell Lot 2 separately, vehicular access to Comstock Road will be necessary. The request letter notes unsuccessful attempts to negotiate either shared access to Comstock Road with the owner of Lot 1 as per the access option in condition #9, or the outright purchase of Lot 1 to achieve this end.

Although the motivation for the restrictive access options of condition #9 was not explained in the staff report for the rezoning time extension, it is generally true that limited, controlled access for commercial and industrial developments provides an element of safety, compared to multiple access points in close proximity. However, the subdivision was designed to allow internal vehicular access to low-volume streets within the subdivision for each lot. And since the owner of Lot 1 has no obligation to share access with Lot 2 and there is no longer a common user for the development of Lot 2 and the parcel adjacent to the west, it appears that the waiver of condition #9 is necessary for the sale and ultimate use of these properties. A revised development plan will be necessary for access changes prior to any permits for grading or development.

TRANSPORTATION REPORT:

The Department of Transportation has no objection to the modification of condition #9. The approved development plan for this site was combined with the development plan for Co9-04-11, and is shown as a salvage yard. The condition stated that no direct access would be allowed on Comstock Road unless this site was combined with Lot 1 of the Los Reales Industrial Subdivision. Access to this site was approved via Los Reales Road and the development was shown as combined with Co9-04-11. There are no concurrency issues in the vicinity of this proposal.

Los Reales Road is a paved, two lane, County maintained, urban collector, that is designated as a major route per the Major Streets and Scenic Routes Plan. Right-of-way for Los Reales Road varies in the vicinity of this rezoning; however, 45 feet of right-of-way was dedicated for Los Reales through rezoning Co9-04-11. The most recent traffic count is 5,600 ADT and the traffic capacity is 14,900 ADT.

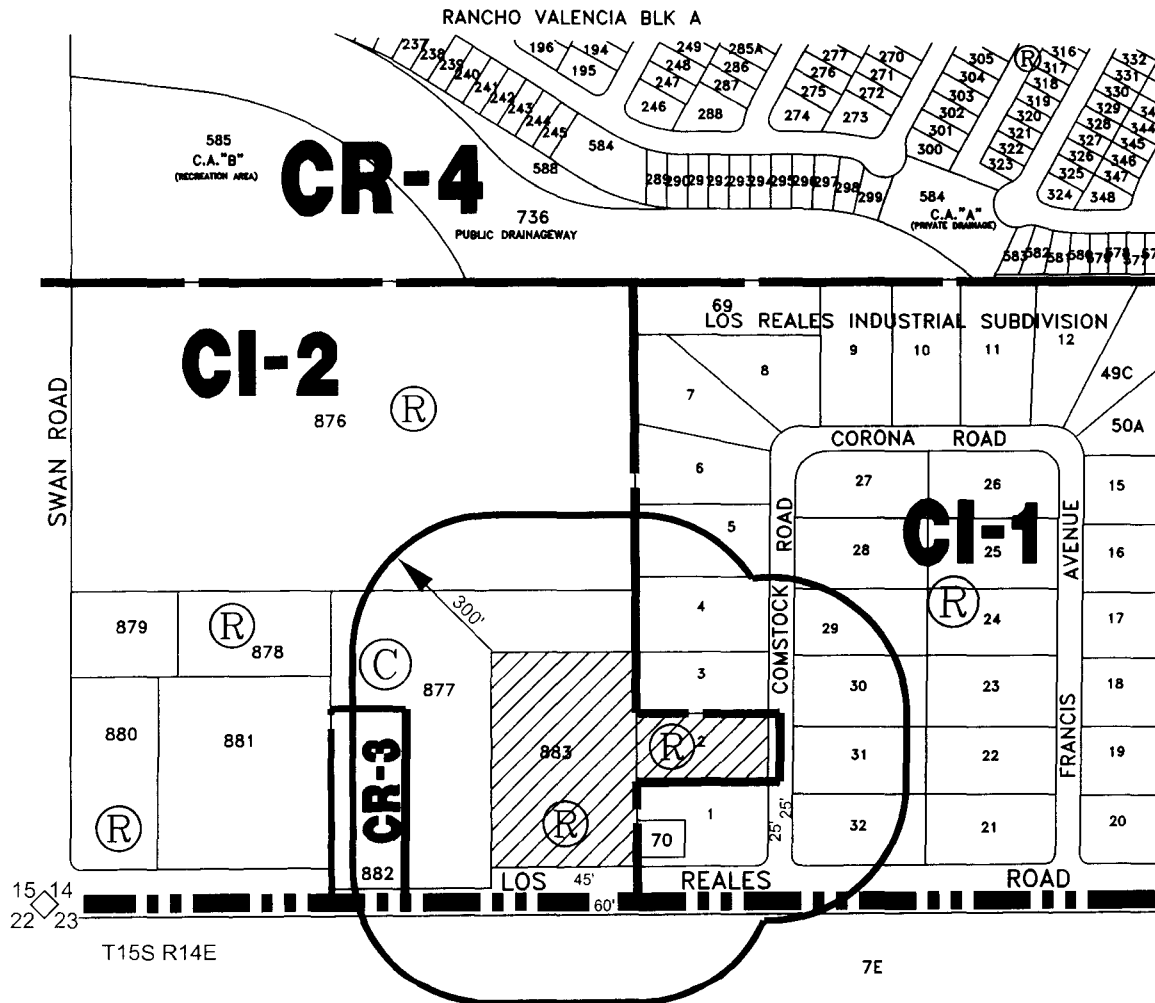
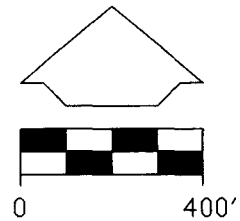
Comstock Road serves the Los Reales Industrial Subdivision. It is a paved, two lane, industrial loop road that was created through the industrial subdivision. Comstock Road serves the 32, one-acre size lots, most of which are used for open storage and salvage.

Because Lot 2 was platted as part of the Los Reales Industrial Subdivision, access was originally designed and implied through Comstock Road. Therefore, the Department of Transportation has no objection to reestablishing access onto Comstock Road. The road only serves the industrial subdivision and does not connect to any residential areas. Thus, moving traffic off Los Reales onto Comstock does not create an unsafe situation.


CP/DP/ar
Attachments


- c: Commonwealth Mortgage Company, Attn: Attn: Cole Quilliam, President
P.O. Box 13205, Tucson, AZ 85732-3205
American Design Consultants, LLC, Attn: George Holguin, AIA
11100 E. Sundance Drive, Tucson, AZ 85749
Chris Poirier, Assistant Planning Director
Co9-96-65 File
Co9-04-11 File





TUCSON CITY LIMITS

Petition area 

Notification area 

BASE MAP 59

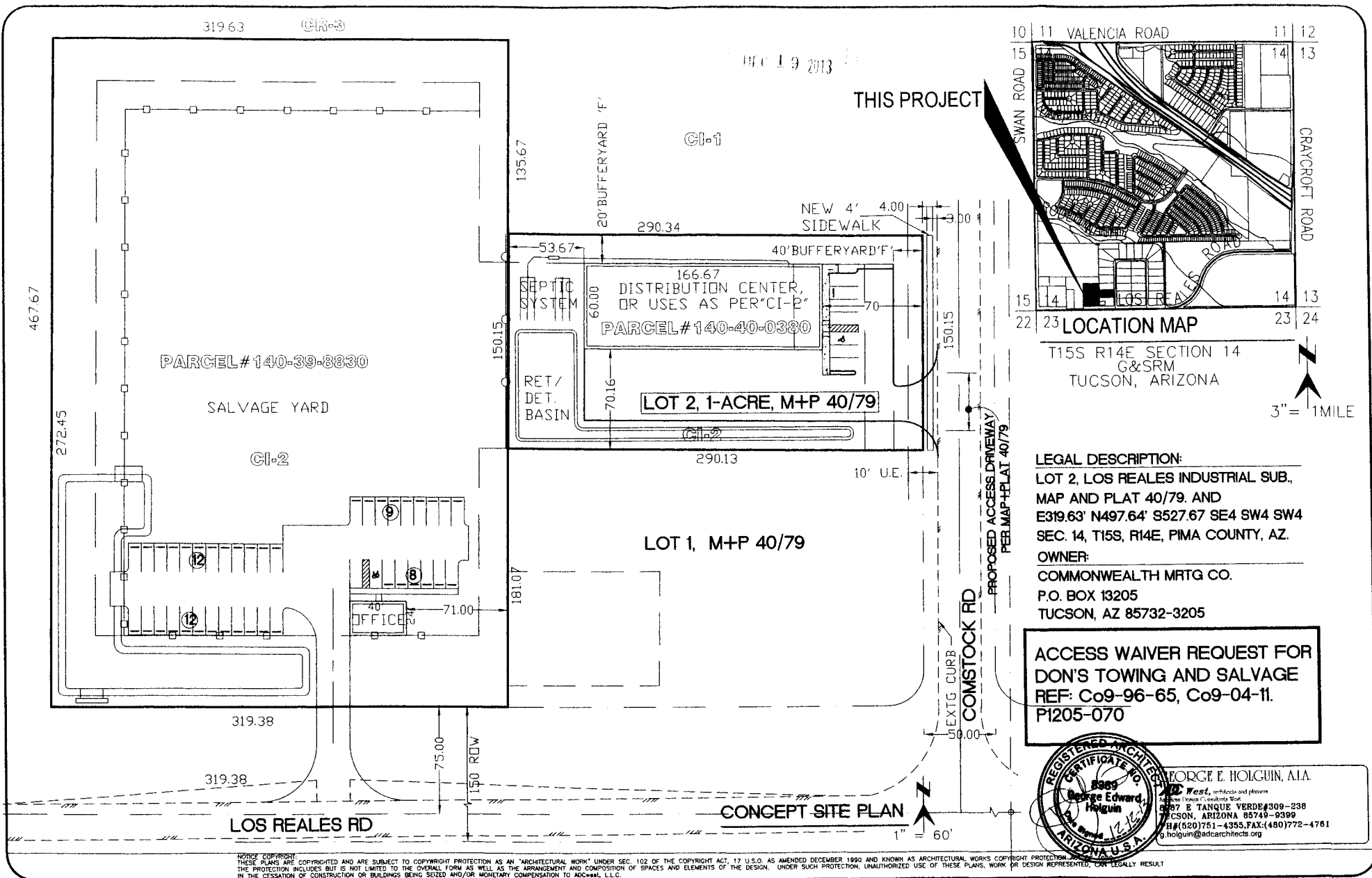
Notes Ref: C09-04-11

Tax codes 140-39-8830
& 140-40-0380

Date 01/13/14
Drafter DS

File no. C09-96-65
FIDELITY NATIONAL TITLE AGENCY TR #10589
LOS REALES ROAD REZONING

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Proposed New Access Lot 2

BUFFERYARD

10' UTILITY EASEMENT
BK. 40, Pg. 79

COMSTOCK ROAD

PARKING

BUFFERYARD

AUTO STORAGE

LOT 1

OFFICE, PARTS STORAGE
AND REPAIR BUILDING

PARKING

BUFFERYARD

BUFFERYARD

EXCLUDED

↑ NORTH
1" = 40'

* TOPO PER USGS.

