



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 9/17/2024

*= Mandatory, information must be provided

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

***Title:**

P23CR00001 MARYVALE DEVELOPMENT LLC – W. VIOLET AVENUE PLAN AMENDMENT AND REZONING

***Introduction/Background:**

The applicant requests a .94-acre concurrent plan amendment and rezoning from Neighborhood Activity Center (NAC) to Industrial (I) land use designation and from CR-4 (Mixed-Dwelling Type) to CI-1 (Light Industrial/Warehousing) zone, located on the north side of W. Violet Avenue, approximately 100 feet east of the T-intersection of N. Maryvale Avenue and W. Violet Avenue for an 8,000-square-foot storage building and storage yard for a heating, ventilation and air conditioning business, rightly considered an expansion to the existing use of the building to the north.

***Discussion:**

The subject site was originally .74 acres but added .20 acres from the approved abandonment of N. Parkway Drive. The proposed use is compatible with the adjacent church uses and CI-1 zoned properties to the south with equivalent uses. The use should have minimum impacts to the surrounding properties and is not in conflict with any of the policies of the Comprehensive Plan.

***Conclusion:**

The concurrent plan amendment and rezoning conform to the Comprehensive Plan and the Pima County Zoning Code.

***Recommendation:**

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

***Fiscal Impact:**

0

***Board of Supervisor District:**


1 2 3 4 5 All


Department: Development Services - Planning


Telephone: 520-724-8800

Contact: Terrill L. Tillman, AICP, Planner III

Telephone: 520-724-6921

Department Director Signature:  Date: 8-26-24

Deputy County Administrator Signature:  Date: 9/3/2024

County Administrator Signature:  Date: 9/3/2024



TO: Honorable Supervisor Dr. Sylvia M. Lee, District 3

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

DATE: August 27, 2024

SUBJECT: **P23CR00001 MARYVALE DEVELOPMENT LLC – W. VIOLET AVENUE PLAN AMENDMENT AND REZONING**

The above referenced Concurrent Plan Amendment and Rezoning is within your district and scheduled for the Board of Supervisors' **TUESDAY, SEPTEMBER 17, 2024** hearing.

REQUEST: For a **Concurrent Plan Amendment and Rezoning** to amend the Comprehensive Plan from Neighborhood Activity Center (NAC) to Industrial (I) and to rezone from CR-4 (Mixed-Dwelling Type) to CI-1 (Light Industrial/Warehousing) zone on approximately .94 acres (Parcel Codes 103-07-0050 and 103-07-0060). The site is located on the north side of W. Violet Avenue, approximately 100 feet east of the T-intersection of N. Maryvale Avenue and W. Violet Avenue, in Section 21, Township 13 South, Range 13 East, in the Central Planning Area. (District 3)

OWNERS: Maryvale Development LLC
3075 W. Mockingbird Lane
Tucson, AZ 85713-3086

AGENT: The Planning Center
Brian Underwood, Principal
2 E. Congress Street, Suite 600
Tucson, AZ 85701

DISTRICT: 3

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

PUBLIC COMMENT TO DATE: As of August 27, 2024, no public comment has been received.

PLANNING AND ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 10 – 0**

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

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (CLS).

TD/TT/ds
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P23CR00001

Page 1 of 3

FOR SEPTEMBER 17, 2024 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: August 27, 2024

ADVERTISED ITEM FOR PUBLIC HEARING

CONCURRENT PLAN AMENDMENT AND REZONING

P23CR00001 MARYVALE DEVELOPMENT LLC – W. VIOLET AVENUE PLAN AMENDMENT AND REZONING

Maryvale Development LLC, represented by The Planning Center, request a concurrent plan amendment and rezoning to amend the Comprehensive Plan from Neighborhood Activity Center (NAC) to Industrial (I) and to rezone from CR-4 (Mixed-Dwelling Type) to CI-1 (Light Industrial/Warehousing) zone on approximately .94 acres (Parcel Codes 103-07-0050 and 103-07-0060). The site is located on the north side of W. Violet Avenue, approximately 100 feet east of the T-intersection of N. Maryvale Avenue and W. Violet Avenue, in Section 21, Township 13 South, Range 13 East, in the Central Planning Area. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 10 – 0**. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 3)

Planning and Zoning Commission Public Hearing Summary (July 31, 2024)

The public hearing was a hybrid meeting. Several commissioners, staff, and the applicant attended in person and some of the commissioners attended virtually.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions.

The applicant presented additional information and visual presentation of the project's preliminary development plan and discussed that the proposed use would allow Hamstra's Heating and Cooling to expand their locally owned business in operation on the property to the north of the subject site.

A commissioner questioned whether there was any residential zoning in the area and the history

of the industrial uses. Staff replied that the original zoning of the properties in the area was MU (Multiple Use) zoning which is an industrial classification that allows for residential uses and that the area was developed as primarily industrial. The subsequent rezoning to CR-4 (Mixed-Dwelling Type) resulted in some residential development further east with one property in the area remaining CR-4 zoned, utilized as an accessory use within an existing industrial development. The adjacent properties were then rezoned to CI-1 resulting in additional industrial development.

The public hearing was opened and there were no speakers; the public hearing was closed.

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

The commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL REZONING CONDITIONS** 10 – 0, subject to the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

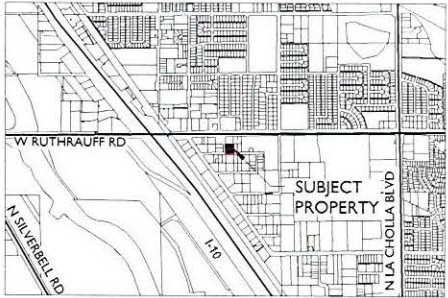
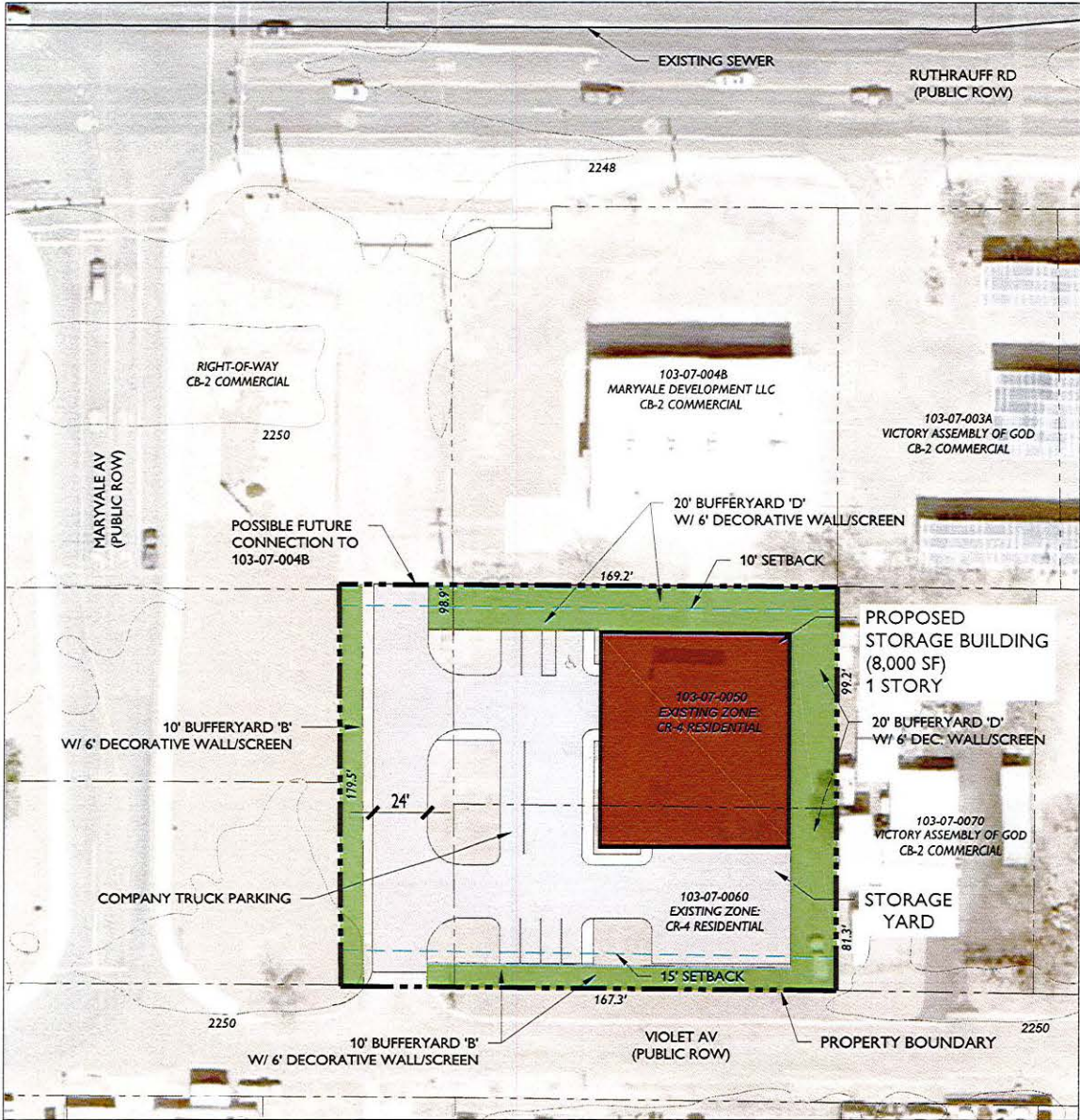
1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: The property shall be limited to the existing access point on Violet Avenue.
3. Regional Flood Control conditions:
 - A. Engineering analysis provided at the time of permitting shall include the outside storage area and shall provide a flow path for the drainage to get to the downstream ADOT infrastructure.
 - B. Water harvesting shall be provided within the landscape borders to supplement irrigation in the landscape buffers and minimize the frequency of runoff from the property.
 - C. This project shall comply with detention and retention requirements at the time of site permitting. If a Detention Waiver is allowable the application and supporting documents shall be submitted to the Floodplain Administrator prior to the site construction permit approval.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/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 enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.

- D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
5. 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 property owner.
 6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
 7. Adherence to the sketch plan as approved at public hearing.
 8. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
 9. 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.
 10. The property owner shall execute the following disclaimer regarding Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ds
Attachments

c: Brian Underwood

SKETCH PLAN



LOCATION MAP
SCALE: 1" = 0.5 MILE

GENERAL NOTES:

Total Project Area (2 parcels): 0.94 Acres
 Parcels: 103-07-0050, 103-07-0060
 Address: 2656 West Violet Avenue, Tucson AZ
 Jurisdiction: Pima County
 Grading Limits: Entire Site Shall be Graded
 Building Area: 8,000 Square Feet
 Building Height: 1 Story (39' Max.)

