



MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Honorable Richard Elías, Supervisor, District # 5

FROM: Arlan M. Colton, Planning Director 

DATE: July 23, 2014

SUBJECT: Co9-07-13 CIRCLE K STORES, INC. - VALENCIA ROAD #2 REZONING

The above referenced Rezoning Time Extension within your district is scheduled for the Board of Supervisors' **AUGUST 5, 2014** hearing.

REQUEST: For a five-year time extension of a **4.36 acre** rezoning from **CB-2** (General Business-Conditional) and **GR-1** (Rural Residential) to **CB-2** (General Business) on property located on the southeast corner of West Valencia Road and South Camino De La Tierra.

OWNER: Circle K Stores, Inc.
P.O. Box 52085-DC17
Phoenix, AZ 85072-2085

AGENT: David Cisiewski
Tatum Road Partners
11811 N. Tatum Blvd. Ste. 1051
Phoenix, AZ 85028

DISTRICT: 5

STAFF CONTACT: Thomas Coyle

PUBLIC COMMENT TO DATE: As of July 23, 2014, no written public comments have been received.

STAFF RECOMMENDATION: APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL STANDARD AND SPECIAL CONDITIONS.

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

CP/TC/ar
Attachments



Board of Supervisors Memorandum

Subject: Co9-07-13

Page 1 of 6

FOR AUGUST 5, 2014 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan M. Colton, Planning Director 
Development Services Department Planning Division

DATE: July 23, 2014

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING TIME EXTENSION

Co9-07-13 CIRCLE K STORES INC-VALENCIA ROAD NO.2 REZONING

Request of **CIRCLE K STORES INC**, represented by **David Cisiewski**, for a five-year time extension of a rezoning of approximately 4.36 acres from CB-2 (General Business)(Conditional) and GR-1 (Rural Residential) to CB-2 (General Business), on property located on the northeast corner of Valencia Road and Camino De La Tierra. The 4.36 acre subject site was rezoned in 2009. The rezoning expired on May 5, 2014. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL STANDARD AND SPECIAL CONDITIONS.**
(District 5)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of a **five-year time extension to May 5, 2019** for the approximately 4.36 acres with **additional standard and special conditions**. Condition 9I was added from the original approval and 8A, 8B, 8C, and 8D and 8E were changed to accommodate minor word changes.

Upon application for an extension to a rezoning application, staff reassesses the standard and special conditions that were originally imposed on the project and review current Comprehensive Plan policies and rationale for applicant hardship.

The Development Services staff distributed the time extension request for comment and possible revision to conditions. The following conditions represent the outcome of that consultation:

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.
6. There shall be no further lot splitting for residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owners shall dedicate 25 feet half right-of-way for Valencia Road to Pima County as designated by the Major Streets and Scenic Routes Plan.
 - B. The property owners shall provide offsite roadway and drainage improvements to Valencia Road and Camino de la Tierra, as determined necessary by the Department of Transportation. Review of these improvements shall be coordinated by the applicant, Department of Transportation and Regional Flood Control District to insure there are no conflicting improvements.
 - C. The property owners shall construct a full three lane major street section for westbound Valencia Road from the east boundary of the rezoning site to Camino de la Tierra, with appropriate transition taper and turn lanes, bike lane, drainage improvements, guardrail, and sidewalk.
 - D. Improvements to Camino de la Tierra may be required to conform to the improved Valencia Road improvements.
 - E. The property owners shall share access and maintenance between this rezoning and adjacent parcel, as feasible.
8. Wastewater Management conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.

- B. The owner 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 shall ~~have~~ 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 ~~Pima County Regional Wastewater Reclamation Department~~.
 - C. The owner 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 shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the ~~Regional Wastewater Reclamation Department~~ PCRWRD in its capacity response letter and as specified by the ~~Development Services Department~~ 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 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 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.
9. Regional Flood Control conditions:
- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. The property owner(s) shall obtain a Floodplain Use Permit for any development on the subject property.
 - C. A master drainage study shall be submitted for review and approval that addresses the impacts of development to local area drainage.
 - D. This development shall meet Critical Basin detention and retention requirements because of existing flooding problems.
 - E. The property owner(s) shall dedicate right-of-way or easements (onsite and offsite) for drainage purposes to the Flood Control District, as determined necessary during the development plan review.