C09-96-65

PRELIMINARY DEVELOPMENT PLAN

LOS REALES ROAD

MAP NO. 6

PAGE NO. 18

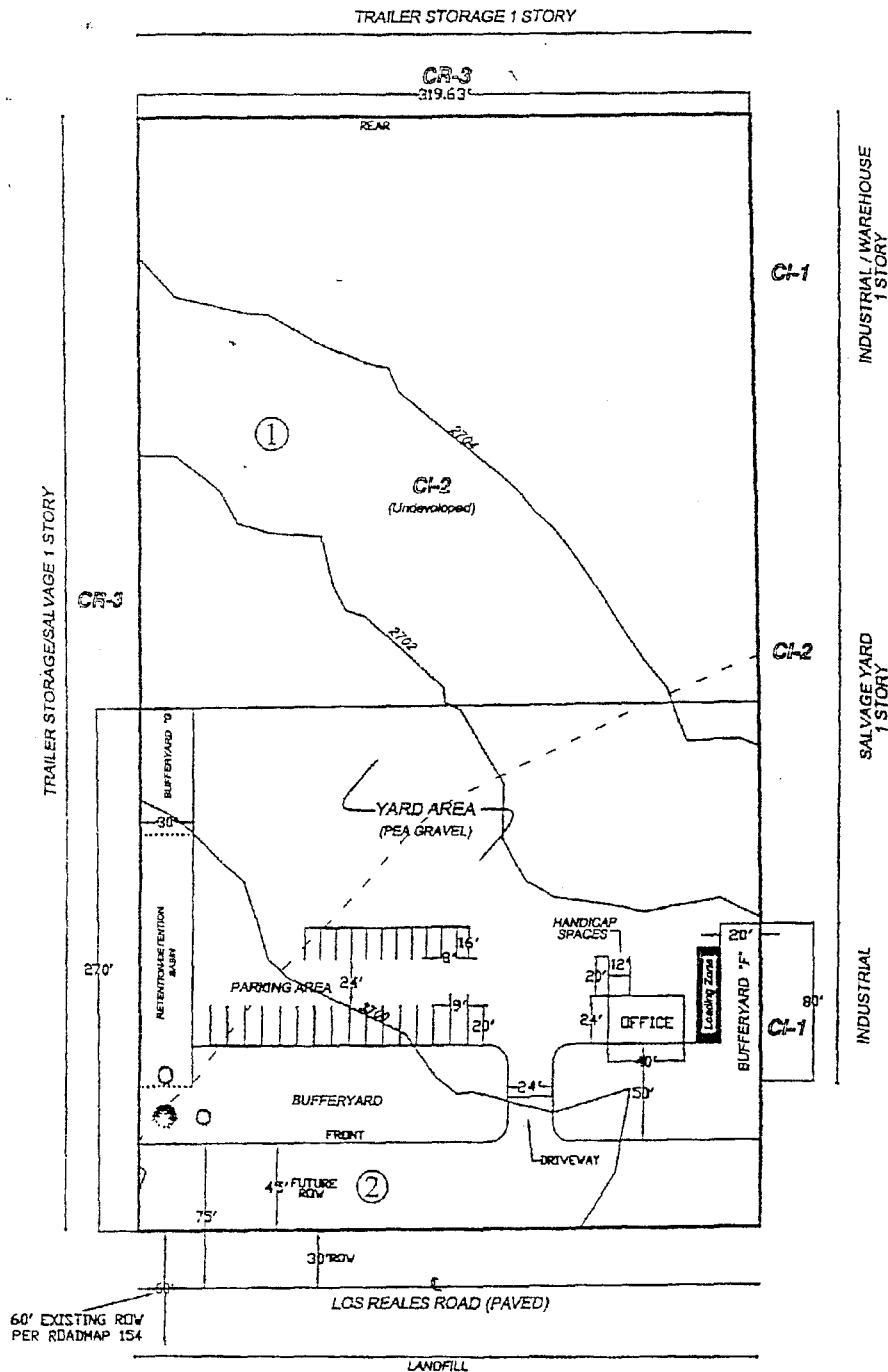


Exhibit II.B.1: PDP (ALTERNATE) Overlay

Bos Hearing
10-12-04

① ② ONSITE DRAINAGE AREAS

C09-04-11

Scale: 0 50 100



TABULATIONS:

SITE AREA: 86,300.1 sq ft.
1.99 acres
PROPOSED ZONING: C-2
BUFFERYARD: 21632.73 sq ft.
0.50 acres
BUFFERYARD TYPES: F & G
LCS REALES
DEDICATION: 14,383.35 sq ft.
0.33 acres
OFFICE: 960 sq ft.
BUILDING HEIGHT: 12 ft.
PARKING SPACES: 25
HANDICAP SPACES: 1
LOADING SPACES: 1

CONTOUR INTERVAL: 2 ft.

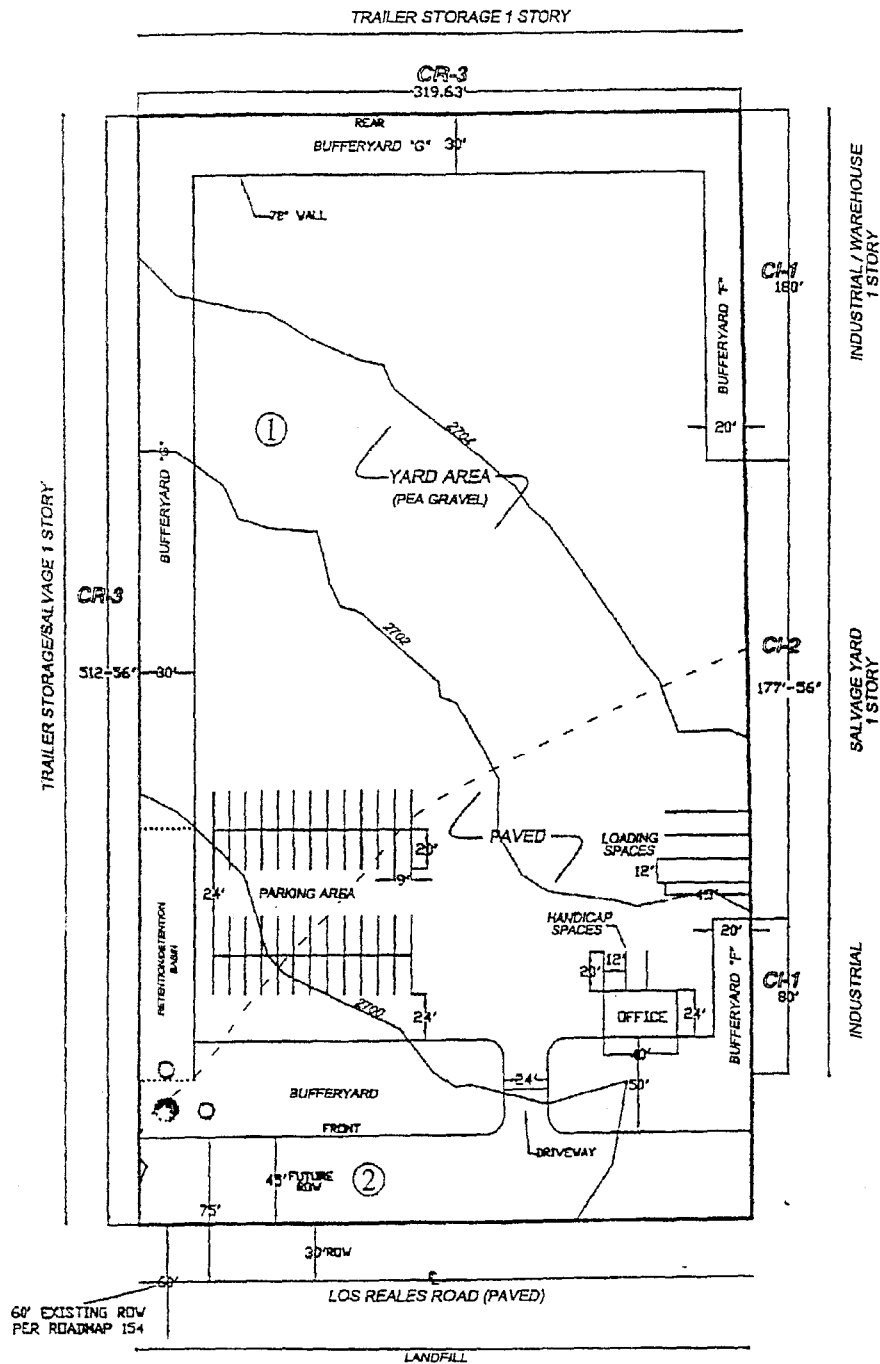
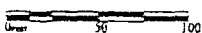


Exhibit II.B.1: PDP Overlay

BOS Hearing
10-12-04



WATERSHED BOUNDARY

① ② ONSITE DRAINAGE AREAS

C09-04-11



TABULATIONS:

SITE AREA: 163,829.55 sq ft
3.76 acres
PROPOSED ZONING: CI-2
BUFFERYARD: 34,485.7 sq ft
0.80 acres
BUFFERYARD TYPES: F & G
LOS REALES
DEDICATION: 14,383.35 sq ft
0.33 acres
OFFICE: 960 sq ft
BUILDING HEIGHT: 12 ft.
PARKING SPACES: 48
HANDICAP SPACES: 2
LOADING SPACES: 3

CONTOUR INTERVAL: 2 ft.



AMERICAN DESIGN CONSULTANTS west

ARCHITECTS & PLANNERS

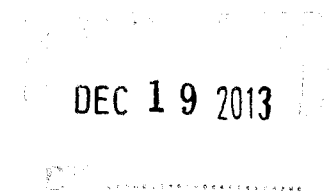
11,100 E. SUNDANCE DR.

TUCSON, AZ 85749

Tel. 520-751-4355

Fax 480-772-4761

g.holguin@adcarchitects.org



DATE: 12/12/12

TO: PIMA COUNTY DEVELOPMENT SERVICES DEPT. – PLANNING DIVISION

FROM: GEORGE E HOLGUIN, AIA, AGENT FOR COMMONWEALTH MORTGAGE CO..

RE: REQUEST FOR WAIVER OF CONDITION, DON'S TOWING AND SALVAGE, REZONING CASE Co9-96-65, P1205-070, DP 31/49, ASSESSOR'S PARCEL NUMBER 140-40-0380.

This is a request to the Board of Supervisors for a waiver of a condition as specified in the approval of a time extension previously granted. Said condition being condition number 9 as specified by staff recommendations requiring a joint access driveway at the common property line between lot 2 and lot 1. Waiver of this requirement will simply revert lot 2 to the original entitlement for access as previously approved in the processing of the original Los Reales Industrial Subdivision, therefore no negative impact will occur on adjacent properties or infrastructure.

The previous owners of this site, Mr. and Mrs. Donald F. Sherman requested the rezoning of this site in 1996. The Board of Supervisors approved the rezoning in 1997. The request was for a change from CI-1 to CI-2. Mr. and Mrs. Sherman were not able to finish the site improvements within the specified time due to the financial constraints of a bankruptcy and they requested a time extension in July of 2005. The original rezoning consisted of lots 1 and 2 of Los Reales Industrial Subdivision. The Department of Transportation in response to the time extension request communicated that as a part of the approval the Board of Supervisors include a revised condition that specified access to Comstock Road in the Los Reales Industrial Subdivision be combined at the common property line between lots 1 and 2. Lot 1 had been sold by that time. The time request would allow the developer to combine lot 2 with the adjacent development at the westerly property line which was in progress at that time.

The Board of Supervisors granted the extension request subject to staff revised requirements.

Mr. Sherman processed and obtained approvals for a development plan and the associated construction plans and permit but was not able to finalize funding requirements and had to abandon the project. Commonwealth Mortgage Co. that had originally financed the purchase of lot 2, foreclosed on, and acquired the project. In an attempt to comply with condition number 9, Commonwealth Mortgage spent the better part of a year in contact with the owner of lot 1 in order to negotiate a common access driveway or an outright purchase of said lot 1 to no avail.