STORAGE BUILDING/YARD (REZONE) NOTES:

Existing Zoning: CR-4 (Residential)
 Existing Use: Vacant
 Proposed Use: Storage Building/Yard
 Proposed Zoning: CI-1 Light Industrial/Warehousing
 Zoning Standards: 18.51

Required Building Setbacks:
 - North: 10 Feet (rear)
 - East/West: none (side)
 - South: 15 Feet (front)

Required Landscape Bufferyards:
 - North: 20 Feet, Bufferyard 'D' (Light industrial adjacent to Commercial)
 - East: 20 Feet, Bufferyard 'D' (Light industrial adjacent to Commercial)
 - South/West: 10 Feet, Bufferyard 'B' ('Street')

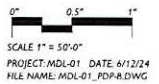
Required Screening:
 - North: 6' Decorative Wall/Screen
 - East: 6' Decorative Wall/Screen
 - South/West: 6' Decorative Wall/Screen

PARKING NOTES:

Storage Building/Yard:
 Required Parking Spaces: 6 Parking Spaces
 (1 per 2 Employees, + 1 per company vehicle, + 1 per visitor per 2,000 SF)
 Provided Parking Spaces: 7 Parking Spaces
 Required Bicycle Spaces: 2 + 1 per 15 Parking Spaces
 Provided Bicycle Spaces: Storage = 3

LEGEND

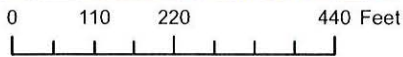
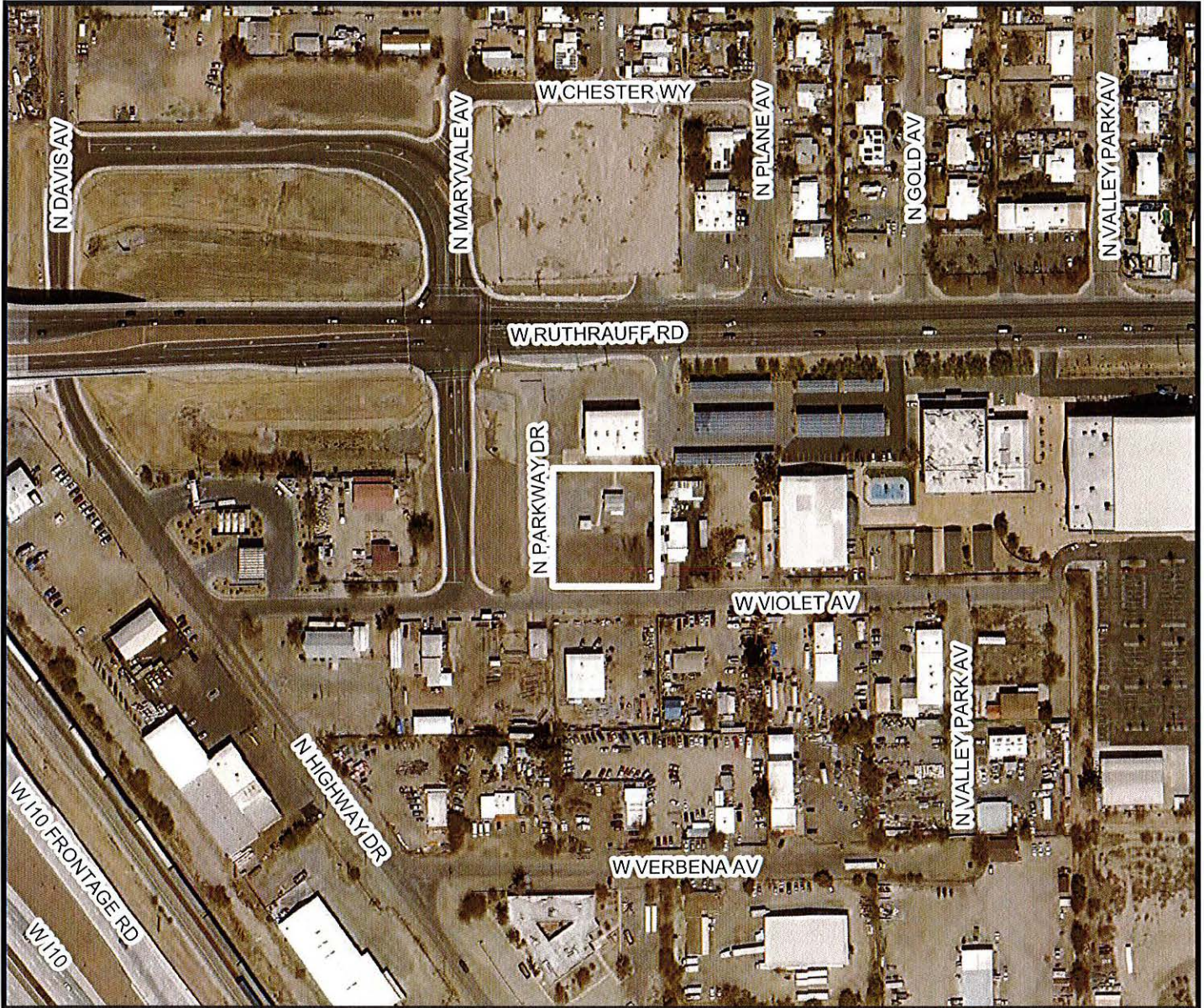
- Property Boundary
- Landscape Bufferyard
- Common Area
- Parking/Access Lanes
- Parcels
- Setback
- Existing Contour





MARYVALE & RUTHRAUFF

Case #: P23CR00001
 Case Name: MARYVALE DEVELOPMENT LLC -
 W. VIOLET AVENUE PLAN AMENDMENT AND REZONING
 Tax Code(s): 103-07-0050 and 103-07-0060

Aerial Exhibit



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

	Notes:	
	Map Scale: 1:3,000 Map Date: 7/5/2024 - ds	



**CONCURRENT PLAN AMENDMENT
AND REZONING
PLANNING AND ZONING COMMISSION
STAFF REPORT**

HEARING DATE	July 31, 2024
CASES	P23CR00001 Maryvale Development LLC – W. Violet Avenue Concurrent Plan Amendment and Rezoning
PLANNING AREA	Central
DISTRICT	3
LOCATION	The site is located approximately 84 feet east of the T-intersection of N. Maryvale Avenue and W. Violet Avenue.
ACREAGE	.94 acres (+/-)
REQUEST	To amend the Pima County Comprehensive Plan from Neighborhood Activity Center (NAC) to Industrial (I) and to rezone from CR-4 (Mixed-Dwelling Type) to CI-1 (Light Industrial/Warehousing) zone for an 8,000-square-foot storage building and storage yard for a heating, ventilation and air conditioning business.
OWNER	Maryvale Development LLC 3075 W. Mockingbird Lane Tucson, AZ 85713-3086
AGENT	The Planning Center Brian Underwood, Principal 2 E. Congress Street, Suite 600 Tucson, AZ 85701

APPLICANT'S REQUEST

The applicant is requesting a concurrent comprehensive plan amendment and rezoning for .94 (+/-) acres of land located approximately 84 feet east of the T-intersection of N. Maryvale Avenue and W. Violet Avenue. The subject site was originally .74 acres but added .20 acres from the approved abandonment of N. Parkway Drive. The applicant plans for an 8,000-square-foot storage building and storage yard for a heating, ventilation and air conditioning business rightly considered an expansion to the existing use of the building to the north.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL WITH CONDITIONS** for a plan amendment to Industrial (I) and a rezoning to CI-1 (Light Industrial/Warehousing) zoning subject to standard and special conditions. The proposed use is an expansion of the adjacent warehouse use to the north and is compatible with the adjacent church uses and CI-1 zoned properties to the south with equivalent uses. The use should have minimal impacts on the surrounding properties and is not in conflict with any of the policies of the Comprehensive Plan for the area.

PUBLIC COMMENT

As of July 16, 2024, no public comment has been received.

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

COMPREHENSIVE PLAN

The current land use designation is Neighborhood Activity Center (NAC). The NAC land use designation plans for lower intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services and medium-density housing types and are generally less than 25 acres in size. Small centers may be located along collector or arterial streets with direct pedestrian and bicycle access to the surrounding neighborhoods. Large centers provide for a mix of intensive non-residential uses and medium-density residential uses and are located along collector or arterial streets with pedestrian and bicycle access and must demonstrate how the project serves to create or enhance the mixed-use character of the activity center as a whole.

The proposed land use designation is Industrial (I) which designates for industrial uses that, if properly located and regulated, are compatible with certain types of commercial activities. Residential development is permitted within a proposed project provided that it meets the requirements of the Mixed-Use Option under the CI-1 zoning district. The planned 8,000-square-foot storage building, and storage yard conform to the proposed Industrial designation and considered a compatible commercial use adjacent to the church uses for the heating, ventilation and air conditioning use. There should be minimal impact to nearby properties due to the nature of the storage uses which are generally utilized during regular working hours with off-loading and loading contained within the building.

There are no Rezoning or Special Area Policies that apply to the site.

SURROUNDING LAND USE AND ZONING DESIGNATIONS

North	CB-2	Developed Heating/Air Conditioning Business
South	CI-1	Developed Industrial Uses
East	CB-2/CR-4	Church Maintenance Yard/Church
West	CB-2/CI-1	Vacant land/Developed Industrial Use

The area is characterized by a mix of industrial and commercial uses. A church, feed store, contractor trades training building, warehouse, office and storage yard along with a plethora of additional industrial uses.

PREVIOUS COMPREHENSIVE PLAN AMENDMENT AND REZONING CASES ON THE PROPERTY AND THE GENERAL AREA

Previous land use plan amendment and rezoning requests:

The subject property was rezoned from MU (Multiple Use) zone to the CR-4 (Mixed-Dwelling Type) zone in 1957 (Co9-57-029), part of a larger rezoned area.

Recent activity:

Most of the properties along the I-10 frontage corridor and Highway Drive were rezoned to CI-1 industrial uses conforming to the Industrial land use designation. Some of the rezonings were for CB-1 (Local Business), CB-2 (General Business) for commercial uses. Most of the rezoning

occurred over the course years beginning in the late 1950's through the 1980's. The rezonings resulted in a proportionate mix of industrial and commercial uses.

There have been no recent comprehensive plan amendments nor rezonings in the area because the area is mostly developed.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The subject property lies outside the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT

A concurrent plan amendment and rezoning is allowed if a preliminary development plan is not required and 5% or more of the perimeter of the subject site abuts properties with a zoning district or comprehensive plan designation equal to, or less restrictive than that requested. The comprehensive plan designation adjacent to the south and west of the site is Industrial and comprises approximately 50% of the subject site's perimeter. The applicant is planning an 8,000-square-foot storage building with a maximum height of 39 feet and a storage yard for a heating, ventilation and air conditioning business, rightly considered an expansion to the existing storage use under the same ownership to the north.

Staff supports the rezoning request because there will be minimal impacts to surrounding properties and the request is not in conflict with any special area or rezoning policies. The proposal is a suitable and compatible use to the existing uses in the surrounding area. The site is comprised of two parcels of land, and after the recent abandonment of Parkway Drive, contain approximately .47 acres each and are zoned CR-4, which is an insufficient land mass for medium-density housing within the NAC comprehensive plan land use designation that plans for lower-intensity commercial uses and medium-density residential uses. Currently, this site is developed with one residential unit located in the northeastern portion of the .94-acre site, which will be razed. The site is considered an infill development and will nominally increase the use efficiency of the site and existing infrastructure. The site is mostly flat, was previously mass graded and contains little or none, on-site vegetation.

Access to the site will be via an existing access drive from W. Violet Avenue and with the recently abandoned Parkway Drive right-of-way, may provide future connectivity to the northern parcel, not a part of this request. The sketch plan demonstrates an overall building height of 39 feet, the maximum allowed in a CI-1 zoning district. A 6-foot-high decorative screen wall is planned around the perimeter of the site with gated access. A minimum 10-foot-wide bufferyard "B" is planned adjacent to W. Violet Drive and the western property boundary, and a 20-foot-wide bufferyard "D" is planned for the northern and eastern property boundaries, although not required along the northern boundary.