- F. The property owner(s) shall provide all necessary on-site and off-site drainage related improvements at no cost to Pima County that are needed as a result of the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
 - G. All-weather access shall be provided to all portions of the project to meet concurrency requirements.
 - H. A riparian mitigation plan shall be required for development in designated riparian areas.
 - I. At the time of development, the applicant shall submit a Final integrated Water Management Plan consisting of the table identifying internal and external water conservation measures and a site plan showing the location of external measures. First flush retention shall be provided.
10. Environmental Quality conditions:
- A. The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit. On-site wastewater disposal shall not be allowed.
 - B. 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, an Air Quality Activity Permit shall be obtained.
11. Cultural Resources conditions:
- A. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property.
 - B. 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.
 - C. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
12. Environmental Planning condition:
- Upon the effective date of the Ordinance, the owner(s) 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 current and any future property owner. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

13. 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.
14. The property owner shall execute and record the following disclaimer regarding Prop 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(I)."
15. Property owner shall adhere to the preliminary development plan as approved by the Board of Supervisors. (EXHIBIT B)

STAFF REPORT

The rezoning was conditionally approved by the Board of Supervisors on September 15, 2009. If approved, this action will extend the rezoning action for a period of 5 years.

The rezoning time extension is for a 4.36 acre site on the northeast corner of Valencia Road and Camino De La Tierra in Supervisor District 5. The rezoning initially provided a change from CB-2© (3.55 Acres) and GR-1 (0.83 Acres) to CB-2 (General Business). The site is predominately vacant (1 acre is used for an existing Circle K Store) and is designated as Multifunctional Corridor (MFC). To the north is residential use, to the east is vacant, to the south is vacant and to the west is residential use.

Staff supports the requested five-year time extension. The conditions of approval have been reviewed, and when appropriate, updated by the advisory agencies. Also, there has not been a material change to land use or development policies in this area, nor is one anticipated in the upcoming Pima Prospers Comprehensive Plan. Lastly, downturns in local, State and national economic conditions has served as a detriment to property development since 2006-2007.

Comments from advisory agencies have been incorporated into the revised conditions and are attached.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The site lies outside the Maeveen Marie Behan Conservation Lands System.

CONCURRENCY CONSIDERATIONS		
Department	Concurrency Considerations Met: Yes / No / N/A	Other Comments
TRANSPORTATION	Yes	No objection
FLOOD CONTROL	Yes	No objection
WASTEWATER	Yes	No objection
PARKS	Yes	No comment
WATER	Yes	No comment

CP/TC/ar
Attachments

- c: Circle K Stores, Inc., P.O. Box 52085-DC17, Phoenix, AZ 85072-2085
David Cisiewski, Tatum Road Partners, 11811 N. Tatum Blvd. Ste. 1051
Phoenix, AZ 85028
Chris Poirier, Assistant Planning Director
Co9-07-13 File

F. ANN RODRIGUEZ RECORDER
RECORDED BY: LL
DEPUTY RECORDER
1956 PE-2



BOOKET: 13647
PAGE: 2483
NO. OF PAGES: 8
SEQUENCE: 20091820555
09/21/2009
ORDIN 18:00
PICKUP
AMOUNT PAID \$ 0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

ORDINANCE 2009- 87

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (PARCEL CODES 137-19-005B AND 137-19-005C) OF APPROXIMATELY 4.36 ACRES FROM CB-2© (3.55 ACRES) (GENERAL BUSINESS - CONDITIONAL) AND GR-1 (0.83 ACRES) (RURAL RESIDENTIAL) TO CB-2 (GENERAL BUSINESS) IN **CASE CO9-07-13 CIRCLE K STORES, INC. - VALENCIA ROAD #2 REZONING**; LOCATED ON THE NORTHEAST CORNER OF VALENCIA ROAD AND CAMINO DE LA TIERRA; AMENDING PIMA COUNTY ZONING MAP NO. 63.

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

Section 1. The 4.36 acres, located on the northeast corner of Valencia Road and Camino De La Tierra, illustrated by the shaded area on the attached rezoning ordinance map (EXHIBIT A), which amends Pima County Zoning Map No. 63 is hereby rezoned from CB-2© (3.55 acres) (General Business - Conditional) and GR-1 (0.83 acres) (Rural Residential) to CB-2 (General Business).

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.