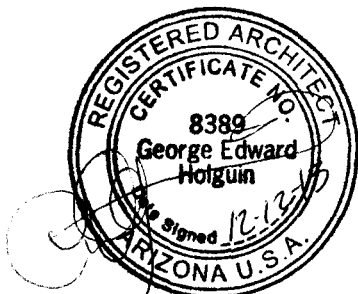


Subsequent attempts at selling the property yielded no results, a market analysis indicated the development is not feasible for development in the current configuration with only one access point for the two principal parcels. Lot 2 is a platted lot in a developed subdivision. In the current configuration the cost of development is burdensome on the easterly parcel. Separation of the parcels will provide a marketing advantage for both parcels in that the costs of development are then more evenly distributed and lot 2 is then returned to its original entitlement as intended in the platting of Los Reales Industrial Subdivision.

There have been approaches by qualified buyers for either of the parcels if said parcels were separated and afforded their own individual access points as delineated on the attached exhibit and as originally proposed by the recorded and approved subdivision Plat for lot 2. The current owner will market and sell the parcels as separate properties.

We therefore tender this request for a waiver of the revised condition number 9 that was a part of the time extension approval.

Respectfully Submitted,



Expires 3/31/2015
George E. Holguin A.I.A.

COMMONWEALTH MORTGAGE COMPANY.
P.O. BOX 13205
TUCSON, ARIZONA 85732-3205

DEC 19 2013

DATE:04/18/12

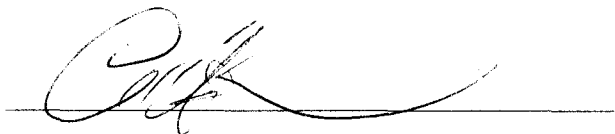
TO: PIMA COUNTY DEVELOPMENT SERVICES DEPT. – PLANNING DIVISION

RE: DON'S TOWING AND SALVAGE, Co9-96-65, Co9-04-11, P1205-070, DP 31/49.

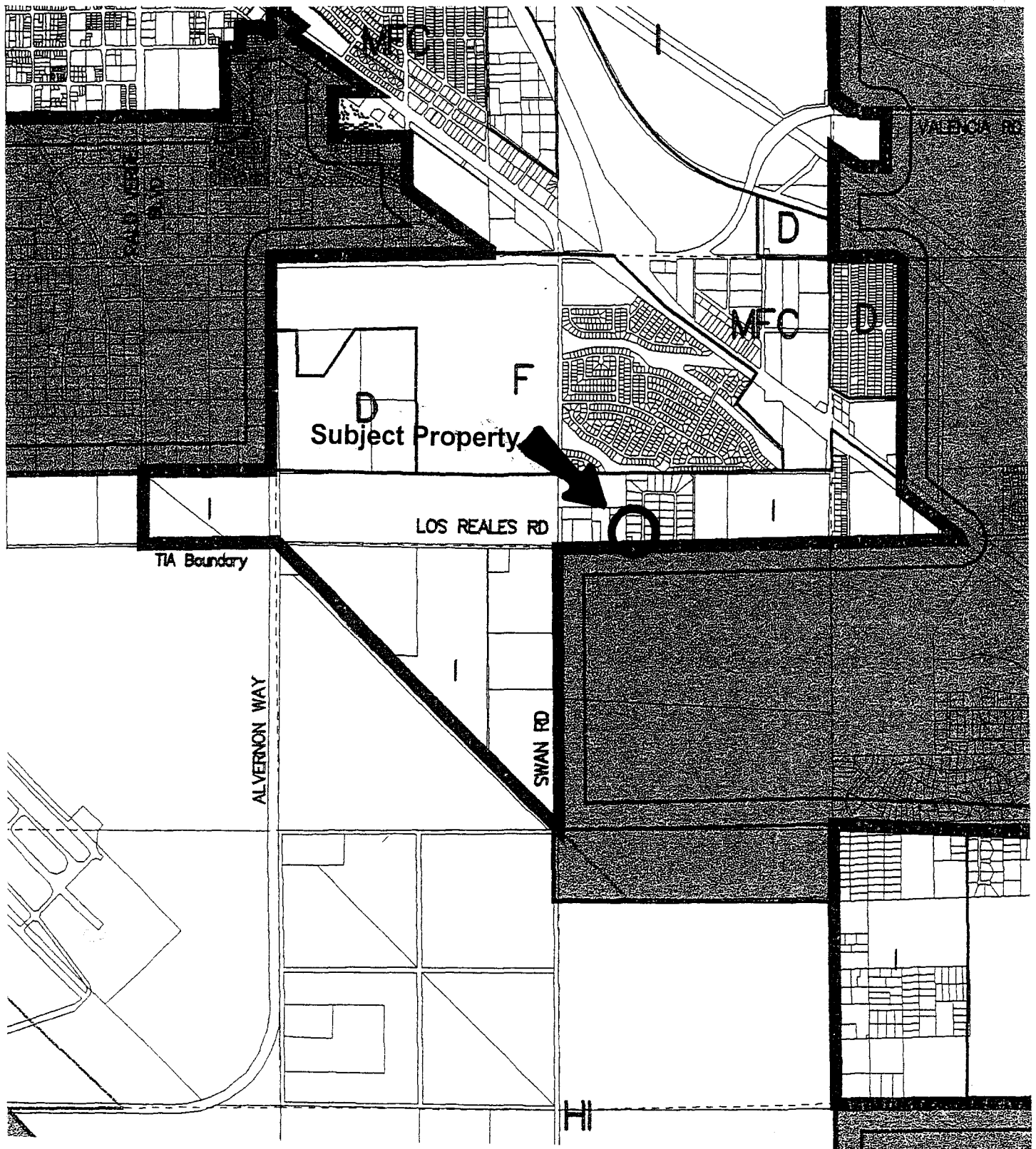
To whom it may concern,

Be advised that George E. Holguin, A.I.A. is authorized to represent us in any way required to process waiver of conditions as specified for the Development known as DON'S TOWING AND SALVAGE, ALSO KNOWN AS ASSESSORS PARCELS 140-39-8830 AND 140-40-0380.

We are the owners of said property. We acquired the property from Donald F. and Geraldine K. Sherman, 341 N. Bull Run, Tucson, AZ .

A handwritten signature in dark ink, appearing to read 'C. Quilliam', is written over a horizontal line.

Cole Quilliam, President
Commonwealth Mortgage Company



PIMA COUNTY COMPREHENSIVE PLAN
RINCON SOUTHEAST/SANTA RITA SUBREGION
URBAN INDUSTRIAL (I)
AIRPORT GROWTH AREA
Co9-96-65

- a. Purpose: To designate adequate area for industrial uses that, if properly located and regulated, are compatible with certain types of commercial activities, but generally incompatible with residential uses.
- b. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under Section 18.89.060D major resort community, Section 18.89.030A3b plan policies, or Section 18.90.030E specific plans:
 - 1) CB-1 Local Business Zone
 - 2) CB-2 General Business Zone
 - 3) CPI Campus Park Industrial Zone
 - 4) CI-1 Light Industrial/Warehousing Zone
 - 5) CI-2 General Industrial Zone
 - 6) GC Golf Course Zone

B. Growth Areas -- The growth areas identified within unincorporated Pima County are supplemental to and consistent with urbanizing areas within Tucson, Marana, Oro Valley, Sahuarita and South Tucson. The following is a brief description of these areas:

(1) Airport Area -- The Airport Growth Area lies in the middle of the Tucson basin, southwest of the Davis Monthan Air Force Base, northeast of the Tucson International Airport, around the Interstate-10/Benson Highway intersection. The airport area currently has planned land uses for some higher density areas, activity centers and industrial areas. A sizable portion of the industrial area is under-utilized as industrial uses. These areas are suitable for medium to high intensity urban uses in conjunction with activity centers (multifunctional and neighborhood activity centers). There have been several occasions, in Pima County, where industrial land uses have been changed to other land uses. There have also been rezonings from industrial zone districts to accommodate retail or higher density residential zones' permitted uses. The airport area offers opportunities for mixed use and compact development, especially with the existence of infrastructure. It will however be critical to adequately site land uses to ensure compatibility. Noise compatible development will require mitigation by developers in future projects. Two parcels in the high noise or accident potential zone near the Davis-Monthan military airport are excluded.

- **Vacant Land** -- In the area, there are approximately 6,470 acres of vacant land in the growth area, of which, the major land use designations are: General Industrial (I) at 3,953 acres, Multifunctional Corridors (MFC) at 1,180 acres, Heavy Industrial (HI) at 1,178 acres, Low Intensity Urban (LIU) at 115 acres, and Community Activity Centers (CAC) at 43 acres. The major zoning districts in the growth area are CI-2 General Industrial (2,147 acres), CI-1 Light Industrial/Warehousing (1,337 acres), SH Suburban Homestead (1,093 acres), CR-3 Single Residence (633 acres), and SP Specific Plan (336 acres).
- **Roads** -- In the Airport area, there are approximately 136 miles of roads in the area, comprised of 61.78 miles of paved road maintained by the County, 71.27 miles not maintained by the County, and 2.97 maintained through an intergovernmental agreement.
- **Sanitary Sewers** -- There are approximately 47 miles of sanitary sewer lines in the growth area,

ranging in size from six to 36 inches, in the Airport area.

- Activity Centers -- The Airport area has 2,636.45 acres of Multifunctional Corridors (MFC), 45.31 acres in Community Activity Centers, and 18.27 acres in Neighborhood Activity Centers (NAC) for a total of 2,700 acres of activity centers.
- Industrial -- In the Airport area, there are 7,472 acres of planned industrial uses and 849 acres of existing industrial uses.
- Public Transportation -- The area has roughly 14.48 miles of *SunTran* bus route lines.
- Schools -- There are four schools in the Airport area.

C. Regional Plan Policy Related to Growth Area Element -- The areas identified as growth areas satisfy the state law requirement that the County have a strategy to make circulation more efficient, conserve natural resources in coordination with areas outside the boundary, and promote financially sound infrastructure expansion through coordinated development.

5. Growth Area Element Regional Plan Policies

- A. Mixed use planning shall be encouraged in designated growth areas and areas with community-wide commercial activity that have opportunities for multimodal transportation.
- B. The current growth area profile shall be reviewed during the review of a development proposal. Infill and redevelopment proposals within a growth area shall attempt to create a mix of uses most beneficial to encourage multimodal transportation opportunities and be coordinated with any current or planned transit stop locations.
- C. Development proposals shall be evaluated for their potential to increase the mix of uses within the growth area and create a demand for residential density and a commercial base that supports a multimodal transportation option.
- D. Development proposals shall be reviewed for potential pedestrian and bicycle access opportunities among surrounding land uses.
- E. Development proposals shall be designed to add architectural attractiveness to the area and to protect the character and privacy of adjoining existing residential areas.
- F. A residential proposal shall attempt to increase densities to not less than eight residences per acre within an evolving mixed use area and provide a variety of housing types, costs, and ownership concepts.
- G. A commercial proposal's design may support a local and community customer base and shall create multimodal transportation options within the growth area.
- H. The City of Tucson shall be designated as a growth area of Pima County.

Co9-96-65 Rezoning Time Extension Approval for
Remaining Lot 1 BOS Minutes 9-6-05

- M. G-2003-009, Loma Alta, Phase 1 (ONLY), Lots 1-64.
Owner: F.B. Carson, Manager of Loma Alta
Development, L.L.C.

11. RATIFY AND/OR APPROVE

- A. Ratification of Board of Supervisors Action of
August 15, 2005

Proclamation naming the Public Health Center at
Kino Campus the Dr. Herbert K. Abrams Public
Health Center.