A concurrent plan amendment/rezoning would preclude future applications for a zoning district that is more intense. Any future changes would require a separate comprehensive plan amendment and rezoning.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	N/A	
WATER	Yes	No comment
DEPARTMENT OF ENVIRONMENTAL QUALITY	Yes	No comment

TRANSPORTATION REPORT

The proposed comprehensive plan and rezoning site is located at the northeast corner of N. Parkway Drive and W. Violet Avenue and is approximately 100 feet east of N. Maryvale Avenue. Parkway Drive is a dead-end road that terminates south of Ruthrauff Road and was recently abandoned to the property owners. The street name may be retired as determined by the Development Services Department at time of development plan review.

Trips from the site will be ultimately distributed to Ruthrauff Road, which is a County maintained road with 45 miles per hour (mph) posted speed limit. The most recent traffic count for Ruthrauff Road is 30,951 average daily trips (ADT) with an approximate capacity of 35,820 ADT. The site proposes an 8,000-square-foot storage building with an outdoor storage yard. Without a traffic impact study, it is difficult to determine any traffic impacts to the nearby roadway system, but given that Ruthrauff Road is well under capacity, there are no transportation concurrency concerns. The requirement of a traffic impact study or traffic memorandum shall be determined at time of permit submittals.

The Department of Transportation recommends approval subject to rezoning condition #2.

FLOOD CONTROL REPORT

The Regional Flood Control District has the following comments:

1. This property is not impacted by a Federal Emergency Management Agency floodplain and does not have mapped Regulated Riparian Habitat.
2. This property is impacted by a local floodplain as determined by the Ruthrauff Basin Special Study effective November 2, 2015 as such Flood Control Resource Areas (FCRA) is mapped on the entire proposed rezoning boundary. Under conditions where there is floodplain within a natural area, the District requests development to prioritize setting aside floodplains as open space to maintain floodplain function, hydrologic integrity and to provide continuous open space corridors. Conversely, this local floodplain is within a highly impervious developed industrial area where there is no hydrologic integrity to maintain. Therefore, the District will not request avoidance of the FCRA.
 - There is a requirement upon permitting that the proposed development does not create

an adverse impact to adjacent properties and comply with the Floodplain Ordinance (Ordinance). The encroachment criteria must meet the Ordinance and the elevation requirements for all infrastructure. The engineering analysis should address if the area of outside storage encroaches into the floodplain and identify if the material stored is buoyant or flammable as this is prohibited.

- An unnamed Regulatory Wash resides within Ruthrauff Road where the Ruthrauff Basin Special Study shows the estimated 100-year peak discharge is approximately 172 cubic feet per second (cfs) and has associated erosion hazard setback of 25'.
3. In 2021, the Arizona Department of Transportation just northwest of the proposed rezoning constructed drainage improvements to assist in alleviating the flood hazards within the area. The District recommends directing any exiting flows to the northwest which mimics the existing topography to the box culvert that directs drainage under Maryvale Avenue. At the time of permitting the District recommends obtaining the ADOT drainage report on file from the District to ensure the drainage can be accepted by the recently constructed drainage infrastructure.
 4. The property is located within a Critical Basin and new development must provide a sufficient combination of retention and detention to reduce the post-developed 2-, 10- and 100-year peak discharge rates to 90% of the pre-developed peak discharge rates. However, since the project is on a site where there is existing development, the site is currently impervious or impervious in nature due to vehicular traffic compacting soils over time the difference between the pre- and post- peak discharge rates may be minimal. As such, if an engineering analysis shows no impact from the proposed development to immediate residential or commercial properties is anticipated the District may support a Detention Waiver. The District recommends considering a Detention Waiver and submitting the request and analysis to the Floodplain Administrator for review.
 5. The implementation of water harvesting retention within the landscape areas throughout the site shall be provided which will reduce the frequency of runoff from the site. A condition will be applied to ensure this shown on the construction plan set at the time of permitting.

The Flood Control District has no objection, subject to rezoning conditions #3A – C.

WASTEWATER RECLAMATION REPORT

The existing sewer system consists of a 10-inch sewer line along Ruthrauff Rd. This type of development is expected to have low-capacity demand. Allocation of capacity will be made by the Type III capacity response.

The Pima County Regional Wastewater Reclamation Department has no objection, subject to rezoning conditions #4A-F.

ENVIRONMENTAL PLANNING REPORT

Conservation Lands and Resources - Environmental Planning has no objection, subject to rezoning condition #5.

CULTURAL RESOURCES REPORT

Cultural Resources have no objection, subject to rezoning condition #6.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation have no comment.

US FISH & WILDLIFE SERVICE REPORT

The US Fish & Wildlife Service has no comment.

TUCSON WATER DISTRICT REPORT

The City of Tucson Water District has no comment.

FIRE DISTRICT REPORT

Northwest Fire District has no comment.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: The property shall be limited to the existing access point on Violet Avenue.
3. Regional Flood Control conditions:
 - A. Engineering analysis provided at the time of permitting shall include the outside storage area and shall provide a flow path for the drainage to get to the downstream ADOT infrastructure.
 - B. Water harvesting shall be provided within the landscape borders to supplement irrigation in the landscape buffers and minimize the frequency of runoff from the property.
 - C. This project shall comply with detention and retention requirements at the time of site permitting. If a Detention Waiver is allowable the application and supporting documents shall be submitted to the Floodplain Administrator prior to the site construction permit approval.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/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 enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer

- construction plan or request for building permit.
- F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
5. 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 property owner.
 6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
 7. Adherence to the sketch plan as approved at public hearing.
 8. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
 9. 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.
 10. The property owner shall execute the following disclaimer regarding Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."




Respectfully,

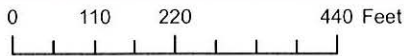
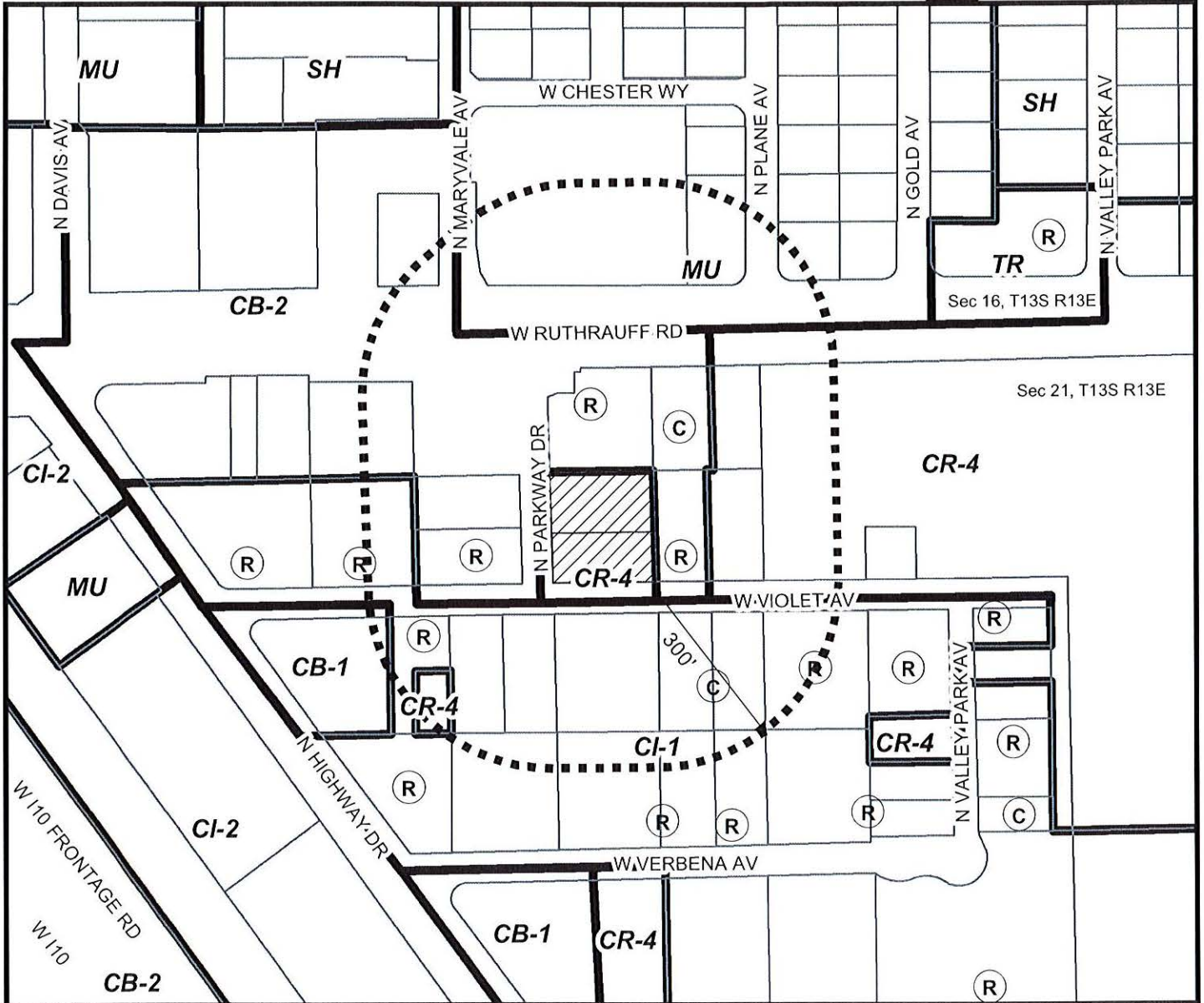


Terrill L. Tillman, AICP
Planner III

c: Brian Underwood



Case #: P23CR00001
 Case Name: MARYVALE DEVELOPMENT LLC -
 W. VIOLET AVENUE PLAN AMENDMENT AND REZONING
 Tax Code(s): 103-07-0050 and 103-07-0060

-  Subject Site
-  300' Notification Area
-  Zoning Boundary



Area of proposed rezoning from CR-4 to CI-1 

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes:			
	PIMA COUNTY COMPREHENSIVE PLAN C07-13-10			
	Planning & Zoning Hearing: 7/31/24 (scheduled)	Board of Supervisors Hearing: TBA		
	Base Map(s): 45	Map Scale: 1:3,000	Map Date: 7/5/2024 - ds	



Neighborhood Activity Center (NAC)

