



Subject: Co9-00-12

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FOR JANUARY 6, 2015 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: December 24, 2014

RESOLUTION FOR ADOPTION

Co9-00-12 **READ – ORACLE ROAD REZONING**
Owner: T. READ HOLDINGS, LLC (Tamara Read)
(District 1)

If approved, adopt RESOLUTION NO. 2015 - _____

OWNERS: T. READ HOLDINGS, LLC
% Tamara Read
5185 N. Genematas Road
Tucson, AZ 85704

AGENT: BRUCE READ
7389 N. Camino Sin Vacas
Tucson, AZ 85718

DISTRICT: 1

STAFF CONTACT: Mark Holden

CP/MH/ar
Attachments

cc: Chris Poirier, Assistant Planning Director
Co9-00-12 File

RESOLUTION 2015-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE CO9-00-12 READ – ORACLE ROAD REZONING; LOCATED NORTHEAST OF THE INTERSECTION OF ORACLE ROAD AND GENEMATAS DRIVE; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 OF ORDINANCE NO. 2000-91, AS AMENDED BY RESOLUTION NO. 2001-72 AND RESOLUTION NO. 2002-148.

The Board of Supervisors of Pima County, Arizona finds that:

1. On February 11, 2000, the owner of approximately 0.66 acres applied for a rezoning from CR-1 (Single Residence) to CB-1 (Local Business);
2. On May 16, 2000, the Pima County Board of Supervisors approved the approximately 0.66-acre rezoning from CR-1 (Single Residence) to CB-1 (Local Business), subject to standard and special conditions;
3. On December 19, 2000, the Pima County Board of Supervisors adopted rezoning Ordinance No. 2009-91, as recorded in Docket 11458 at Page 0458, rezoning the approximately 0.66 acres described in rezoning case Co9-00-12 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;
4. On February 15, 2001, the owner of the rezoning site applied for a modification of rezoning condition #'s 10 and 16 of Ordinance No. 2000-91;
5. On April 17, 2001, the Board of Supervisors approved modification of rezoning condition #'s 10 and 16 of Ordinance No. 2000-91, and adopted Resolution No. 2001-72, as recorded in Docket 11540, Page 1621, to memorialize the amendments to Ordinance No. 2000-91;
6. On April 2, 2002, the Board of Supervisors gave direction to Pima County Planning Division staff to advertise the modification of condition #18 of Ordinance 2000-91, as amended by Resolution No. 2001-72;
7. On June 18, 2002, the Board of Supervisors approved modification of rezoning condition #18 of Ordinance No. 2000-91, and adopted Resolution No. 2002-148, as recorded in Docket 11594, Page 5830, to memorialize the amendments to Ordinance No. 2000-91;

8. On September 18, 2014, the owner of the rezoning site applied for a modification of rezoning condition #10 of Ordinance No. 2000-91;
9. On November 18, 2014, the Board of Supervisors approved modification of rezoning condition #'s 10 and 11 of Ordinance No. 2000-91, as amended by Resolution No. 2001-72 and Resolution No. 2002-148, and memorialized by this resolution; and
10. Section 3 of Ordinance No. 2000-91 allows the Board of Supervisors to amend the rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1: The rezoning conditions in Section 2 of Ordinance 2000-91 are restated and modified as follows:

1. Submittal a development plan as 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. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. No direct access to Oracle Road shall be permitted. Only one (1) access point to Genematas Drive shall be allowed. The location and design of the access point shall be subject to approval by Pima County Department of Transportation prior to any plan approvals.
 - B. Property owner(s) shall provide any necessary access improvements to Genematas Drive as determined during the development review process.
8. 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 provide any necessary drainage related improvements that are needed as a result of the proposed development both on-site and off-site of the subject property. The location, design and

construction of said improvements shall be subject to the approval of the Flood Control District.

9. Wastewater Management 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 unless a waiver is received from the Pima County Department of Environmental Quality to allow use of a private on-site sewage disposal system.
 - B. If the connection is made to the public sewer, the property owner or his agent must construct a public sewer extension to serve this rezoning. The public sewer extension must be completed, inspected and released for service prior to the issuance of any building permits.
10. Commercial uses on the site will be restricted to the following: tea room / café; apparel store; art gallery or store; beauty shop / salon; florist shop; gift, curio or novelty shop; interior decorator; jewelry store; business, professional or semi-professional office; or, Pilates / yoga studio. Any other uses on the site will require, at a minimum, a public hearing before the Board of Supervisors. Adherence to the revised sketch plan as approved at public hearing, including depicted augmentation of natural areas. Uses are restricted to a tea room, café which is comparable in type, scale and intensity, or a single detached residence. Any further change in use is a substantial change which first shall require a Comprehensive Plan amendment to Neighborhood Activity Center.
11. The ~~tea room~~ building shall maintain a residential appearance. The proposed project shall be reviewed and approved by the Design Review Committee relative to building material, colors, and architectural design, project layout including location and screening of trash receptacles, landscaping, and all aspects of signage.
12. Hours of operation 6 A.M. to 10 P.M. Occasional special events may last until 12 A.M.
13. There shall be no liquor license associated with use of the site.
14. There shall be no amplifiers or public address system allowed; no excessive noise or sound beyond the site.
15. Lighting shall not be directed toward the residential lots.
16. Any large outdoor trash receptacle, such as a dumpster shall be fully screened and located in the parking area. Small household-type outdoor trash containers shall be fully screened and located on the north side of the building and shall have covers and not be stored at curb-side for trash pick-up for more than a 24-hour period.
17. Building heights are limited to a maximum of 24 feet and two stories.
18. Freestanding business-related signage is limited to one sign along the Oracle Road

frontage. Prior to issuance of a certificate of occupancy for use of the site, the existing billboard shall be removed. The residential entryway sign and associated rock and masonry planter and pillar shall either be removed from the road right-of-way or may remain in place under a license agreement subject to the concurrence of the Pima County Department of Transportation. The residential entryway sign and associated rock and masonry planter and pillar may be moved and reassembled (no closer than 15 feet from the edge of pavement for Genematas Drive) after being approved by the design review committee for designation as a historic landmark sign per section 18.79.060.f. The residential entryway sign and associated rock and masonry planter and pillar must be removed, licensed for its existing location, or relocated prior to issuance of a certificate of occupancy.