- B. Ratification of Resolution No. 2005-218

Resolution of the Board of Supervisors to Proclaim
the Existence of a Flooding Emergency, adopted
August 23, 2005.

- C. Minutes

Zoning Enforcement Board of Appeals Minutes of
August 2, 2005.

- D. Warrants

August, 2005

→ 15. DEVELOPMENT SERVICES: REZONING TIME EXTENSION

Co9-96-65, FIDELITY NATIONAL TITLE AGENCY, TRUST NO. 10589 -
LOS REALES ROAD REZONING

Request of Donald and Geraldine Sherman, represented by
Michael Steele of Tierra Right of Way Services, for a five-
year time extension for a portion of the above referenced
rezoning from CI-1 (Light Industrial/Warehousing) to CI-2
(General Industrial) for one (1.0) acre. The subject site
was rezoned in 1997. The rezoning expired in 2002. The
site is located on the north side of Los Reales Road,
approximately 3/4 mile west of Craycroft Road. Staff
recommends **APPROVAL** subject to revised and additional
conditions. (District 2)

"Staff recommends APPROVAL of a five-year time extension for a portion of the
above referenced rezoning, Lot 2 of Los Reales Industrial Subdivision. Staff
recommends the following revised and additional conditions:

6. Department of Environmental Quality Conditions:
Subsurface sewage disposal shall not exceed 1,200 gallons per day.
A. Prior to the Certificate of Compliance issuance, the applicant(s)
shall demonstrate that the lot, as proposed, can accommodate a
commercial facility, a primary and 100 percent reserve on-site
wastewater disposal area, while meeting all required setbacks.
The size of the primary and reserve areas shall be determined by
on-site soil evaluations and/or percolation testing and shall be
designed in accordance with Arizona Administrative Code R118-9-
A309.B.3, Table 1, Unit Daily Design Flows.

- B. This development may be required to obtain coverage under the Arizona Pollution Discharge Elimination System (AZPDES) Multi-Sector General Permit program for the commercial activity that is proposed on the property. To obtain coverage a Notice of Intent to Discharge shall be filed with Arizona DEQ that demonstrates that steps have been taken to minimize the transport of pollutants off of the property during a storm event. Steps include both structural devices (e.g. impoundments) and work practices. Prior to issuance of the Certificate of Compliance the applicant(s) shall demonstrate that coverage has been obtained or demonstrate that coverage is not necessary.
9. Department of Transportation:
No direct access shall be allowed on Comstock Road unless combined at the property line of Lot 1 and Lot 2 of Los Reales Industrial Subdivision or access to the subject property (Lot 2) may be combined with the rezoning site of Co9-04-11 (access to Los Reales as approved on the Preliminary Development Plan for Co9-04-11).
10. Department of Flood Control District
- A. Drainage shall not be altered, disturbed without the written approval of the Flood Control District.
- B. The property owner(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balance drainage basin."

Chris Poirer, Zoning Administrator, stated this is a request for a five year time extension on a rezoning that expired in 2002. The Board voted not to close this portion of the rezoning in June 2005, and the applicant is currently seeking a Development Plan for a salvage yard. Staff received no letters of protest. Staff recommended approval subject to revised and additional conditions.

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Elías, and unanimously carried by a five to zero vote, to close the public hearing and approve Co9-96-65 subject to revised and additional conditions.

16. FRANCHISE/LICENSE/PERMIT: EXTENSION OF PREMISES/PATIO PERMITS

Robert Marshall Fennell, Fennell's Restaurant, 15390 West Ajo Highway, Permanent Extension of Premises/Patio Permit.

The Chair inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Chair Bronson, seconded by Supervisor Carroll, and unanimously carried by a five to zero vote, to close the public hearing and approve the extension of premises/patio permit.

17. FRANCHISES/LICENSES/PERMIT: FIREWORKS PERMITS

- A. Bobby Retz, La Paloma Country Club, 3660 E. Sunrise Drive, September 15, 2005 at approximately 8:30 p.m.
- B. Troy Finley, Tucson Country Club, 2950 N. Camino Principal, October 1, 2005 at approximately 8:00 p.m.

Rezoning Closure for Lot 2 Co9-96-65

5. LITIGATION

BOS Minute 6-21-05

Pursuant to A.R.S. §38-431.03 (A)(3) and (4), for legal advice and direction regarding an update on the status of litigation and strategies in Ponce v. Pima County, Maricopa County Case No. CV2003-015486 and Acosta v. Pima County, Maricopa County Case No. CV2003-016710.

This session was informational only. No Board action was taken.

6. FIRE DISTRICT - DREXEL HEIGHTS FIRE DISTRICT

RESOLUTION NO. 2005-142, of the Board of Supervisors of Pima County, Arizona, ordering the sale of \$1,590,000.00 principal amount of Drexel Heights Fire District of Pima County, Arizona, General Obligation Bonds; setting August 2, 2005 as the date for receipt of bids; and ordering publication of the notice of sale of the bonds.

Without objection, this item was removed from the agenda.

7. DEVELOPMENT SERVICES: PLAT NOTE MODIFICATION

P1298-163, COYOTE CREEK PLAT MODIFICATION, BK. 53
PG. 50

Without objection, this item was continued to the Board of Supervisors meeting of August 2, 2005.

→ 8. DEVELOPMENT SERVICES: REZONING CASE FOR CLOSURE

Co9-96-65, FIDELITY NATIONAL TITLE AGENCY TRUST NO. 10589 -
LOS REALES ROAD REZONING

Request of Donald and Geraldine Sherman, represented by
Tierra Right of Way Services, to close Co9-96-65, a rezoning from CI-1 (Light Industrial/Warehousing) to CI-2 (General Industrial) of 2.0 acres located on the north side of Los Reales Road, approximately 3/4 mile west of Craycroft Road. This rezoning was approved in 1997 and expired on May 20, 2002, Staff recommends **CLOSURE OF ONE ACRE (LOT 1) AND AGAINST CLOSURE OF ONE ACRE (LOT 2).** (District 2)

Chris Poirier, Zoning Administrator, stated staff recommended against closure of the northern lot as the property owner is in the process of obtaining a permit for a salvage lot. In addition, staff recommended closure of the southern portion of the lot. There was one letter in opposition received on this case.

The following individual addressed the Board:

1. Michael Steele

The speaker provided the following comment:

- A. He was in support of staff's recommendation.

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Elías, and unanimously carried by a five to zero vote, to close the public hearing and approve Co9-96-65, as recommended by staff.

9. BOARD OF SUPERVISORS: TRUTH IN TAXATION

Pursuant to A.R.S. §42-17107, public hearing regarding Pima County's intent to raise the primary property taxes over last year's level.

Due to the Tucson Citizen Newspaper's failure to meet statutory publication requirements for a public hearing, without objection, this item was continued to the Board of Supervisors Meeting of July 5, 2005.

10. BOARD OF SUPERVISORS: FINAL BUDGET HEARING

Adopt Final Budget for Fiscal Year 2005-2006.

If approved, pass and adopt:

RESOLUTION NO. 2005-139

The following individuals addressed the Board:

1. Clint Whittaker
2. Rudie Vanderzee
3. Michael Steber
4. Mark Hamilton
5. Yvonne Davis
6. Berlinda Cutbirth
7. Diana Allen
8. Mark Sanchez
9. Michael Toney
10. Penelope Jack

The speakers provided the following comments:

- A. Shift differential pay should be granted to Corrections Officers.
- B. An incentive needs to be given in order to keep Corrections Officers from leaving to other agencies.
- C. Shortage of Corrections Officers creates a higher safety risk for employees.

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: KEN
DEPUTY RECORDER
0681 ROOC
P0230
PIMA CO CLERK OF THE BOARD



DOCKET: 10576
PAGE: 1140
NO. OF PAGES: 3
SEQUENCE: 97118253
07/28/97
ORDIN
14:38:00
PICKUP
AMOUNT PAID \$ 3.00

TUCSON

AZ 85701

Co9-96-65
Rezoning Ordinance

ORDINANCE 1997- 55

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (TAX CODE 140-40-0370 & 140-40-0380) IN CASE Co9-96-65 FIDELITY NATIONAL TITLE AGENCY, TRUST #10589 - LOS REALES ROAD REZONING; LOCATED ON THE NORTH SIDE OF LOS REALES ROAD, APPROXIMATELY 3/4 MILE WEST OF CRAYCROFT ROAD; AMENDING PIMA COUNTY ZONING MAP NO. 59.

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

Section 1. The 2.00 acres described on the attached rezoning ordinance map, which amends Pima County Zoning Map No. 59, are hereby rezoned from CI-1 to CI-2.

Section 2. Rezoning Conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department of Transportation, Real Property Division.
6. Department of Environmental Quality Condition:
Subsurface sewage disposal shall not exceed 1,200 gallons per day.
7. Uses are restricted to automobile repair and storage, junk, salvage, auto wrecking, impoundment storage, used materials or automobile recycling in accordance with section 18.53.030.H.

8. Prior to ground modification activities, an on-the-ground archaeological survey and appropriate mitigation measures shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological sites on the subject property, shall be submitted at the time of, or prior to the submittal of any tentative plat or development plan. The mitigation plan shall be prepared and reviewed as described in the Pima County Site Analysis Requirements.

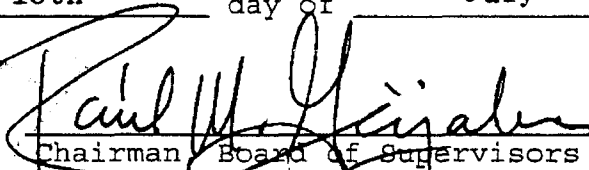
Section 3. Time limits, extensions and amendments of conditions.

1. Conditions 1 through 8 shall be completed by May 20, 2002.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 8 are satisfied and the Planning Official issues a Certificate of Compliance.
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.

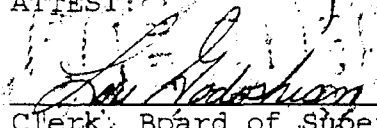
Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

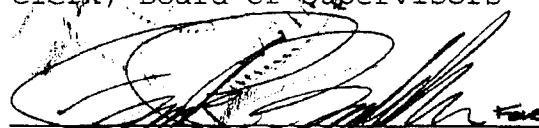
Section 5. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, this 15th day of July, 1997.