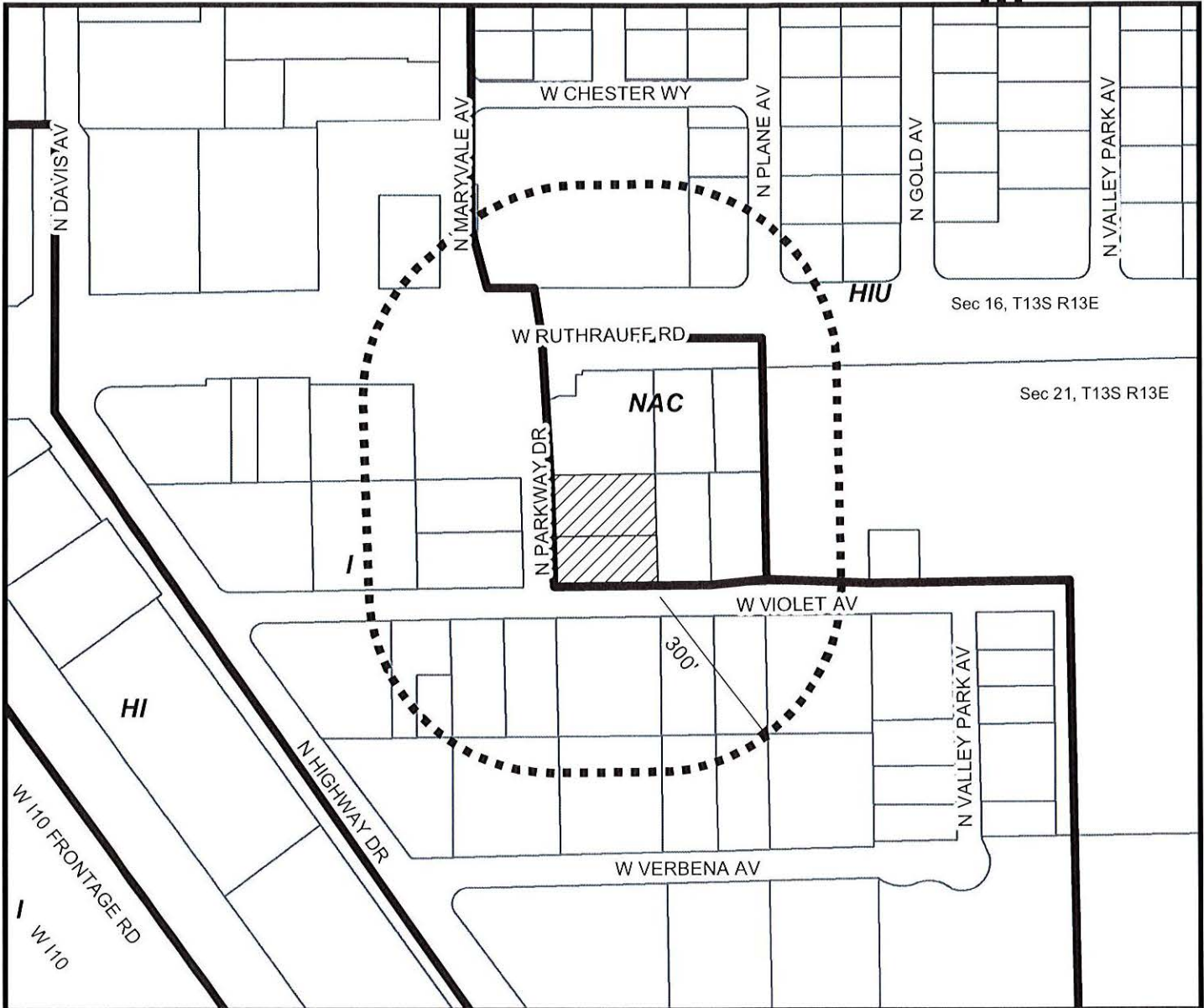
Objective: To designate lower intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle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


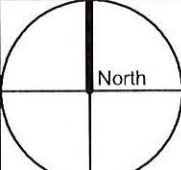
- Residential Gross Density: (if applicable) Minimum- 5 RAC; Maximum- 12 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 5 RAC; Maximum- 8 RAC

COMPREHENSIVE PLAN AMENDMENT

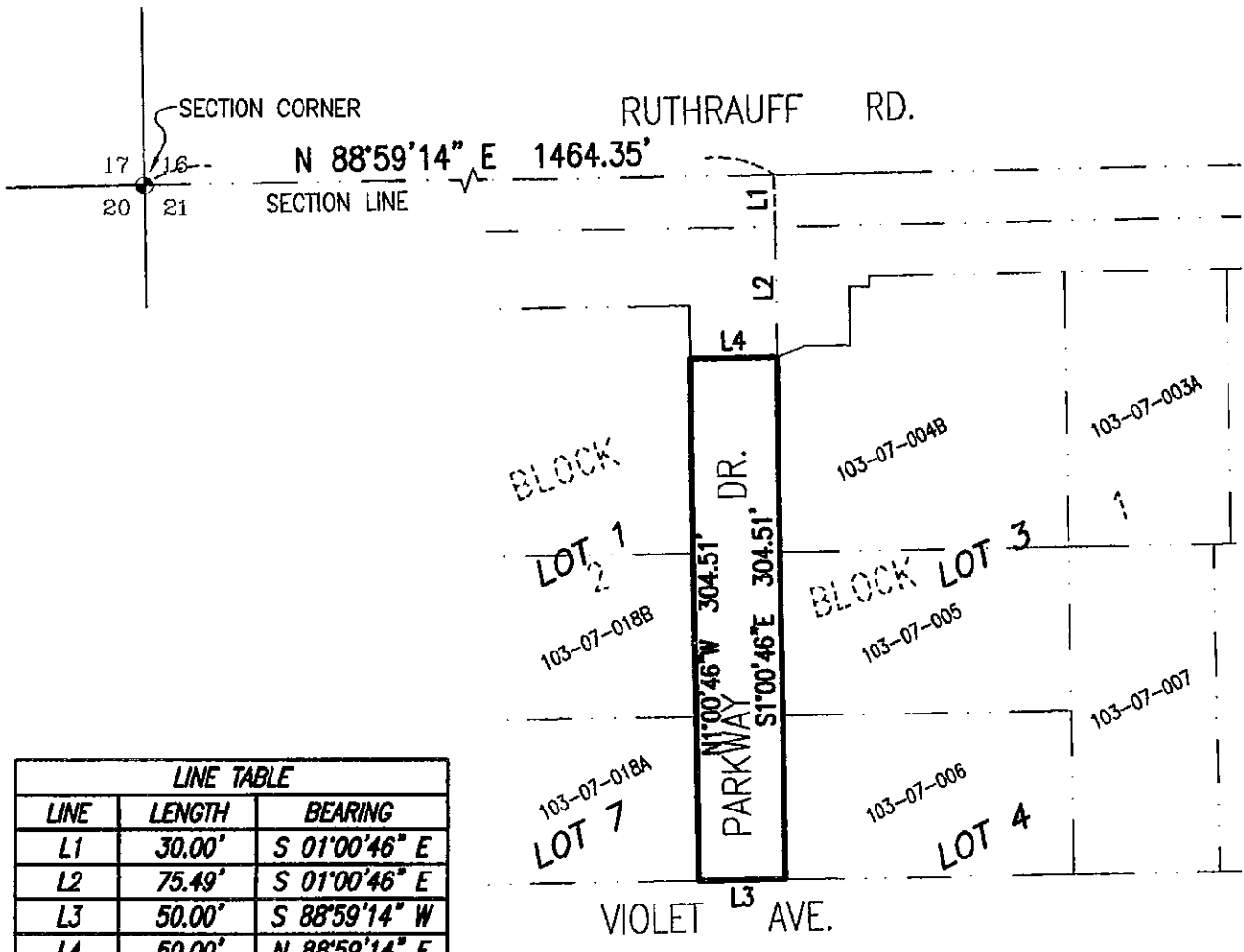
Planned Land Use

 Subject Site
 300' Notification Area



Taxcodes: 103-07-0050, 103-07-0060	P23CR00001 MARYVALE DEVELOPMENT LLC - W. VIOLET AVENUE PLAN AMENDMENT & REZONING	District: 3 Location: North side of W. Violet Avenue, approx. 100 feet east of the T-intersection of N. Maryvale Avenue & W. Violet Avenue
Neighborhood Activity Center (NAC) to Industrial (I) 0.94 Acres +/-		
	Central Planning Area under Pima Prospers Section 21, Township 13 South, Range 13 East	
Planning and Zoning Commission Hearing: November 30, 2022 Board of Supervisors Hearing: TBA	Map Scale: 1:3,000 Map Date: July 8, 2024 / dms	

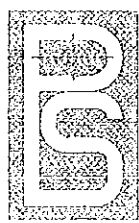
N:\Survey\Land Projects\2024-035 - TUCSON\TIA SURV.dwg\PLS\2024-035 TUCSON\TIA.dwg EXHIBIT 05Apr2024 - 10:43 AM
 Lost Saved: 05Apr2024 - 10:42 AM



LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00'	S 01°00'46" E
L2	75.49'	S 01°00'46" E
L3	50.00'	S 88°59'14" W
L4	50.00'	N 88°59'14" E



EXHIBIT of Area Within
ParkWay Drive Within SEC.
21, T13S, R1E, G&SRM,
Pima County, Arizona



PRECISION LAND SURVEYING, INC.

8219 EAST 22ND STREET
TUCSON, ARIZONA 85710
(520) 298-3200 INFO@PLSTUCSON.COM

JN 2024-035

December 20, 2023

Hello Neighbor,

On behalf of the property owner, Hamstra Heating and Cooling, we invite you to attend a neighborhood meeting to discuss a proposed concurrent comprehensive plan amendment and rezoning for indoor and outdoor storage on their property highlighted in pink on the map.



Hamstra Heating & Cooling is a local, family-owned company specializing in heating, ventilation, and air conditioning (HVAC). Founded in 1983, Hamstra Heating &

Cooling has developed a strong reputation for quality HVAC service across Tucson and its' surrounding communities, and as a result, the company has grown throughout the years and is in need of a specially designed storage space to meet its long-term needs.

The subject property consists of two parcels, totaling 0.74 acres, and is located on the north side of West Violet Avenue, about 120 feet east of Maryvale Avenue and 200 feet south of West Ruthrauff Road. The property is quite suitable for the proposed storage space due to:

- Its adjacency to the storage building to the north and the presence of industrial uses;
- Convenient location less than a mile from Hamstra Heating & Cooling's headquarters; and
- The property's easy access to Interstate 10 via Ruthrauff Road.

The proposed storage space will include one 8,000 square-foot warehouse, an outdoor storage yard, parking, driveways/access lanes, and landscaping to effectively integrate the new building within the surrounding neighborhood. The warehouse will not exceed 39 feet in height and is the only structure proposed on the property.

In order for Hamstra Heating & Cooling to develop the site, we are proposing an amendment to *Pima Prospers*, the Pima County Comprehensive Plan, to change the subject property's land use designation from Neighborhood Activity Center (NAC) to Urban Industrial (I) like surrounding

[TURN PAGE](#) 



properties to the south and west. A rezoning from CR-4 (Mixed-Dwelling Type Zone) to CI-1 (Light Industrial/Warehousing Zone) is also being sought concurrently. These public processes, which are presented to Pima County for review and approval, allow a property owner to change how their land can be used. In this case, we are proposing to change the property's land use and zoning designations to allow for light industrial uses (i.e., warehousing/outdoor storage).

Please join us:

TUESDAY, JANUARY 9TH, 2024

5:45 PM

VIRTUAL - ZOOM

<https://us06web.zoom.us/j/9844761151>

Meeting ID: 984 476 1151

Call-In Number: +1 669 444 9171 US

Representatives of the owner will be present to discuss the proposed project and site plan and the plan amendment and rezoning process and to answer any questions you may have. If you cannot attend the meeting and have questions, please don't hesitate to contact me at the information provided below with your questions or comments, and we can arrange an alternative time to discuss the proposal.

Comments on this proposal may also be submitted to Pima County Development Services, 201 N. Stone Ave., Tucson, AZ 85701, or by Phone at (520) 724-9000. Additionally, comments may be made verbally and/or in writing at an upcoming public hearing to be announced

I appreciate your time and look forward to discussing this project with you.

Sincerely,

THE PLANNING CENTER



Brian Underwood

Principal

(520) 623-6146

bunderwood@azplanningcenter.com



January 22, 2024

Terri Tillman, Planner III
Pima County Development Services
201 N. Stone Ave
Tucson, AZ 85701

SUBJECT: MARYVALE CONCURRENT COMPREHENSIVE PLAN AMENDMENT & REZONING (P23CR00001) – NEIGHBORHOOD MTG. SUMMARY (MDL-01)

Dear Terri:

This letter summarizes the neighborhood meeting held on Tuesday, January 9, 2024, as part of the Maryvale concurrent comprehensive plan amendment and rezoning request located at 4716 North Parkway Drive and 2656 West Violet Avenue. The meeting was held virtually via Zoom and was noticed correctly following Pima County's standards for rezoning notifications. Notices were sent to property owners within 300 feet of the subject property (see attached notice area map and mailing labels).