WOMEN'S CENTER

4

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.
6. There shall be no further lot splitting for residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owner/developer(s) shall dedicate 25 feet half right-of-way for Valencia Road to Pima County as designated by the Major Streets and Scenic Routes Plan.
 - B. The property owner/developer(s) shall provide offsite roadway and drainage improvements to Valencia Road and Camino de la Tierra, as determined necessary by the Department of Transportation. Review of these improvements shall be coordinated by the applicant, Department of Transportation and Regional Flood Control District to insure there are no conflicting improvements.
 - C. The property owner/developer shall construct a full three lane major street section for westbound Valencia Road from the east boundary of the rezoning site to Camino de la Tierra, with appropriate transition taper and turn lanes, bike lane, drainage improvements, guardrail, and sidewalk.
 - D. Improvements to Camino de la Tierra may be required to conform to the improved Valencia Road improvements.
 - E. The property owner/developer shall share access and maintenance between this rezoning and adjacent parcels, as feasible.
8. Wastewater Management conditions:
 - A. The owner / developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
 - B. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner / developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or

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cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.

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

D. The owner / developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, sewer construction plan or request for building permit.

E. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

9. Regional Flood Control conditions:

A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.

B. The property owner(s) shall obtain a Floodplain Use Permit for any development on the subject property.

C. A master drainage study shall be submitted for review and approval that addresses the impacts of development to local area drainage.

D. This development shall meet Critical Basin detention and retention requirements because of existing flooding problems.

E. The property owner(s) shall dedicate right-of-way or easements (onsite and offsite) for drainage purposes to the Flood Control District, as determined necessary during the development plan review.

F. The property owner(s) shall provide all necessary on-site and off-site drainage related improvements at no cost to Pima County that are needed as a result of the proposed development of the subject property. The location, design and construction of said improvements shall be subject to

the approval of the Flood Control District.

G. All-weather access shall be provided to all portions of the project to meet concurrency requirements.

H. A riparian mitigation plan shall be required for development in designated riparian areas.

10. Environmental Quality conditions:

A. The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit. On-site wastewater disposal shall not be allowed.

B. 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, an Air Quality Activity Permit shall be obtained.

11. Cultural Resources conditions:

A. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property.

B. 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.

C. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

12. Environmental Planning condition:

Upon the effective date of the Ordinance, the owner(s)/developer(s) 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 current and any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

13. In the event the subject property is annexed, the property owner shall adhere to

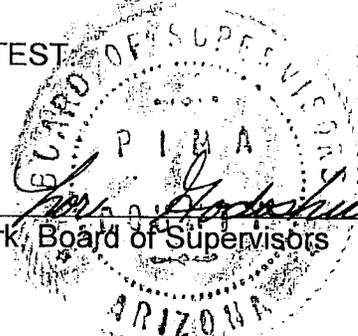
Section 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, this
_____ 15 _____ day of _____ September _____, 2009.