Chairman Board of Supervisors JUL 15 1997
Date

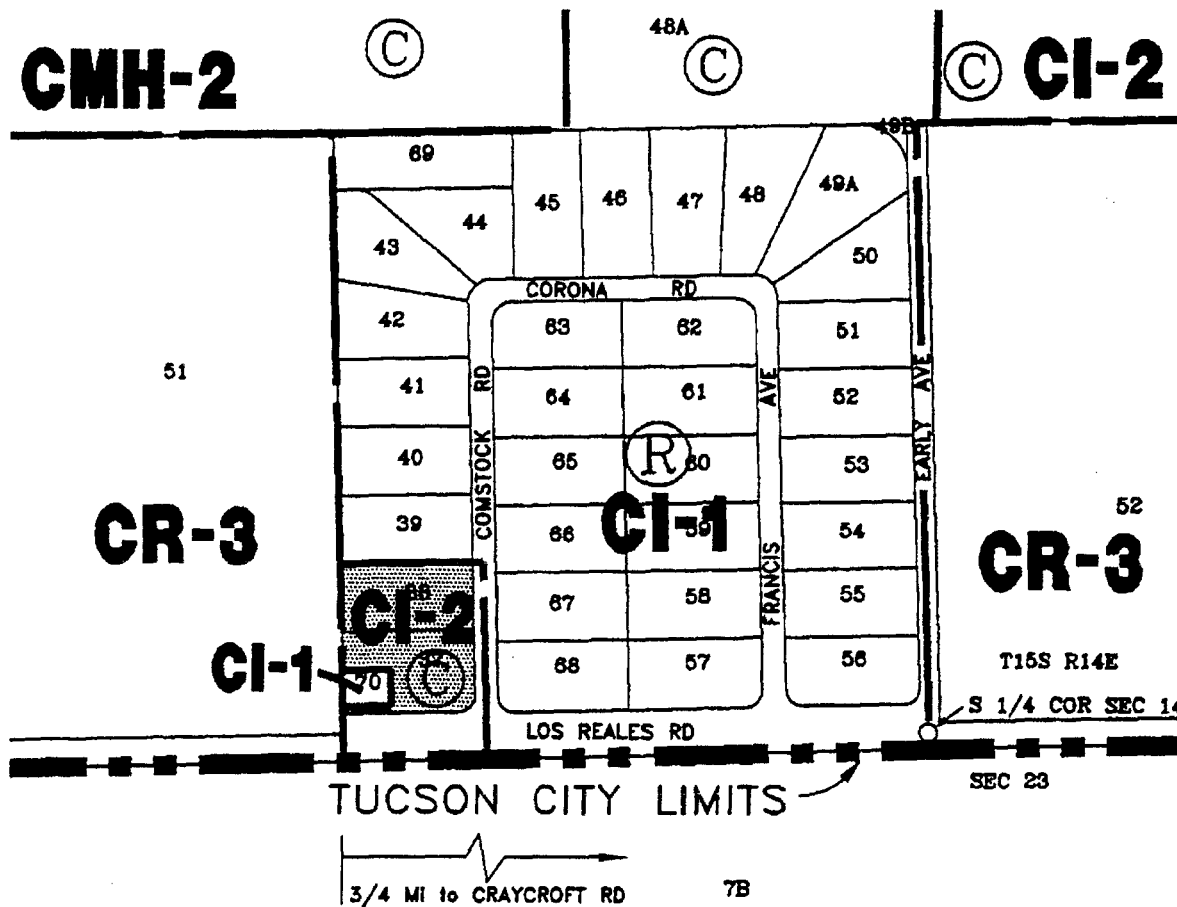
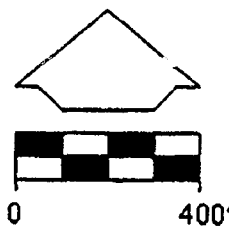
ATTEST:


Clerk, Board of Supervisors


Executive Secretary, Planning and Zoning Commission

AMENDMENT NO. 26 BY ORDINANCE NO. 1997-55
 TO PIMA COUNTY ZONING MAP NO. 59 TUCSON, AZ.
 LOTS 1 AND 2 OF LOS REALES INDUSTRIAL BEING A PART
 OF THE SW 1/4 OF SEC 14, T15S R14E.

ADOPTED 7-15-97 EFFECTIVE 7-15-97



[Signature]
 EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
 FROM CI-1 2.00 ac±
 sp-JUNE 24, 1997

CD9-96-65
 CD7-89-2
 140-40-0370-0380
 BK 40 PG 79(ref)

10596 1142

P0230

PIMA CO CLERK OF THE BOARD
PICKUPPAGE: 1331
N OF PAGES: 8
SEQUENCE: 20050900511
05/10/2005
ORDIN 12:18

PICKUP

AMOUNT PAID \$ 0.00

*Co9-04-11 Rezoning Ordinance*ORDINANCE 2005- 38

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (TAX CODE 140-39-051E) FROM CR-3 TO CI-2; IN CASE **Co9-04-11 SHERMAN - LOS REALES ROAD REZONING**; LOCATED ON THE NORTH SIDE OF LOS REALES ROAD, APPROXIMATELY 1/4 MILE EAST OF SWAN ROAD; AMENDING PIMA COUNTY ZONING MAP NO. 59.

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

Section 1. The 3.5 acres, located on the north side of Los Reales Road, approximately 1/4 mile east of Swan Road, illustrated by the shaded area on the attached rezoning ordinance map (Exhibit "A"), which amends Pima County Zoning Map No. 59 is hereby rezoned from CR-3 to CI-2.

Section 2. Rezoning Conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department, Document Services.

6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements to impact area roads as required by the Department of Transportation to meet concurrency requirements.
 - B. Dedication of 45 feet right-of-way for Los Reales Road adjacent to the rezoning.
8. Flood Control conditions:
 - A. The property owner(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balanced or critical basin.
 - B. The entire rezoning shall be developed so that the drainage infrastructure is constructed for the entire rezoning as a whole, including roadway drainage and easements/drainage basins. The design would also need to be coordinated between each individual lot and the entire rezoning as a whole.
 - C. The property owner(s) shall dedicate right-of-way or easements for drainage purposes to the Flood Control District, as determined necessary during the development plan/subdivision plat review.
 - D. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
9. Wastewater Management condition:

The owner(s)/developer(s) shall connect all development within the rezoning area producing any wastewater other than ordinary domestic sewage to the public sewer system at the location and in the manner specified by the Pima County Wastewater Management Department within five (5) years after the public sewer system is extended to within 400' of the property boundary.

10. Cultural Resources and Historic Preservation condition:
Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit shall be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
11. Environmental Quality Conditions:
 - A. As a condition of rezoning approval and prior to the issuance of the Certificate of Compliance (CofC), the applicant shall demonstrate that the lot, as proposed, can accommodate a commercial facility, a primary and 100% reserve on-site wastewater disposal area, while meeting all required setbacks. The size of the primary and reserve areas shall be determined by on-site soil evaluation and/or percolation testing and shall be designed in accordance with the Arizona Administrative Code R18-9A309.B.3, Table 1, Unit Daily Design Flows.
 - B. This development may be required to obtain coverage under the Arizona Pollution Discharge Elimination System (AZPDES) Multi-Sector General Permit program for the commercial activity that is proposed on the property. To obtain coverage of Notice of Intent to Discharge must be filed with Arizona DEQ that demonstrate that steps have been taken to minimize the transport of pollution off of the property during a storm event. Steps include both the structural devices (e.g. impoundments) and work practices, Prior to the issuance of the CofC, the applicant shall demonstrate that coverage has been obtained or demonstrated that coverage is not necessary.
12. Adherence to the preliminary development plan(s) as approved at public hearing (Exhibits "B" and "C") Note: Any salvage yard greater than two (2) acres in size shall require Board of Adjustment approval.
13. Unless the U.S. Fish & Wildlife Service provides information to the contrary, the site shall be surveyed for Pima pineapple cactus. The survey shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S.

Fish & Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services. If Pima pineapple cactus are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game & Fish Department's Heritage Data Management System.

14. The project site shall be inspected by a trained resources specialist for the presence of the Western burrowing owl as identified by the Arizona Game & Fish Department in their communication of February 2, 2004, as having potential to occur on the site. A report which contains inspection results and dates on which inspections were conducted shall be provided to Pima County immediately upon completion of the inspection. This report must be received prior to approval of the final plat. If any Western burrowing owl are found to be present on the project site, a copy of the report shall be sent to the Arizona Game & Fish Department's Heritage Data Management System.
15. In the event the subject property is annexed into the City of Tucson, the property owner(s) shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, transportation, flood control, or sewer facilities.
16. Under no circumstances shall the following exotic plant species be planted anywhere on the site:
 - Fountain grass (*Pennisetum setaceum*)
 - Buffelgrass (*Pennisetum ciliare*)
 - Johnson grass (*Sorghum halapense*)
 - Giant reed (*Arundo donax*)
 - Common crabgrass (*Digitaria sanguinalis*)
 - Pampas grass (*Cortaderia selloana*)
 - Red brome (*Bromus rubens*)
 - Mediterranean grass (*Schismus spp.*)
 - Tree of heaven (*Ailanthus altissima*)
 - African sumac (*Rhus lancea*)
 - Russian olive (*Eleagnus angustifolia*)
 - Salt cedar/Tamarisk (*Tamarix pertandra* & *T. ramosissima*)
 - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
 - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)

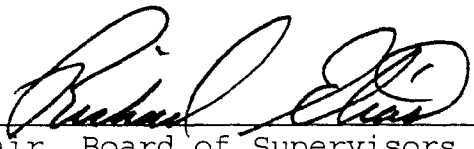
Section 3. Time limits, extensions and amendments of conditions.

1. Conditions 1 through 16 shall be completed by October 12, 2009.

2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 16 are satisfied and the Planning Official issues a Certificate of Compliance.
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 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chair of the Board of Supervisors.

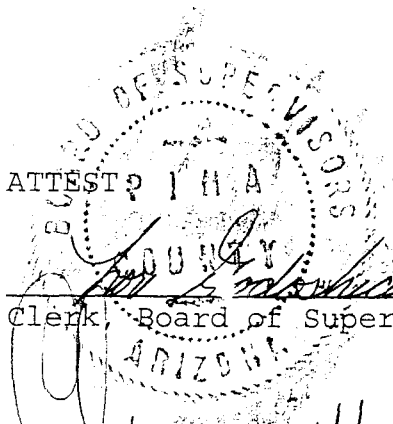
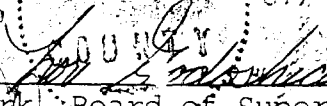
Passed and adopted by the Board of Supervisors of Pima County, Arizona, this 3RD day of MAY, 2005.

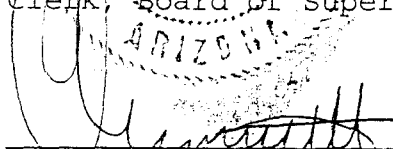


Chair, Board of Supervisors


MAY 3 2005

Date


ATTEST: 

Clerk, Board of Supervisors


Deputy County Attorney

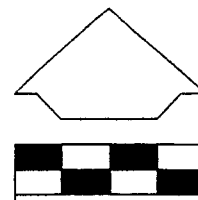


Executive Secretary,
Planning and Zoning Commission

EXHIBIT "A"

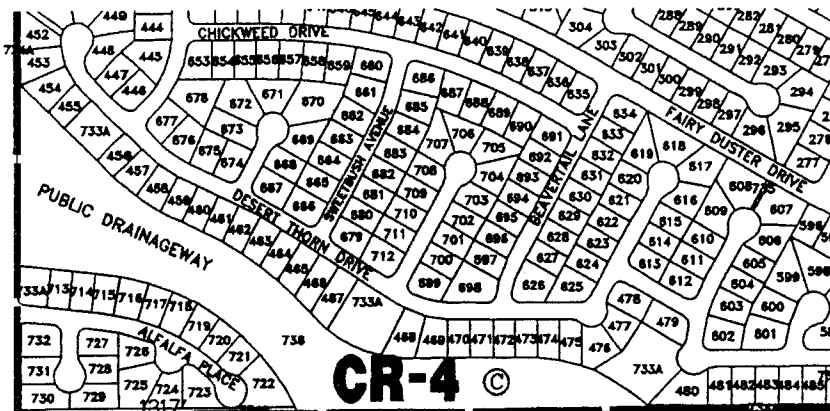
AMENDMENT NO. 33 BY ORDINANCE NO. 2005-38
TO PIMA COUNTY ZONING MAP NO. 59 TUCSON, AZ.
PARCEL 51E BEING A PART OF THE SW 1/4 OF THE SW 1/4 OF
SEC. 14, T15S R14E.