Section 2. The rezoning conditions 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 3. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted, this _____ day of _____, 2015

Chair, Pima County Board of Supervisors

ATTEST:

Clerk of the Board

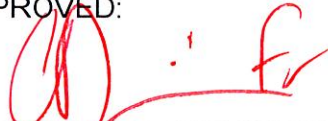
APPROVED AS TO FORM:



Deputy County Attorney

MICHAEL LEBLANC

APPROVED:

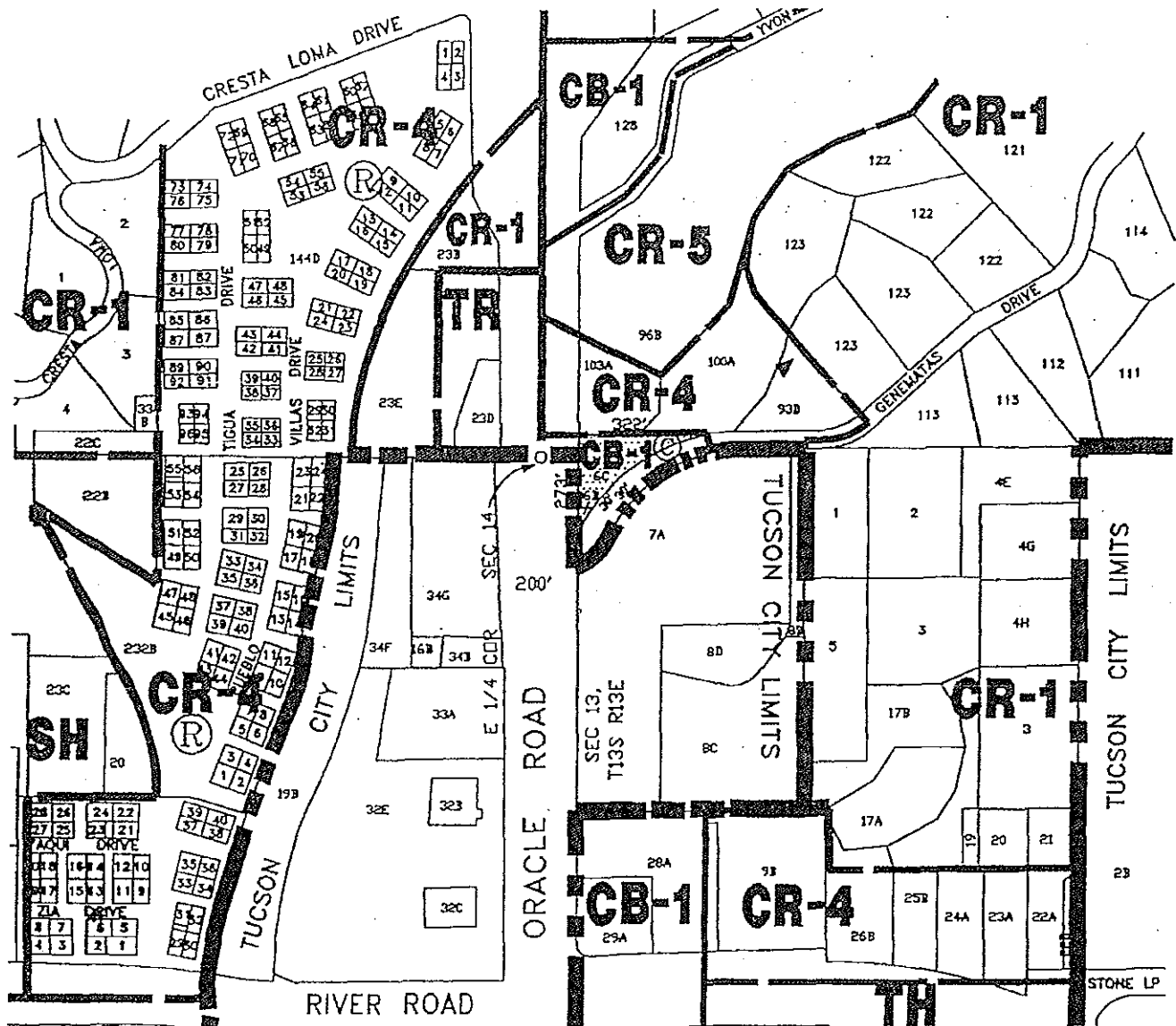
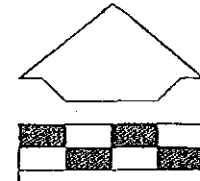


Executive Secretary
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO. 71 BY ORDINANCE NO. 2000-91
TO PIMA COUNTY ZONING MAP NO. 46 TUCSON, AZ.
PARCELS 6B & 6C BEING A PART OF THE NW 1/4 OF THE SW 1/4
OF SEC. 13, T13S R13E.

ADOPTED 12-19-00 EFFECTIVE 12-19-00



EXECUTIVE SECRETARY, PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM CR-1 0.66 ac±
xa-DECEMBER 5, 2000

CO9-00-12
CO7-89-2
CO7-98-08
105-03-006B
105-03-006C

NO. 07-14-00 CO. 07-14-00