Chairman of the Board of Supervisors
SEP 15 2009

ATTEST



Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney

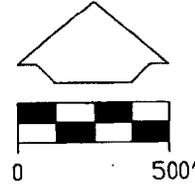
ANDREW FLAGG



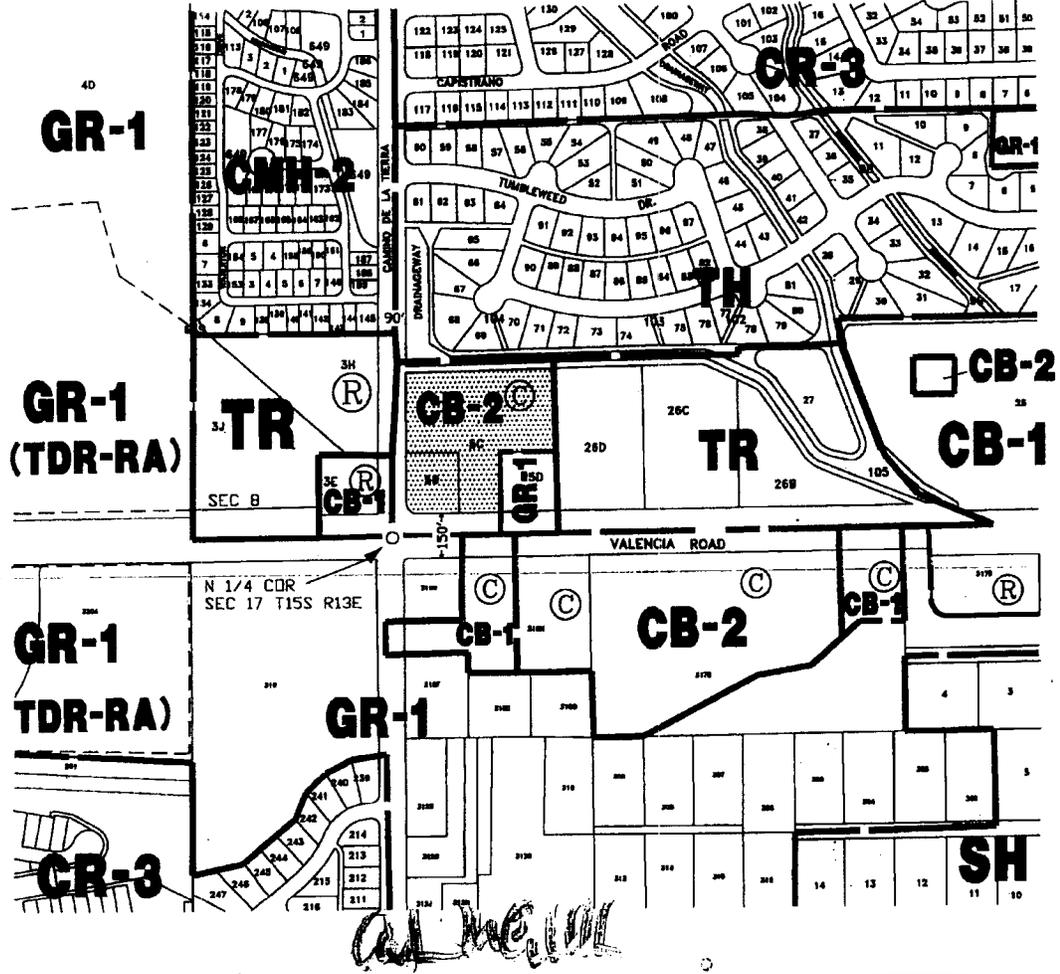
Executive Secretary,
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO. 70 BY ORDINANCE NO. 2009-87
 TO PIMA COUNTY ZONING MAP NO. 63 TUCSON, AZ.
 PARCEL 05B & 05C BEING A PART OF THE SW 1/4 OF THE SE 1/4
 OF SECTION 8, T15S R13E.



ADOPTED SEPTEMBER 15, 2009 EFFECTIVE SEPTEMBER 15, 2009



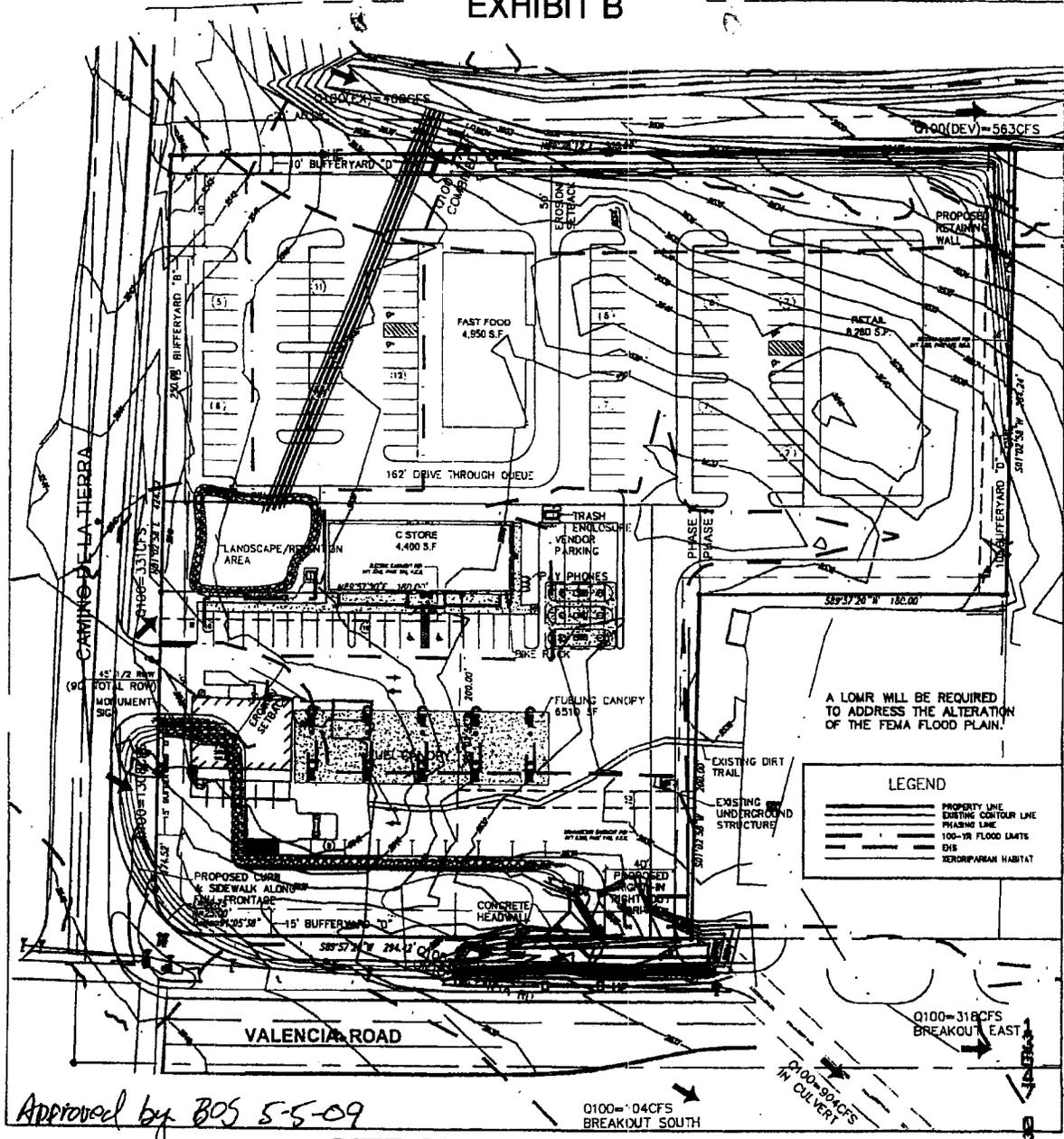
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