ADOPTED 05-03-05 EFFECTIVE 05-03-05



0 600'

CR-3



CI-1

CR-3

CR-3

CI-1

CI-2

CI-2

CI-1

LOS REALES ROAD

T15S R14E

TUCSON CITY LIMITS

CI-2

Andrew M. Colton

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM CR-3 3.5 ac±
DS-MARCH 7, 2005

CO9-04-11
CO7-00-20
140-39-051E

UNAPPROVED

GRADING NOTES

1. ALL CONSTRUCTION AND TEST METHODS SHALL BE IN CONFORMANCE WITH PIMA CO. & CITY OF TUCSON STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS (PC/COT SSP) 2003 EDITION.
2. ALL CONCRETE SHALL COMPLY TO PC/COT SSP SECTION 1006, CLASS S, 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, UNLESS OTHERWISE SPECIFIED.
3. ALL WORK SHALL CONFORM TO GRADING STANDARDS, CHAPTER 18.01 PIMA COUNTY ZONING CODE.
4. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATIVE REGULATIONS.
5. CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED BY GOVERNMENTAL AGENCIES.
6. ALL REVISIONS TO THESE PLANS MUST BE APPROVED BY DEVELOPMENT SERVICES PRIOR TO CONSTRUCTION.
7. A COPY OF APPROVED PLANS SHALL BE KEPT IN AN EASILY ACCESSIBLE LOCATION ON THE SITE AT ALL TIMES DURING CONSTRUCTION.
8. IF UNANTICIPATED CONDITIONS ARE ENCOUNTERED DURING THE COURSE OF CONSTRUCTION AND ARE BEYOND THE SCOPE OF DESIGN, THE ENGINEER SHALL SUBMIT THE NECESSARY REVISED OR SUPPLEMENTAL IMPROVEMENT PLANS FOR REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
9. CUT AND FILL SLOPES SHALL BE 3:1 OR FLATTER AND NO HIGHER THAN 5 FEET.
10. THE CONTRACTOR SHALL VERIFY LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WITHIN THE WORK AREA PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL CALL "BULLSEYE CENTER" AT 1-800-787-5348 AT LEAST 48 HOURS PRIOR TO COMMENCING WORK.
11. THE SURVEY INFORMATION USED FOR DESIGN WAS PROVIDED BY OWNER.
12. CONTRACTOR RESPONSIBLE FOR LOCATING ALL UTILITIES AND ADJUSTING THEM AS PER EACH UTILITY COMPANY REQUIREMENTS.
13. A REGISTERED ENGINEER MUST CERTIFY THAT THIS PROJECT WAS CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PLANS PRIOR TO A REQUEST FOR FINAL INSPECTION, CERTIFICATION OF OCCUPANCY, RELEASE OF ASSURANCES OR MODULAR PERMITS.
14. WALLS, FENCES AND STRUCTURES REQUIRE A SEPARATE BUILDING PERMIT.

PAVING AND MARKING NOTES

1. THE DESIGN VEHICLE IS WB-40.
2. AGGREGATE BASE COURSE SHALL CONFORM TO PIMA COUNTY/CITY OF TUCSON STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, SECTION 303.
3. ASPHALTIC CONCRETE SHALL CONFORM TO PIMA COUNTY/CITY OF TUCSON STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, SECTION 405, MIX #2 (SUBDIVISION MIX 4.0% VOIDS).
4. UPON COMMENCEMENT OF WORK, TRAFFIC CONTROL DEVICES SHALL BE POSTED AND MAINTAINED BY THE CONTRACTOR UNTIL SUCH TIME AS THE WORK IS COMPLETED. ALL WARNING SIGNS, BARRICADES, ETC. SHALL BE IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) ADOPTED BY THE STATE OF ARIZONA PURSUANT TO A.R.S. 28-650.
5. ALL STREET SIGNING SHALL BE DESIGNED AND INSTALLED TO CURRENT PIMA COUNTY STANDARDS, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE PC DOT/COT DOT SIGNING MANUAL ARE TO BE THE REFERENCES FOR SIGNING DESIGN AND INSTALLATION.
6. WHEN REMOVED EDGE LINE STRIPPING (NBS) AT THE ENTRANCE (S) OF THE PARKING AREA AND WHENEVER APPLICABLE, SHALL BE REINSTALLED TO CURRENT PC DOT/COT DOT STANDARDS BY THE CONTRACTOR AND AT THE CONTRACTOR'S EXPENSE.
7. ALL STRIPPING AND SIGNING WORK, ADJACENT TO P.C. RIGHT-OF-WAY, SHALL BE COORDINATED WITH P.C. TRAFFIC ENGINEERING DIVISION PRIOR TO INSTALLATION AND BEFORE OPENING P.A.W. TO THE PUBLIC. ALL INSTALLATIONS THAT DO NOT MEET P.C. STANDARDS SHALL BE REPLACED BY THE CONTRACTOR AND AT THE CONTRACTOR'S EXPENSE.



TYPICAL PAVING SECTION DETAIL

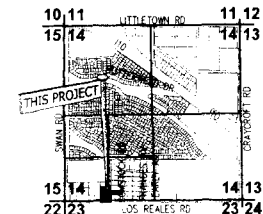
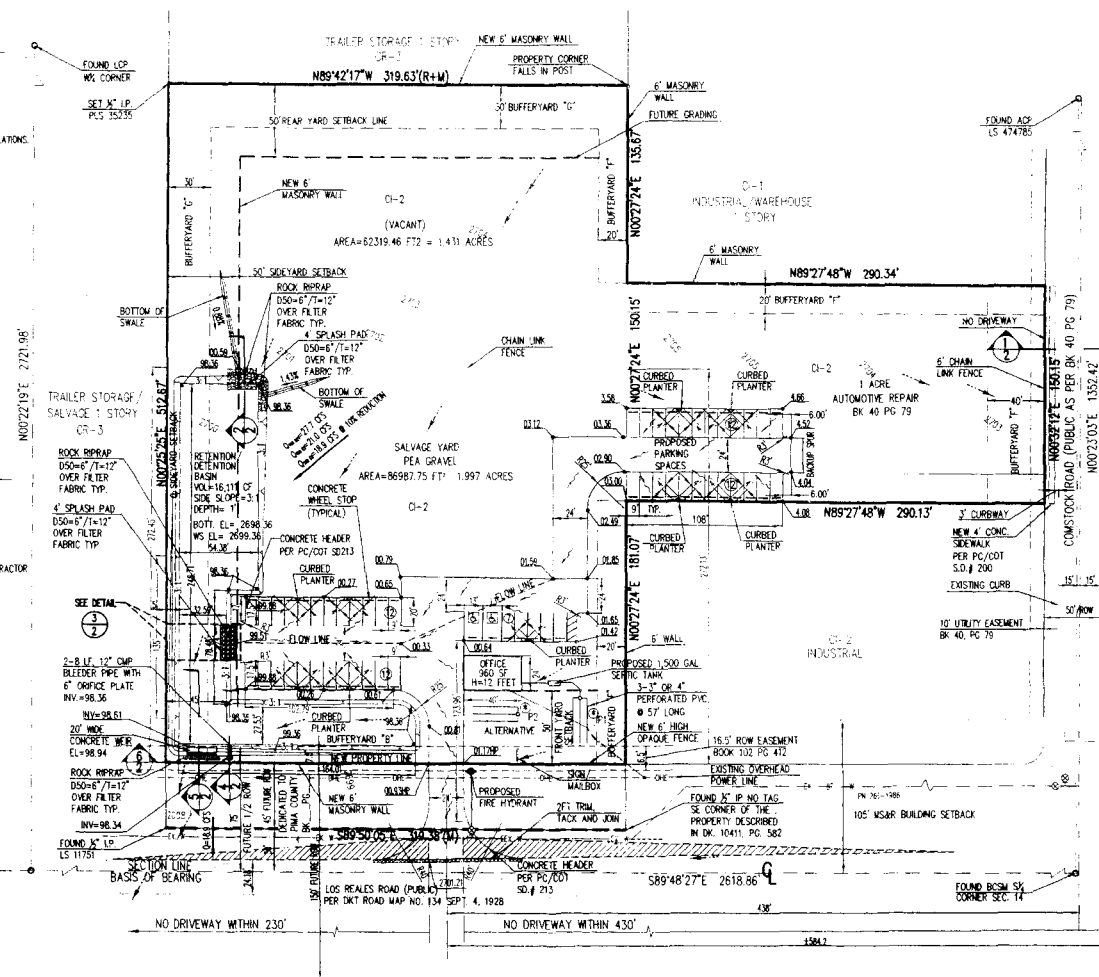
SCALE: NTS

BASIS OF BEARINGS

BASIS OF BEARING: SOUTH SECTION LINE OF SOUTH 1/4 LINE OF SECTION 14, TOWNSHIP 15, RANGE 14, SAID BEARING BEING: SOUTH 89°42'27" EAST.

BASIS OF ELEVATION

BASIS OF ELEVATION IS: POINT 166, AN X ON THE NORTHEAST CORNER OF THE SECOND CATCH BASIN EAST OF BENSON HIGHWAY NORTH OF VALENCIA ELEV. 2676.564 AS FOUND IN COT FIELD BOOK 1678 PAGE 50-51



LOCATION MAP
SCALE: 3" = 1 MILE
LOCATED IN THE SW QUARTER OF SECTION 14,
T-15-S, R-14-E, G & S R B & M,
PIMA COUNTY, ARIZONA

LEGEND

- PROPERTY BOUNDARY
- EASEMENT LINE
- CENTLINE OF ROAD
- EXISTING CHAIN LINK FENCE
- NEW CHAIN LINK FENCE
- EXISTING PAVEMENT
- NEW PAVEMENT 2.5' AC OVER 4' ABC
- INDICATES NUMBER OF PARKING SPACES
- NEW 6" MASONRY WALL
- SWALE

SHEET INDEX

SHEET 1: GRADING PLAN
SHEET 2: DETAIL SHEET

OWNER/DEVELOPER

DONALD F. & GERALDINE K. SHERMAN
341 N. BULL RUN
TUCSON, AZ 85748

FILL

508.133 CUBIC YARD

ACCEPTED

4748

P.E. DEVELOPMENT SERVICES

DATE:

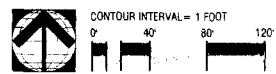
PRIVATE PAVING & GRADING PLAN FOR DON'S TOWING AND SALVAGE

"A PORTION OF THE SE4, SW4, OF
SECTION 14, T-15-S, R-14-E AND LOT 2, LOS REALES INDUSTRIAL,
BK 40, PG. 79"