We began the meeting at 5:45 p.m. via Zoom. No property owners from the surrounding neighborhood attended, and as a result, the meeting ended at 6:00 p.m. The PowerPoint presentation prepared for the meeting is also attached to this letter.

Sincerely,

THE PLANNING CENTER

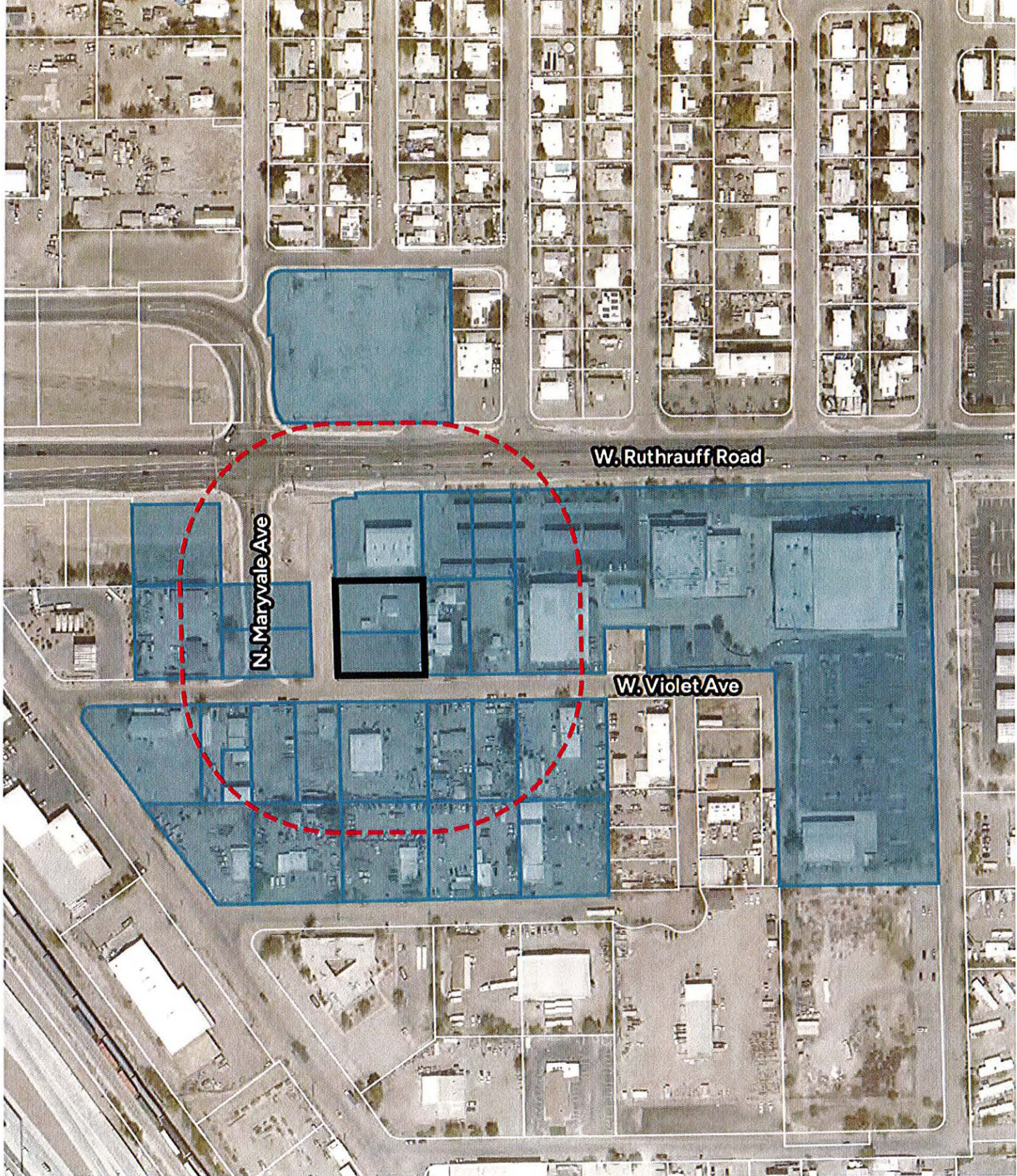


Brian Underwood
Principal




Attachments:

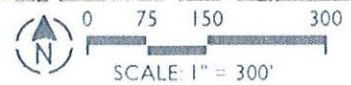
Notice Area Map
Mailing Labels
PowerPoint Presentation