~~NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE~~
 FROM CB-2 & GR-1 4.3 ac±
 ds-AUGUST 17, 2009

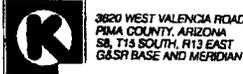
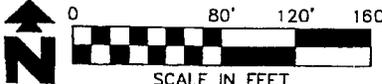
CO9-07-13
 CO9-81-72
 CO7-00-20
 137-19-005B & 005C

Page 7 of 8

EXHIBIT B



SITE ANALYSIS REPORT

<p>EXHIBIT 2B-1.1</p>	<p>PRELIMINARY DEVELOPMENT PLAN</p>	 <p>STAR Consulting, Inc. 5405 E. Placita Mayuco Tucson, AZ 85718 (520) 529-1240 Projed No. 3K1001</p>
 <p>Co9-07-13</p>	 <p>SCALE IN FEET</p>	<p>Page 8 of 8</p>



PIMA COUNTY

REGIONAL WASTEWATER RECLAMATION DEPARTMENT

201 NORTH STONE AVENUE
TUCSON, ARIZONA 85701-1207

JACKSON JENKINS
DIRECTOR

PH: (520) 724-6500
FAX: (520) 724-9635

July 2, 2014

TO: Thomas Coyle, AICP, Principal Planner
Planning Division
Pima County Development Services Department

FROM: _____
Mirela Hromatka, Program Manager
Planning and Engineering Section
Pima County Regional Wastewater Reclamation Department

SUBJECT: **Co9-07-13 – Circle K - Valencia Road Rezoning**
Request for Time Extension
(CB-2 and GR-1 to CB-2)
Tax Parcels #137-19-005B, -005C; 4.36 acres

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request for a five year time extension for the above referenced rezoning case and offers the following comments for your use.

The PCRWRD has no objection to the proposed 5 year extension of the rezoning, but offers the following conditions that should replace the existing wastewater conditions in rezoning Co9-07-13 adopted September 15, 2009 by the Board of Supervisors.

REZONING CONDITIONS

Should the Board of Supervisors be inclined to approve this time extension, the Pima County Regional Wastewater Reclamation Department (PCRWRD) recommends the following conditions:

1. The owner / developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
2. The owner / developer 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 / developer 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.

3. The owner / developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
4. The owner / developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the 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.
5. The owner / developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
6. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

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

MH

| Copy: Project

DATE: July 15, 2014

TO: Thomas Coyle
Principle Planner

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

SUBJECT: Co9-07-13 Circle K Stores – Valencia and Camino de la Tierra Rezoning Time Extension

District staff has reviewed the subject request and has the following comments:

1. Since the original rezoning, the County adopted the Comprehensive Plan Regional Water Policy. While the requirement for a Preliminary Integrated Management Plan is not applicable as the Site Analysis was submitted prior to adoption of the policy, when the development plan is submitted, the applicant will be required to adopt water conservation measures consistent with this policy and a Final Integrated Water Management Plan consisting of Table B identifying selected measures shall be required. Furthermore new standards requiring first flush retention have also been adopted.