GILA AND SALT RIVER AND BASELINE MERIDIAN
PIMA COUNTY, ARIZONA

C07-00-20, C07-89-02, C09-96-65, C09-04-11
P1205-070 SHEET 1 OF 2

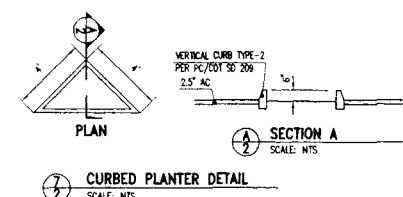
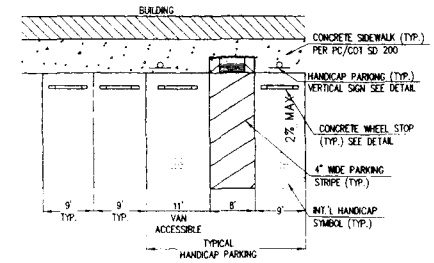
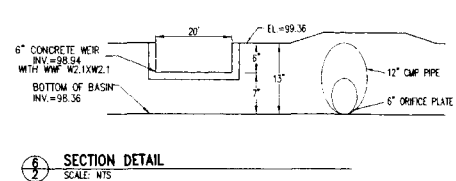
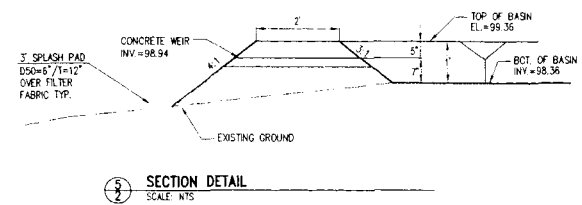
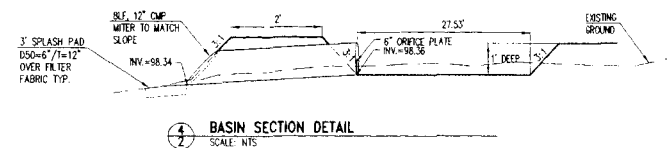
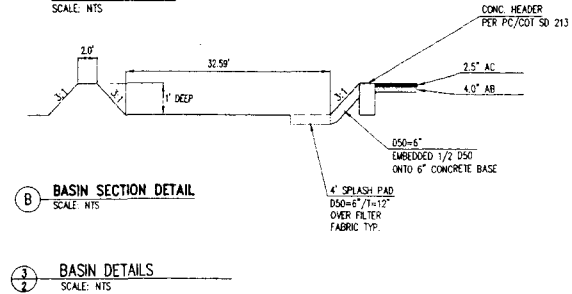
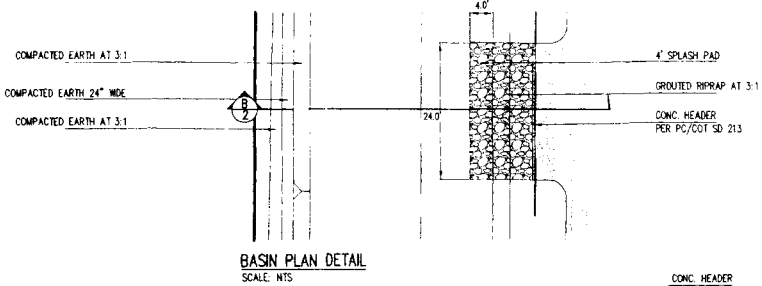
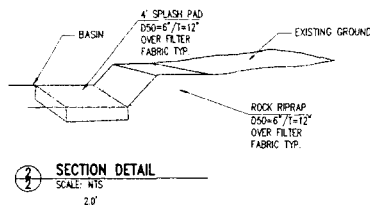
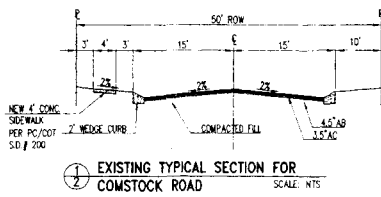
APPROVED



Coronado Engineering & Development, Inc.
1630 S. Research Loop Suite 180, Tucson, AZ 85710
Phone: (520) 622-8041 Fax: (520) 722-8384
e-mail: coronado@coronado.com



Approved Development Plan P1205-070 for
Rezoning C09-96-65 & C09-04-11



APPROVED

Coronado Engineering & Development, Inc.
1530 S. Research Loop Suite 150, Tucson, AZ 85710
Phone: (520) 622-4041 Fax: (520) 722-5394
e-mail: coronado@ceducor.com

4748
PRIVATE PAVING & GRADING PLAN FOR
DON'S TOWING AND SALVAGE
"A PORTION OF THE SE4, SW4, SW4, OF
SECTION 14, T-15-S, R-14-E AND LOT 2, LOS REALES INDUSTRIAL,
BK 40, PG. 79"
GILA AND SALT RIVER AND BASELINE MERIDIAN
PIMA COUNTY, ARIZONA

Co7-00-20, Co7-89-02, Co9-96-65, Co9-04-11
P1205-070 SHEET 2 OF 2

K:\PROJECTS\2004\UPDOWN\UPDOWN-INT-01.dwg Printed: Sep 08, 2006

P1205-070-Q6P0-5642

APPROVALS

Mark S. ... DATE 1-12-87
PIMA COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

Craig Hillman DATE 1/9/87
PIMA COUNTY DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL DISTRICT

George A. ... DATE 1-14-87
PIMA COUNTY DEPARTMENT OF WASTEWATER MANAGEMENT

BOARD OF SUPERVISORS

JANE S. WILLIAMS, CLERK OF THE BOARD OF SUPERVISORS,
HEREBY CERTIFY THAT THIS PLAN WAS APPROVED
BY THE BOARD OF SUPERVISORS OF PIMA COUNTY
ARIZONA ON THE 20TH DAY OF JANUARY 1987.

Jane S. Williams DATE 1-20-87
CLERK BOARD OF SUPERVISORS

ASSURANCE

ASSURANCE IN THE FORM OF A THIRD PARTY TRUST FROM
STEWART TITLE & TRUST OF TRUST OF TUCSON UNDER
TRUST NO. 2883 AS RECORDED IN BOOK 1156 PAGE 619
HAS BEEN PROVIDED TO GUARANTEE IMPROVEMENTS AS
REQUIRED BY THE PIMA COUNTY ZONING CODE, CHAPTER
16.07 (SUBDIVISION STANDARDS) IN THIS SUBDIVISION.

BY Sam Lora DATE 1-20-87
SAM LORA, CHAIRMAN, BOARD OF SUPERVISORS

WATER ADEQUACY

THIS DEVELOPMENT LIES WITHIN AN AREA DESIGNATED AS HAVING
AN ASSURED WATER SUPPLY.

BY Mark S. ... DATE 1-12-87
PIMA COUNTY SUBDIVISION COORDINATOR

CERTIFICATION OF SURVEY

I HEREBY CERTIFY THAT THIS PLAN REPRESENTS A SURVEY MADE
BY ME OR UNDER MY SUPERVISION AND THAT ALL
BOUNDARY MONUMENTS INDICATED HEREON ACTUALLY
EXIST, AND THEIR LOCATION, SIZE AND MATERIAL ARE
CORRECTLY SHOWN.

Charles E. Martin
CHARLES E. MARTIN

R.L.S. 16162

GENERAL NOTES

1. THE GROSS AREA OF THIS SUBDIVISION IS 39.84 ACRES.
2. EXISTING ZONING IS CR-3, CONDITIONAL APPROVED ZONING IS CI-1.
3. THIS PLAN IS SUBJECT TO THE REZONING CONDITIONS OF ZONING CASE NUMBER CO-9-84-123, AS APPROVED FEB. 19, 1985.
4. THE TOTAL NUMBER OF LOTS IS 32.
5. PRIOR TO THE ISSUANCE OF ANY PERMITS BY THE ZONING INSPECTOR, OR A FLOOD PLAIN PERMIT IS REQUIRED FOR LOTS 1 THRU 15.
6. TOTAL MILES OF NEW PUBLIC STREETS IS 0.5 MILES.
7. PRIOR TO THE ISSUANCE OF ANY PERMITS BY THE ZONING INSPECTOR AN APPROVED DEVELOPMENT PLAN IS REQUIRED FOR LOTS 1 THRU 32.
8. THE ENGINEER SHALL CERTIFY AS TO FORM, LINE AND TO SUBSTANTIAL CONFORMANCE TO APPROVED PLANS OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES PRIOR TO THE RELEASE OF ASSURANCES.
9. 3/8" INCH IRON PIN TAGGED R/S 16162 WILL BE PLACED AT ALL LOT CORNERS.
10. BASIS OF BEARING - THE EAST SECTION LINE, SECTION 14, CRATER RAMP ROAD, SAID BEARING BEING N. 0° 40' 30" E. PER R.C. 4.0.0.0. PROCEEDINGS NO. 993 B.L. 4 P. 77.
11. BASIS OF ELEVATION IS BY U.S.C.A. 1946 N. SIDE LOS REALES RD 1/4 MILE S. WEST OF SOUTHWEST SEC. COR. SEC. 14, ELEVATION BEING 2691.00'.
12. ANY RELOCATION, MODIFICATIONS, ETC. OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS REQUIRED BY THE PROPOSED DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
13. EACH DEVELOPMENT PLAN SHALL BE SUBJECT TO A LANDSCAPE PLAN PER CHAPTER 16.75 (LANDSCAPING, BUFFERING AND SCREENING STANDARDS).
14. SEWAGE DISPOSAL FOR LOTS 1 THROUGH 32 WILL BE BY PRIVATE INDIVIDUAL DISPOSAL SYSTEMS. CONCEPTUAL APPROVAL BY THE PIMA COUNTY HEALTH DEPARTMENT FOR PRIVATE INDIVIDUAL DISPOSAL SYSTEMS WILL BE OBTAINED PRIOR TO THE APPROVAL OF THE FINAL PLAN BY THE PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT.
15. EACH LOT OWNER WILL BE RESPONSIBLE FOR CONTACTING THE U.S. POSTAL SERVICE TO ESTABLISH MAIL DELIVERY.
16. THE TOTAL AREA OF DRAINAGEWAYS IS 111,500 S.F.
17. PRIOR TO THE ISSUANCE OF ANY PERMITS, AN APPROVED DEVELOPMENT PLAN IS REQUIRED FOR LOTS 1 THRU 32.

CERTIFICATE OF ENGINEER

I HEREBY CERTIFY THAT THE ENGINEERING WORK EFFORT
SHOWN HEREON INCLUDING THE GEOMETRIC DESIGNS
AND CALCULATED DETERMINATION OF WATER SURFACE
ELEVATIONS WAS PERFORMED UNDER MY DIRECTION
DURING THE MONTH OF APRIL 1986.

Adm. Address: 5007
E. Los Reales Rd.

STATE OF ARIZONA
COUNTY OF PIMA

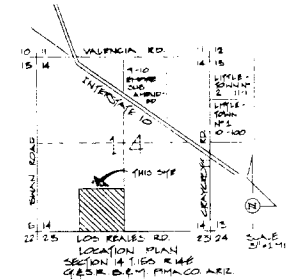
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE
ME THIS 1ST DAY OF JANUARY 1987 BY Pat Scawone
A TRUST OFFICER UNDER TRUST NO. 2883.

NOTARY PUBLIC

MY COMMISSION EXPIRES
3/19/90

MAP 59 ZONE CI-1, CI-2

ANNOTATED COPY



TRUST NO. 2883 BENEFICIARIES PER DOCKET 7530 PAGE 163
GEORGE M. GRISWOLD & JEAN M. GRISWOLD
3711 SOUTH PALO VERDE RD
TUCSON ARIZONA 85713
RICHARD A. BLOK AND JUDITH BLOK
215 NORTH COURT AVE TUCSON ARIZONA 85701

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE
ALL AND THE ONLY PARTIES HAVING ANY RECORD
TITLE INTEREST IN THE LAND SHOWN ON THIS PLAN,
AND WE CONSENT TO THE SUBDIVISION OF SAID
LAND IN THE MANNER SHOWN HEREON.
WE HEREBY DEDICATE AND CONVEY TO PIMA COUNTY
ALL RIGHTS OF WAY AS SHOWN HEREON, INCLUDING
ALL PUBLIC STREETS AND DRAINAGEWAYS.
WE HEREBY GRANT TO PIMA COUNTY AND ALL UTILITY
COMPANIES EASEMENTS AS SHOWN HEREON FOR
THE PURPOSE OF INSTALLATION AND MAINTENANCE
OF PUBLIC UTILITIES AND OTHER USES AS DESIGNATED
HEREON.
WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO
HEREBY SAVE PIMA COUNTY, PIMA COUNTY FLOOD CONTROL
DISTRICT, ITS SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES,
OFFICERS AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS
FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN
THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION,
OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD
OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED
THAT DRAINAGE SHALL NOT BE ALTERED, DISTURBED
OR OBSTRUCTED OTHER THAN AS SHOWN HEREON
WITHOUT THE WRITTEN APPROVAL OF THE PIMA COUNTY
FLOODPLAIN BOARD.
COMMON AREAS "A" & "B" AS SHOWN HEREON ARE
RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS
OF PROPERTY WITHIN THIS SUBDIVISION.
TITLE TO COMMON AREAS "A" & "B" SHALL BE
VESTED IN A MANDATORY ASSOCIATION OF LOT OWNERS AS ESTAB-
LISHED BY COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED IN
DOCKET 7530 PAGES 616-618. IN THE OFFICE OF THE PIMA COUNTY
RECORDER. THE LOT OWNERS ASSOCIATION WILL ACCEPT RESPONSIBILITY
FOR CONTROL, MAINTENANCE AND LIABILITY FOR COMMON AREAS "A" & "B"
AND THE PRIVATE DRAINAGE EASEMENTS WITHIN THIS SUBDIVISION.