LEGEND

-  Subject Property
-  300-Foot Radius
-  Notified Parcels
- Other Parcels



SOURCE Pima County GIS, 2023
PROJECT MDL-01
DATE 12/12/2023

QUIKTRIP CORP
ATTN: PROPERTY TAX DEPT
PO BOX 3475
TULSA, OK 74101

VICTORY ASSEMBLY OF GOD OF PIMA
COUNTY AZ INC
2561 W RUTHRAUFF RD
TUCSON, AZ 85705

VICTORY ASSEMBLY OF GOD
2629 W RUTHRAUFF RD
TUCSON, AZ 85705

VICTORY ASSEMBLY OF GOD
ATTN: MIKE JOHNS
2561 W RUTHRAUFF RD
TUCSON, AZ 85705

MARYVALE DEVELOPMENT LLC
3075 W MOCKINGBIRD LN
TUCSON, AZ 85713

VICTORY ASSEMBLY OF GOD PIMA COUNTY
INC
2561 W RUTHRAUFF RD
TUCSON, AZ 85705

RASCON MARIA LUISA C
2626 W VIOLET AVE
TUCSON, AZ 85705

STATE OF ARIZONA
DEPARTMENT OF TRANSPORTATION
1221 S 2ND AVE
TUCSON, AZ 85713

PENGUIN INVESTMENTS LLC
2722 W VIOLET AVE
TUCSON, AZ 85705

THE PLANNING CENTER
RE: MDL-01
2 E. CONGRESS ST, #600
TUCSON, AZ 85701

PARTENHEIMER HENRY J & ATTEBERRY
RICKY L & DELLA LEE ALL JT/RS
2607 W VIOLET AVE
TUCSON, AZ 85705

DESERT SOUTHWEST ENTERPRISES LLC
7320 N LA CHOLLA BLVD STE 154 PMB 202
TUCSON, AZ 85741

L & J INVESTMENT GROUP III LLC
5110 N VIA DE LA GRANJA
TUCSON, AZ 85718

FLAT INVESTMENTS LLC
1323 BLACK HAWK DR
MORGAN HILL, CA 95037

PIMA COUNTY DEVELOPMENT SERVICES
PLANNING DIVISION
ATTN: TERRI TILLMAN
201 N. STONE AVE, 1ST FLOOR
TUCSON, AZ 85701

CASAS ADOBES LODGE NO 2663
PO BOX 36024
TUCSON, AZ 85740

SAIP LLC
29685 N 69TH ST
SCOTTSDALE, AZ 85266

TOM & JERRY TR
21400 E HILLTON RANCH RD
VAIL, AZ 85641

TES TUCSON ENVIRONMENTAL SYSTEMS
INC
2628 W VERBENA AVE
TUCSON, AZ 85705

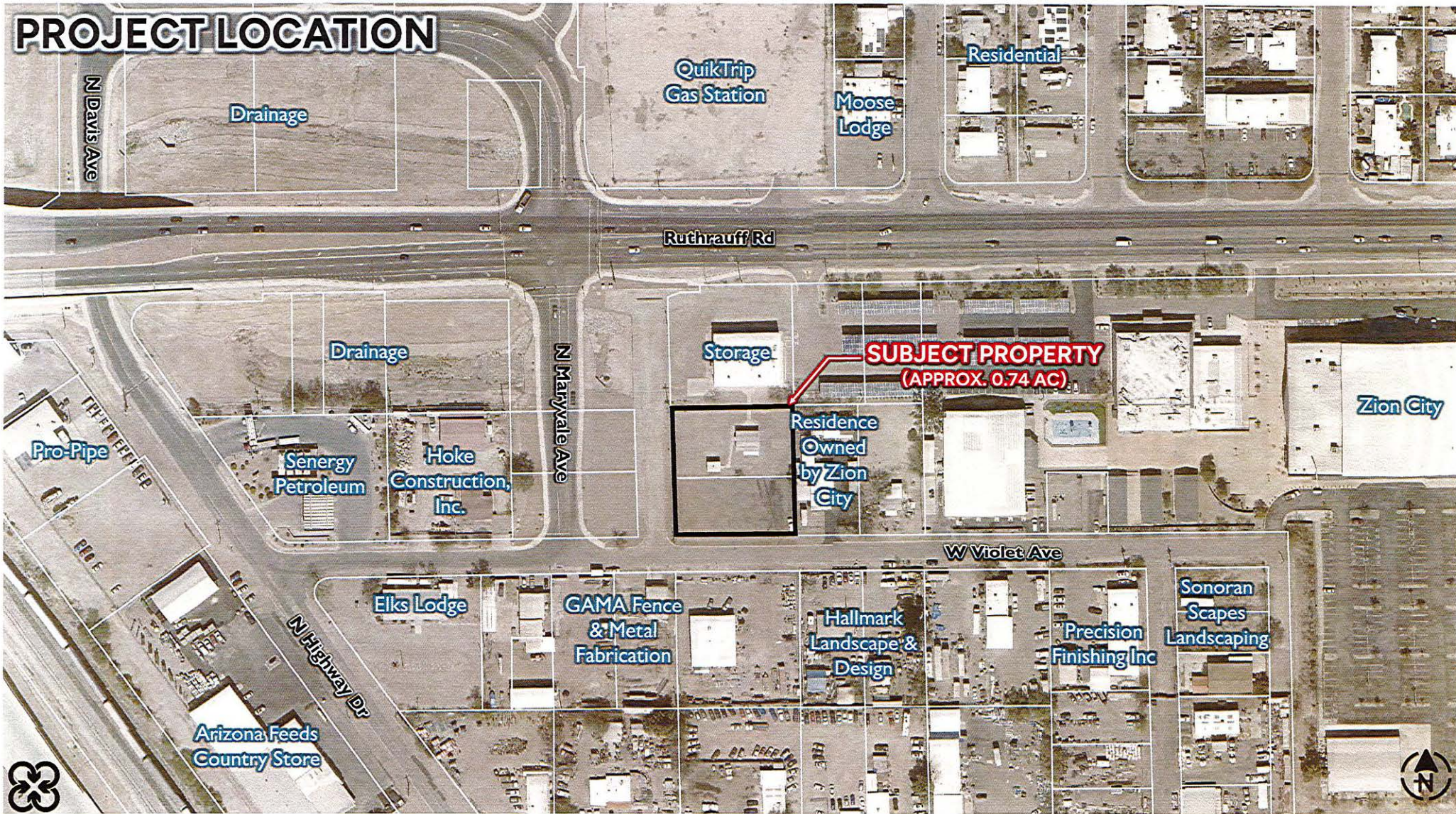
VERVENA VENTURES LLC
2628 W VERBENA AVE
TUCSON, AZ 85705

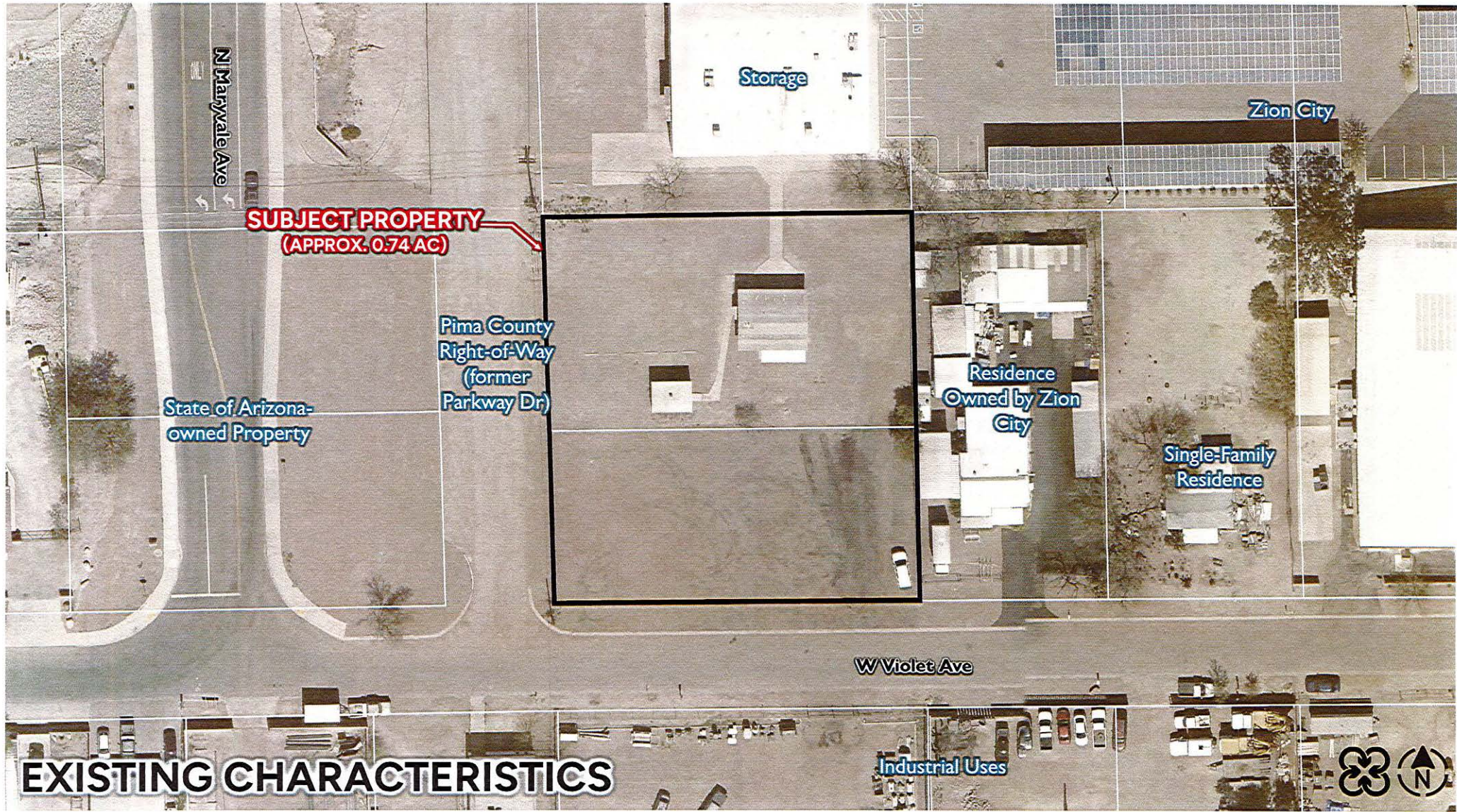
MS & S LLC
576 W PIZZICATO LN
ORO VALLEY, AZ 85737

MARYVALE COMPREHENSIVE PLAN AMENDMENT & REZONING

Neighborhood Meeting
January 9, 2024

PROJECT LOCATION





SUBJECT PROPERTY
(APPROX. 0.74 AC)

State of Arizona-
owned Property

Pima County
Right-of-Way
(former
Parkway Dr)

Storage

Zion City

Residence
Owned by Zion
City

Single-Family
Residence

W Violet Ave

EXISTING CHARACTERISTICS

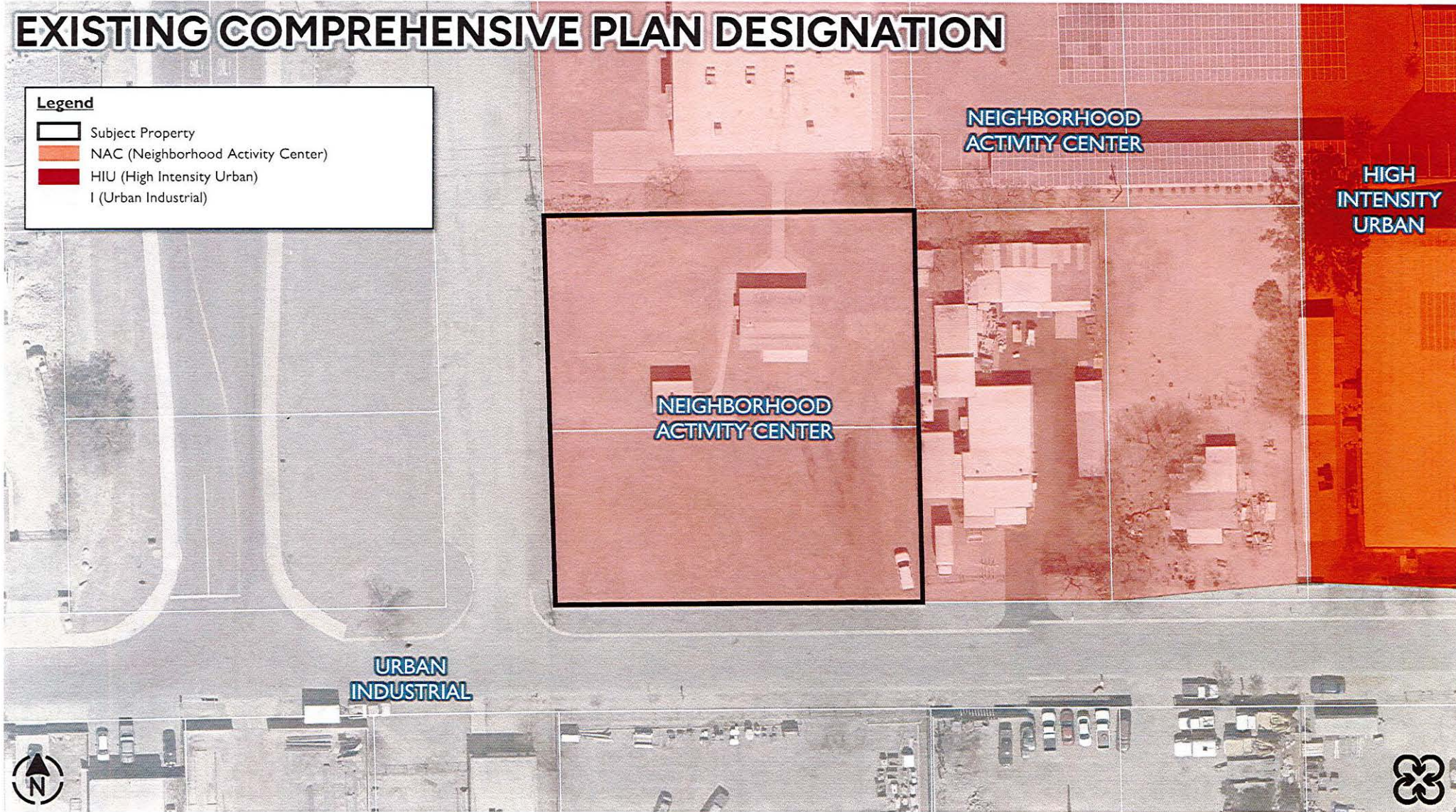
Industrial Uses



EXISTING COMPREHENSIVE PLAN DESIGNATION



Legend

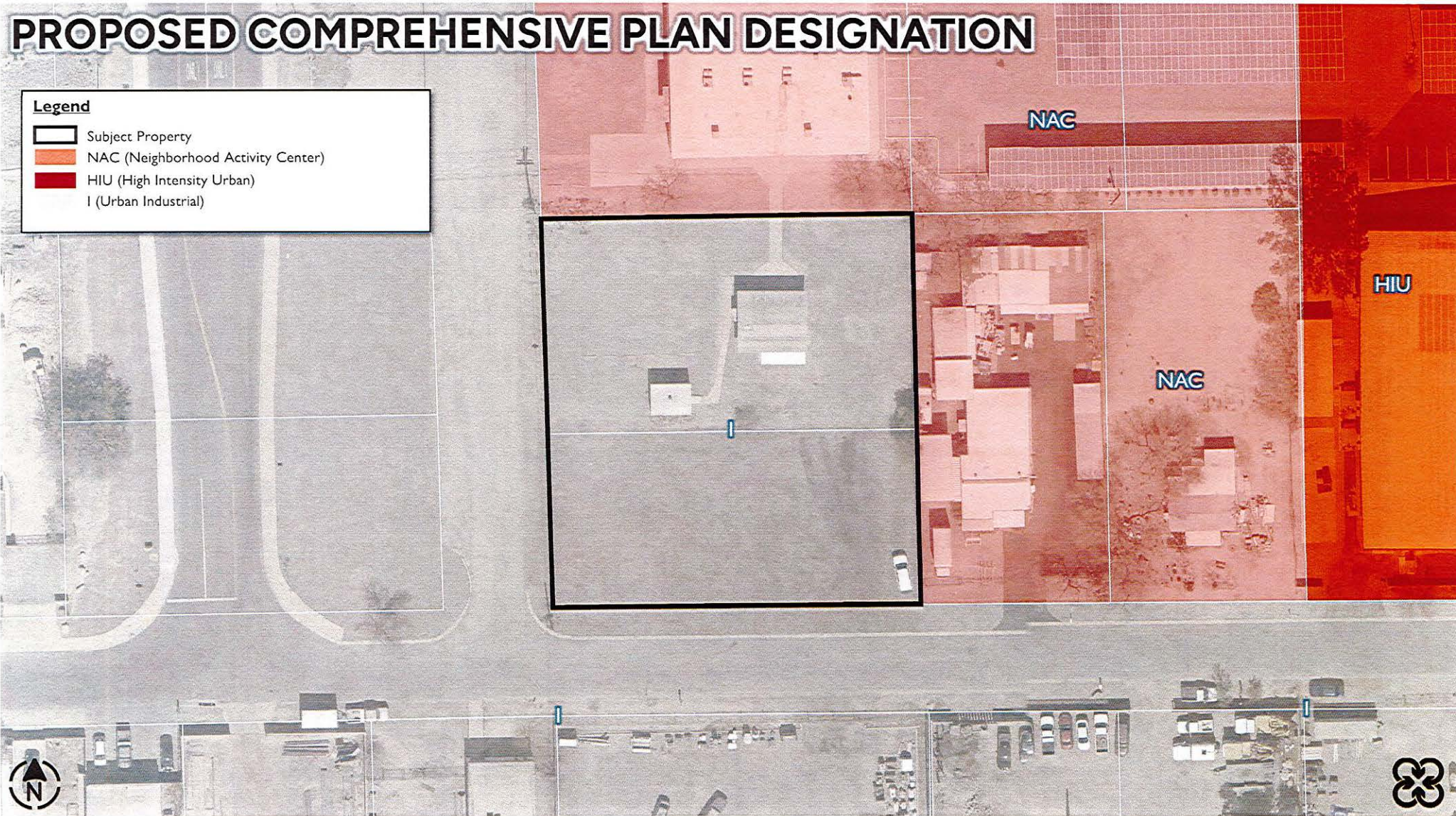
-  Subject Property
-  NAC (Neighborhood Activity Center)
-  HIU (High Intensity Urban)
-  I (Urban Industrial)