Recommended Conditions:

- a. At the time of development, the applicant shall submit a Final Integrated Water Management Plan consisting of the table identifying internal and external water conservations measures and a site plan showing the location of external measures. First flush retention shall be provided.

In conclusion the District has no objection to the request subject to the new recommended conditions.

Please feel free to contact me with any questions or concerns on these comments.

GS/sm

cc: File



DEPARTMENT OF TRANSPORTATION
201 NORTH STONE AVENUE, FOURTH FLOOR
TUCSON, ARIZONA 85701-1207

PRISCILLA S. CORNELIO, P. E.
DIRECTOR

(520) 724-6410
FAX (520) 724-6439

Memorandum

Date: July 8, 2014

To: Thomas Coyle, AICP, Pima County Development Services Department
From: Jeanette DeRenne, AICP, Pima County Department of Transportation
Subject: Co9-07-13 Bush Street Partners et al – Valencia Road Rezoning

Staff has reviewed the time extension request for the rezoning of 4.36 acres and has no objection to this request. The rezoning conditions that were approved at the time of the rezoning should remain in place. There is a Minor Transportation Concurrency Concern since within a two-mile radius of this proposed rezoning; roads are operating overcapacity. The immediate area is planned for urban type density or commercial development, and infrastructure improvements are currently underway.

The traffic generation from the three proposed uses is 1,630 ADT for the 4,400 square feet convenience store and 10-pump gas station, 366 ADT for the 8,280 square feet retail use, and 2,430 ADT for the 4,950 square feet drive-thru restaurant per the 9th Edition of the ITE Trip Generation. The total ADT for these uses is 4,426 ADT.

The rezoning is located at the northeast corner of Valencia Road and Camino de la Tierra. Valencia Road is a County maintained, paved 4-lane divided roadway. Valencia east of the rezoning site is a 4-lane cross section and is maintained by the county through the intersection at Mission Road and becomes City maintained approximately ¼ of a mile east of the intersection. From Camino de la Tierra to Mark Road, Valencia Road has been improved to a 5-lane cross section. Both segments have a posted speed limit of 45 mph. The most recent traffic count is 26,227 ADT between Caballo Rd and Camino De La Tierra and 28,796 ADT between Camino de la Tierra and Cardinal Av.

The traffic capacity is 37,600 ADT for the 5-lane segment and 35,820 ADT for the 4-lane undivided segment. The Major Streets and Scenic Routes Plan calls for a 200 feet wide right-of-way on Valencia Road and a 130 feet building setback. The existing right-of-way width is 150 feet; therefore, dedication of 25 feet was a condition of the rezoning. This right-of-way has not been dedicated, thus this condition shall remain in place for the time extension. Valencia Road offsite capacity and right turn capacity was also recommended as a condition of rezoning. This will include but may not be limited to: additional pavement, shoulder, sidewalk, curb, drainage improvements and guardrail. Construction of additional arterial roadway capacity for this development could be eligible for offsetting roadway impact fee credits under the current ordinance.

Camino de la Tierra is a County maintained, paved, two lane, major collector with a 35 mph posted speed limit. The most recent traffic count on Camino de la Tierra is 6,730 ADT and the traffic capacity is 13,122 ADT. It is not designated a major route per the Major Streets and Scenic Routes Plan. Existing and planned right-of-way is 90 feet and no additional right-of-way is needed. Camino de la Tierra offsite capacity and right turn capacity was recommended as a condition of rezoning. This will include but may not be limited to: additional pavement, shoulder, sidewalk, curb, drainage improvements and guardrail.

There are no funded improvements planned for the immediate area. This rezoning is located within the Southwest Impact Fee Benefit Area and Valencia Road is one of the roads included for improvements to be funded with impact fees. The planned improvements are west of the subject site between Mark and Ajo.

The above two roads and other major roads in this area are listed in the following table:

Road	# lanes	Exist ROW	Planned ROW	Speed limit, posted	ADT, year	Capacity
Valencia Rd	4,divided	150	200	45	26,227	35,820
	5,undivided				28,796	37,600
Cmo de la Tierra	2, undivided	90	90	35	6,730	13,122
Cardinal Av	2, undivided	-	90	35	9,134	13,122
Drexel Rd	2, undivided	-	90	35	9,208	13,122
Mark Rd	2, undivided	-	150	45	2,333	15,930

The Department of Transportation does not recommend any changes to the approved rezoning conditions at this time.