STEWART TITLE AND TRUST, AN ARIZONA CORPORATION, AS TRUSTEE UNDER
TRUST NO. 2883 ONLY AND NOT OTHERWISE

BY: Pat Scawone TRUST OFFICER

LOS REALES INDUSTRIAL SUBDIVISION
LOTS 1 THRU 32 AND COMMON AREAS "A" & "B"
THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, T. 15 S., R. 14 E., S. 1/4
QUAD 25, T. 15 S., R. 14 E., PIMA COUNTY, ARIZONA

C.E. MARTIN ENGINEERS
15300 E. 15TH AVE. TUCSON ARIZONA 85713
602-625-0808

CO-9-84-123 CO-12-77-105 CO-12-85-152 JAN 1986 SHEET 1 OF 3

ANNOTATED
COPY

- CONSENT TO DEDICATION -

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE OF BENEFICIARIES OF A DEED OF TRUST RECORDED IN DOCKET 730AT PAGE 119 AND WE DO HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY SHOWN ON THIS PLAT IN THE MANNER DESIGNED HEREON AND TO THE DEDICATION HEREON.

David R. Ennis
PIMA SAVINGS & LOAN ASSOCIATION,
AN ARIZONA CORPORATION

STATE OF ARIZONA } ss
COUNTY OF PIMA }

ON THIS 7th DAY OF January 1987, BEFORE Francine Muela THE UNDERSIGNED OFFICER, PERSONALLY APPEARED David R. Ennis WHO ACKNOWLEDGED HIMSELF TO BE THE Vice President OF PIMA SAVINGS & LOAN ASSOCIATION, AN ARIZONA CORPORATION, AND THAT HE AS SUCH, BEING AUTHORIZED SO TO DO, EXECUTED THE ABOVE INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CORPORATION BY HIMSELF AS Vice President.

Francine Muela
NOTARY PUBLIC
July 8, 1987
MY COMMISSION EXPIRES

- CONSENT TO DEDICATION -

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE OF BENEFICIARIES OF A DEED OF TRUST RECORDED IN DOCKET 7837 AT PAGE 455 AND WE DO HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY SHOWN ON THIS PLAT IN THE MANNER DESIGNED HEREON AND TO THE DEDICATION HEREON.

Markham Sellers
MARKHAM SELLERS, IMONY INC.,
AN ARIZONA CORPORATION

STATE OF ARIZONA } ss
COUNTY OF PIMA }

ON THIS 7th DAY OF January 1987, BEFORE George McGinnis THE UNDERSIGNED OFFICER, PERSONALLY APPEARED James R. Sellers WHO ACKNOWLEDGED HIMSELF TO BE THE Exec. Vice Pres. OF MARKHAM SELLERS, IMONY INC., AN ARIZONA CORPORATION, AND THAT HE AS SUCH, BEING AUTHORIZED SO TO DO, EXECUTED THE ABOVE INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CORPORATION BY HIMSELF AS Exec. Vice President.

George McGinnis
NOTARY PUBLIC
Nov 12, 1988
MY COMMISSION EXPIRES

- CONSENT TO DEDICATION -

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE OF BENEFICIARIES OF A DEED OF TRUST RECORDED IN DOCKET 7839 AT PAGE 8 AND WE DO HEREBY CONSENT TO THE SUBDIVISION OF THE REAL PROPERTY SHOWN ON THIS PLAT IN THE MANNER DESIGNED HEREON AND TO THE DEDICATION HEREON.

Ray L. Samuels
UNITED BANK
AN ARIZONA CORPORATION

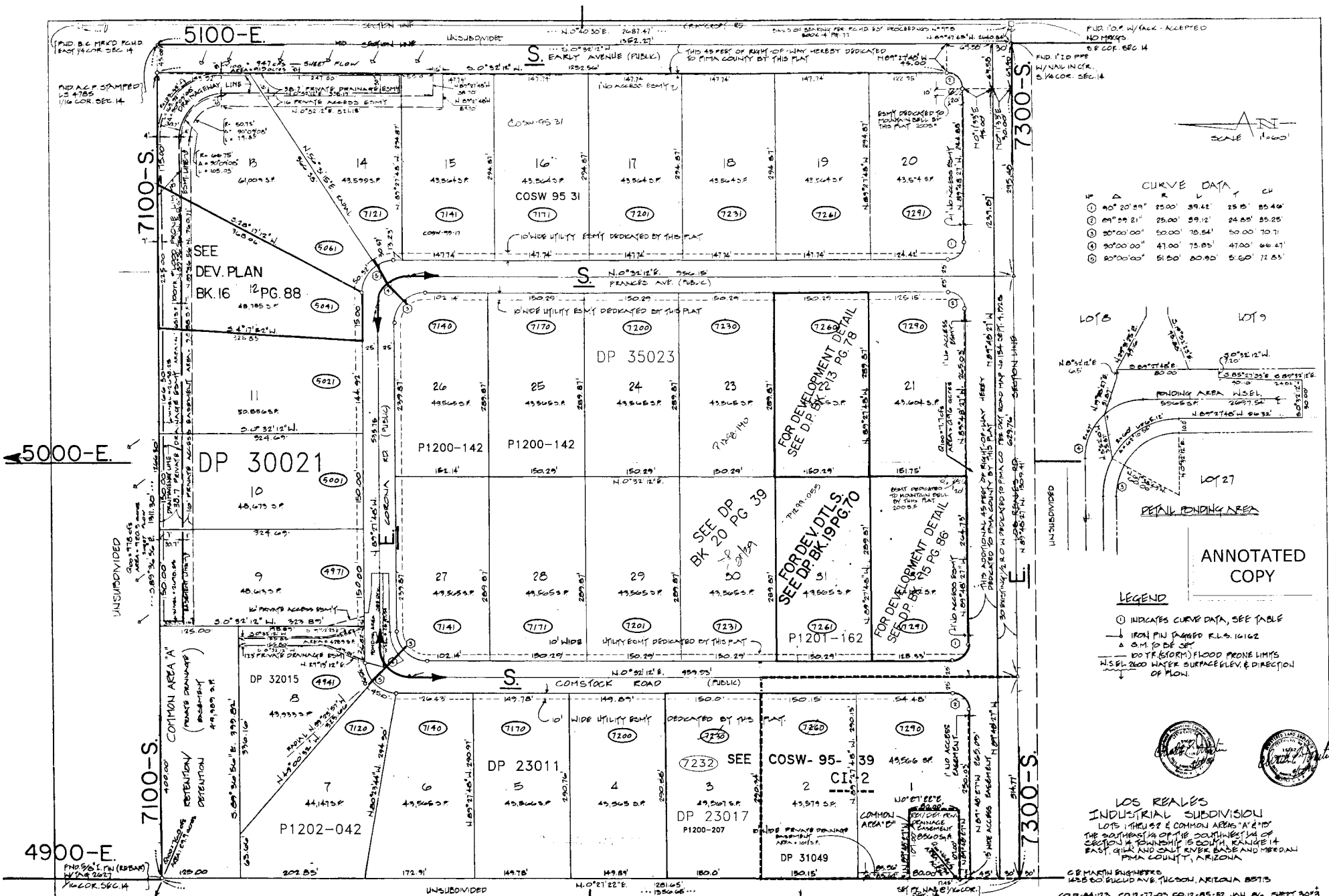
STATE OF ARIZONA } ss
COUNTY OF PIMA }

ON THIS 7th DAY OF January 1987, BEFORE George McGinnis THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Ray L. Samuels WHO ACKNOWLEDGED HIMSELF TO BE THE Vice Pres. OF UNITED BANK, AN ARIZONA CORPORATION, AND THAT HE AS SUCH BEING AUTHORIZED SO TO DO, EXECUTED THE ABOVE INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CORPORATION BY HIMSELF AS Vice President.

George McGinnis
NOTARY PUBLIC
Nov 12, 1988
MY COMMISSION EXPIRES



- LOS REALES INDUSTRIAL SUBDIVISION -
LOTS 1 THRU 52 AND COMMON AREAS 1' 10"
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SEC 14, T.15, S.
R. 14, E. GILA & SALT RIVER BASIN MERIDIAN, PIMA COUNTY, ARIZONA
C.E. MARTIN ENGINEERS
1495 S. GILBERT AVE. TUCSON, ARIZONA 85713
602-623-6208
CH 9-84-123 CO 12-TT-03 CO 12-B5-92 SHT. 2 OF 3



ANNOTATED
COPY

LEGEND

- ① INDICATES CURVE DATA, SEE TABLE
 ↓ IRON PIN IMAGED R.L.S. 16162
 ▲ S.M. TO BE SET
 100 YR. (STORM) FLOOD PRONE LIMITS
 W.S. EL. 2600 WATER SURFACE ELEV. & DIRECTION
 OF FLOW.

LOS REALES
INDUSTRIAL SUBDIVISION
LOTS 1 THRU 32 & COMMON AREAS "A" & "B"
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF
SECTION 14, TOWNSHIP 15 SOUTH, RANGE 14
EAST, GRIM AND GALT RIVER BASIN AND MERIDIAN
PIMA COUNTY, ARIZONA

— C.B. MARTIN ENGINEERS
1425 SO. EUCLID AVE. TUCSON, ARIZONA 85713
CO. 9-84-123 CO. 12-77-03 CO. 12-85-82 VLN 86 SHEET 30 OF 3

DEVELOPMENT SERVICES DEPARTMENT

201 N. STONE AVENUE, 2ND FLOOR TUCSON, AZ 85701

PHONE: 740-6800 FAX: 623-5411

RECEIPT

PIMA COUNTY, ARIZONA

ACTIVITY P13PL00044

FEES RECEIPT# 13P00265

SITE ADDRESS:

CASE NUMBER:

DATE: 12/20/2013
COMP TYPE: PL-RECPT
TYPE:

TIME: 02:14 PM

DESCRIPTION OF WORK: Waiver of Rezoning Condition Co9-96-65

APPLICANT: COMMONWEALTH MORTGAGE COMPANY

Receipt by: CT

Copy Reprinted on 12-20-2013 at 14:15:07 12/20/2013 Notation:

PAID BY:

Type	Method	Description	Amount
Payment	Check	4594	1,896.00

TOTAL: 1,896.00

FEES PAID:

DESCRIPTION	CURRENT PMTS
MISC SPECIAL ZON ACTIONS	1,896.00

TOTAL: 1,896.00

Reference # (if applicable):