PROPOSED COMPREHENSIVE PLAN DESIGNATION

Legend

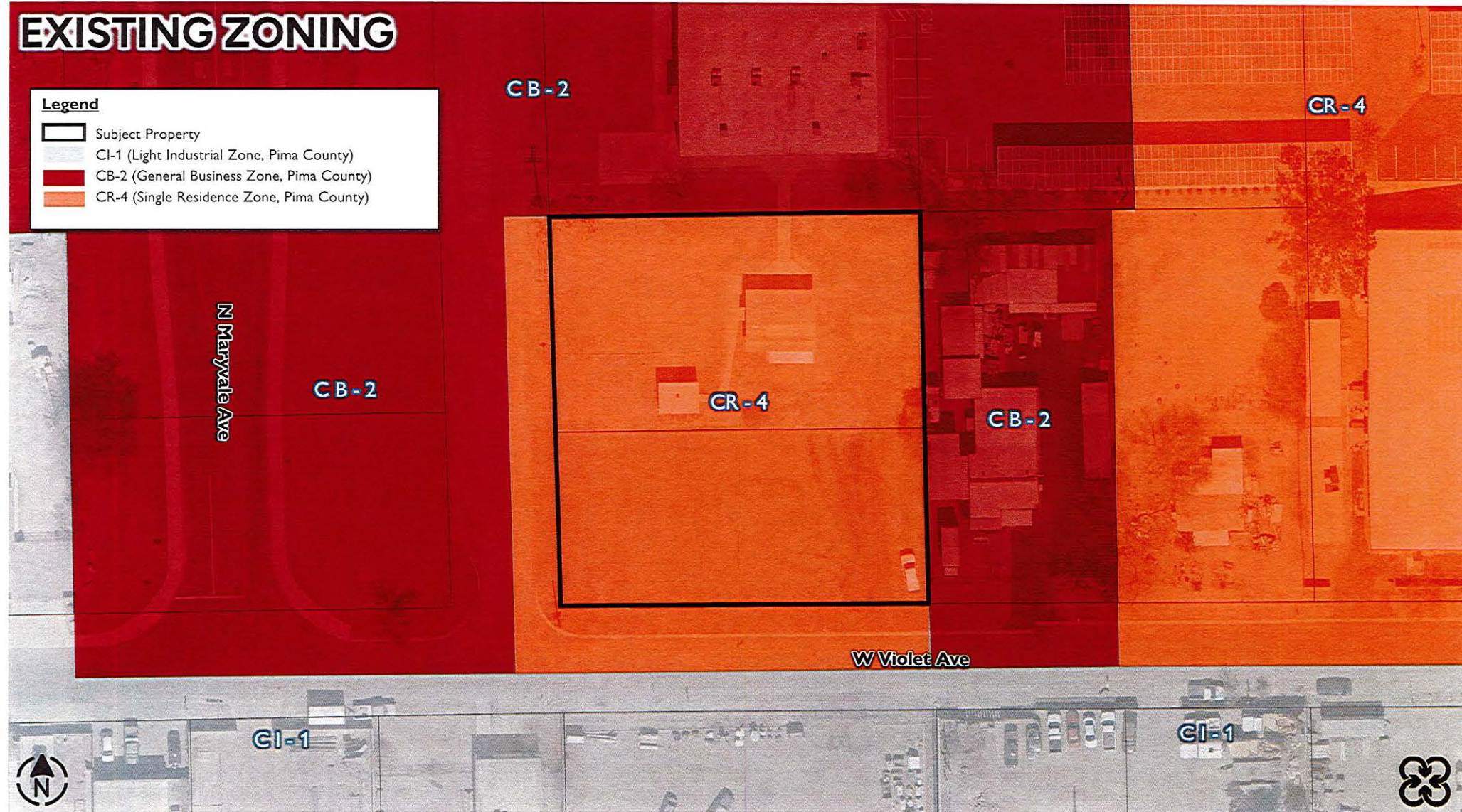
-  Subject Property
-  NAC (Neighborhood Activity Center)
-  HIU (High Intensity Urban)
-  I (Urban Industrial)



EXISTING ZONING

Legend

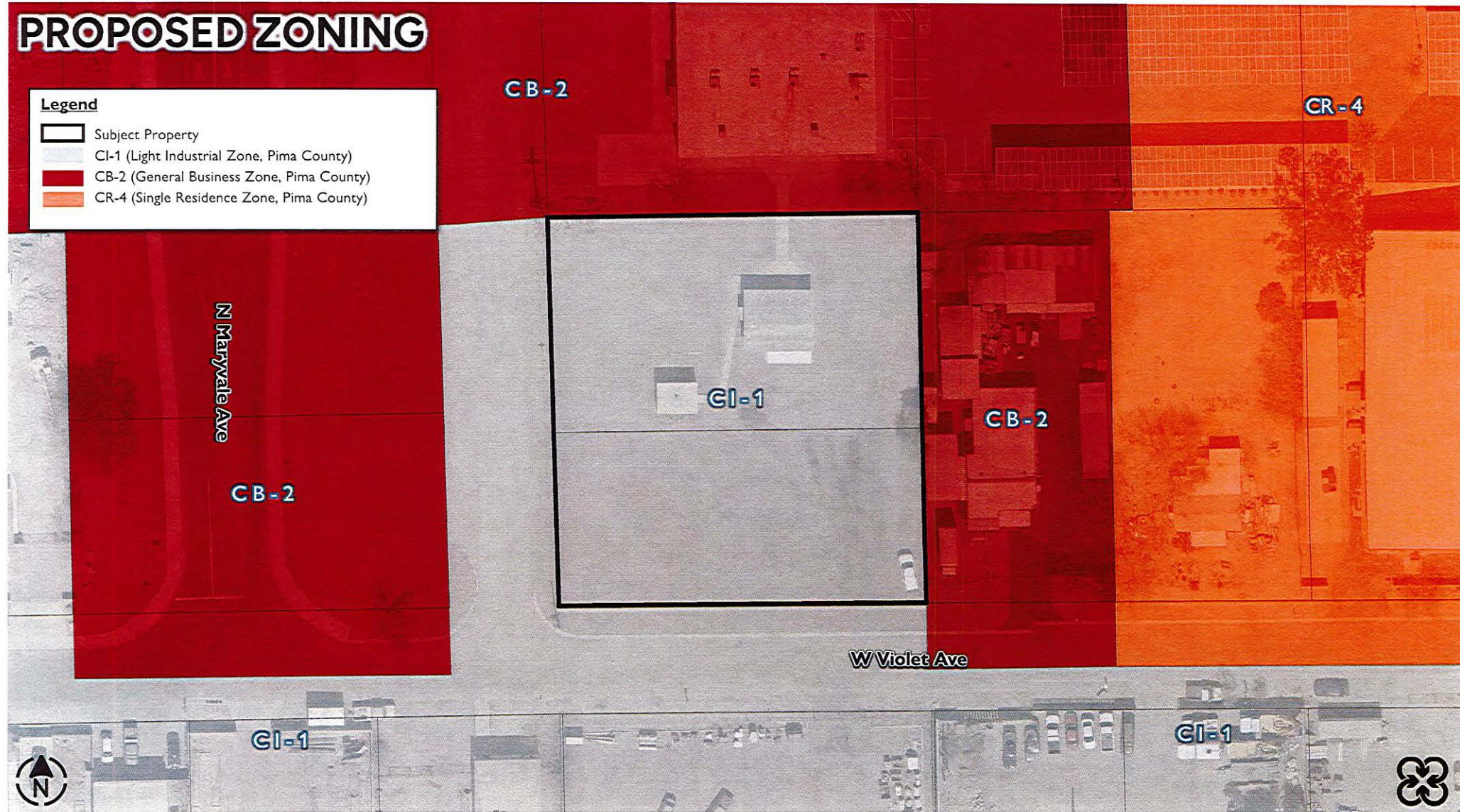
-  Subject Property
-  CI-1 (Light Industrial Zone, Pima County)
-  CB-2 (General Business Zone, Pima County)
-  CR-4 (Single Residence Zone, Pima County)



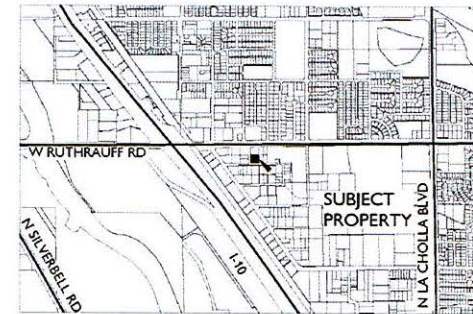
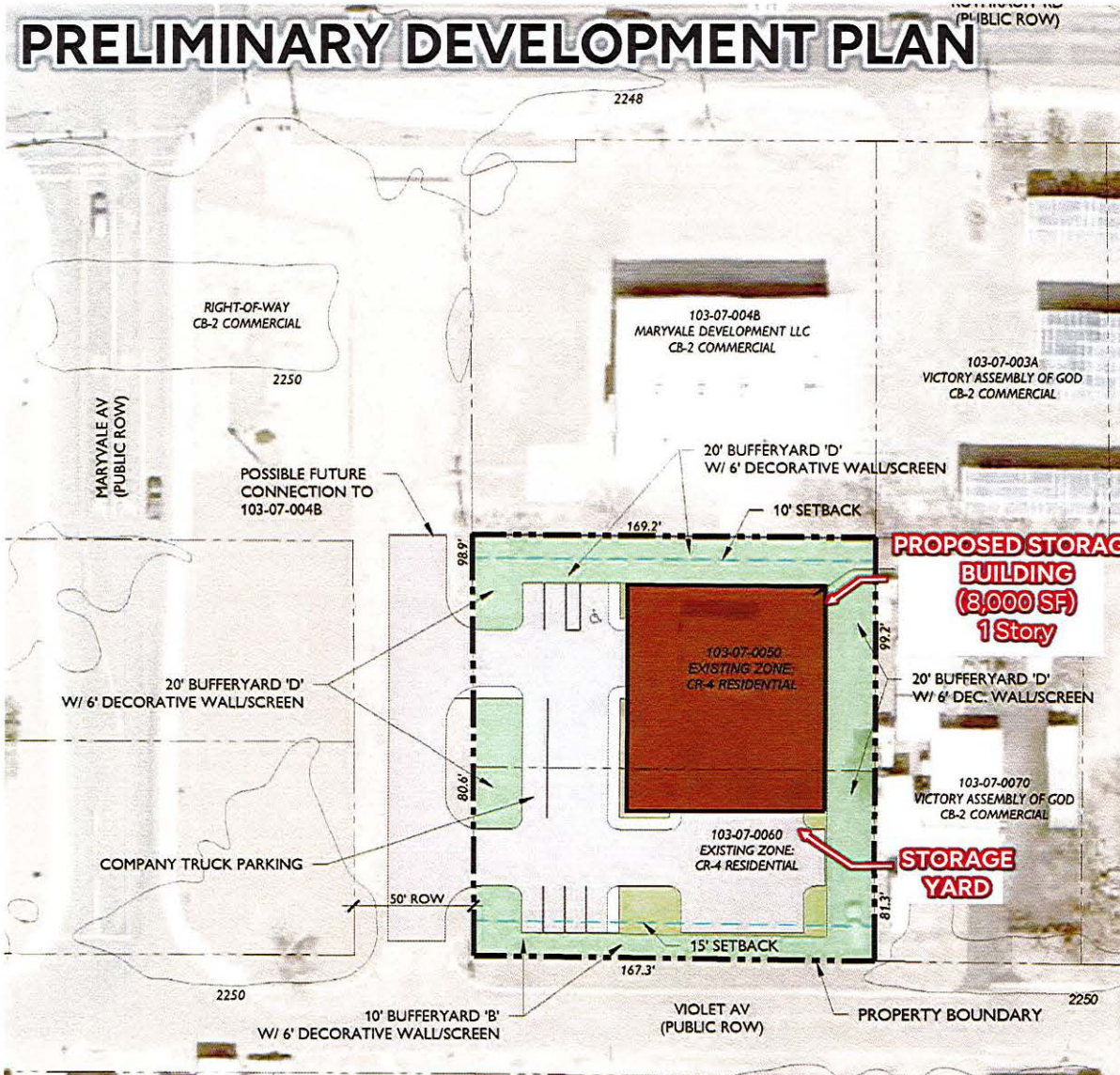
PROPOSED ZONING

Legend

-  Subject Property
-  CI-1 (Light Industrial Zone, Pima County)
-  CB-2 (General Business Zone, Pima County)
-  CR-4 (Single Residence Zone, Pima County)



PRELIMINARY DEVELOPMENT PLAN



LOCATION MAP
SCALE: 1" = 0.5 MILE

GENERAL NOTES:

Total Project Area (2 parcels): 0.74 Acres
 Parcels: 103-07-0050, 103-07-0060
 Address: 2656 West Violet Avenue, Tucson AZ
 Jurisdiction: Pima County
 Grading Limits: Entire Site Shall be Graded
 Building Area: 8,000 Square Feet
 Building Height: 1 Story (39' Max.)

STORAGE BUILDING/YARD (REZONE) NOTES:

Existing Zoning: CR-4 (Residential)
 Existing Use: Vacant
 Proposed Use: Storage Building/Yard
 Proposed Zoning: CI-1 Light Industrial/Warehousing
 Zoning Standards: 18.51

Required Building Setbacks:

- North: 10 Feet (rear)
- East/West: none (side)
- South: 15 Feet (front)

Required Landscape Bufferyards:

- North: 20 Feet, Bufferyard 'D' (Light industrial adjacent to Commercial)
- East/West: 20 Feet, Bufferyard 'D' (Light industrial adjacent to Commercial)
- South: 10 Feet, Bufferyard 'B' ('Street 1')

Required Screening:

- North: 6' Decorative Wall/Screen
- East/West: 6' Decorative Wall/Screen
- South: 6' Decorative Wall/Screen

PARKING NOTES:

Storage Building/Yard:
 Required Parking Spaces: 6 Parking Spaces
 (1 per 2 Employees, + 1 per company vehicle,
 + 1 per visitor per 2,000 SF)
 Provided Parking Spaces: 7 Parking Spaces

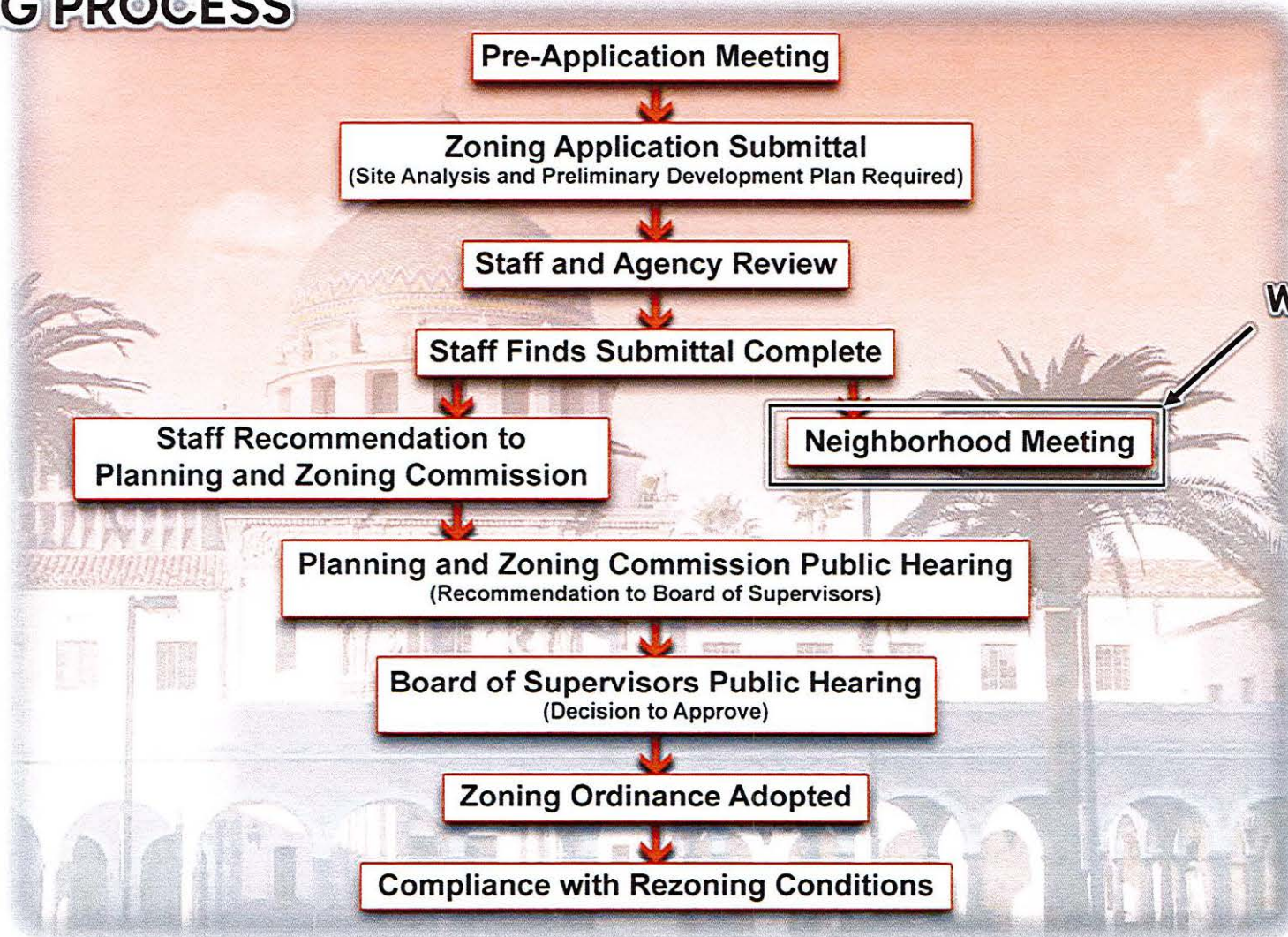
Required Bicycle Spaces: 2 + 1 per 15 Parking Spaces
 Provided Bicycle Spaces: Storage = 3

LEGEND

- Property Boundary
- Landscape Bufferyard
- Landscaped Common Area
- Parking/Access Lanes
- Parcels
- Setback
- Existing Contour



REZONING PROCESS



WE ARE HERE



**MARYVALE COMPREHENSIVE PLAN
AMENDMENT & REZONING**

Questions?



201 N. Stone Avenue, Tucson, AZ 85701
(520) 724-9000
www.pima.gov/developmentservices

BIOLOGICAL IMPACT REPORT

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

INSTRUCTIONS FOR SAVING FORM: 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

Project ID *(case no., APN no., address, or other identifying info):*

APNs: 103-07-0050, 103-07-0060, Addresses: 4716 North Parkway Drive and 2656 West Violet Avenue

Part I. Information Provided by Pima County Staff

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections)
 - Important Riparian Area
 - Biological Core
 - Multi-Use Management Area
2. Is the project within a CLS Special Species Management Area?
3. Is the project in the vicinity of any of the six Critical Landscape Linkages?
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property?
5. Is the project located within a Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl:
 - b. Western burrowing owl:
 - c. Pima pineapple cactus:
 - d. Needle-spined pineapple cactus:

Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? No
If yes, provide a summary of those communications:
2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		SELECT
Western burrowing owl	No		SELECT
Pima pineapple cactus	No		SELECT
Needle-spined pineapple cactus	No		SELECT

Questions about this form?

Contact the Office of Sustainability and Conservation at (520) 724-6940.

From: [DSD Planning](#)
To: [Donna Spicola](#)
Cc: [Terri Tillman](#)
Subject: FW: Application for Rezoning / Specific Plan Submission
Date: Wednesday, November 22, 2023 8:22:11 AM
Attachments: [Letter of Authorization Document - Signed Authorization Letter.pdf](#)
[Site Analysis Document - Maryvale Concurrent Comp Plan Amend. & Rezone Request Letter, Sketch Plan & BIR.pdf](#)

Hi Donna –

Concurrent amendment/ non-site analysis rezone from Planning Center.

MH (for TT)

From: no-reply@formbackend.com <no-reply@formbackend.com>
Sent: Tuesday, November 21, 2023 3:58 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Application for Rezoning / Specific Plan Submission

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

New submission

You received a new submission.

Owner Name
Maryvale Development LLC

Owner Address
3075 W Mockingbird Lane

Owner City
Tucson

Owner State
AZ

Owner Zipcode
85713

Owner Phone
5205855721

email
jhamstra@hamstraac.com

Applicant Name

Brian Underwood, The Planning Center

Applicant Address
2 E Congress Street

Applicant City
Tucson

Applicant State
AZ

Applicant Zipcode
85701

Applicant Phone
5206236146

Applicant_Email
bunderwood@azplanningcenter.com

Property Address
4716 North Parkway Drive and 2656 West Violet Avenue

Property Parcel Number
103-07-0050 and 103-07-0060

Property Acreage
0.74

Property Present Zone
CR-4

Property Proposed Zone
CI-1

Policies
Central / NAC (proposed amendment to I) / Policy 1 (Goal 1), Use of Land – 3.1
Land Use Element, see Request Letter for add'l policies

Letter of Authorization Document
[Signed Authorization Letter.pdf](#)

Site Analysis Document
[Maryvale Concurrent Comp Plan Amend. & Rezone Request Letter, Sketch Plan & BIR.pdf](#)

FTP-Link

Signature
I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)

Application Date

November 21, 2023

Mr. Chris Poirier
Pima County Development Services Department
201 N. Stone Avenue, 2nd Floor
Tucson, Arizona 85701

Subject: Proposed Concurrent Comprehensive Plan Amendment and Rezoning for two parcels (APNs: 103-07-0050, 103-07-0060) totaling 0.74 acres located along West Violet Avenue, approximately 120 feet east of North Maryvale Avenue at 4716 North Parkway Drive and 2656 West Violet Avenue

Dear Mr. Poirier,

On behalf of the property owner, Maryvale Development LLC, this letter provides the rationale for a concurrent comprehensive plan amendment and non-site analysis rezoning of the above-referenced property. The request entails modifying the property's land use designation from Neighborhood Activity Center (NAC) to Urban Industrial (I) like surrounding properties to the south and west, and rezoning it from CR-4 (Mixed-Dwelling Type Zone) to CI-1 (Light Industrial/Warehousing Zone). Please see:

- *Exhibit 1: Existing Land Use Intensity,*
- *Exhibit 2: Proposed Land Use Intensity,*
- *Exhibit 3: Existing Zoning, and*
- *Exhibit 4: Proposed Zoning.*

The intent of this rezoning is to allow for indoor and outdoor storage on the subject property, similar to how the parcel to the north is currently utilized. The owners of Hamstra Heating & Cooling (HHC) own the property under the Maryvale Development LLC entity and would like to utilize it for storage space as the property is conveniently located two minutes away from HHC's main offices at 4389 N Hwy Drive.

Hamstra Heating & Cooling (HHC) is a local, family-owned company specializing in heating, ventilation, and air conditioning (HVAC). Founded in 1983, HHC has developed a strong reputation for quality HVAC service across Tucson and its' surrounding communities, and as a result, the company has grown throughout the years and is in need of a specially designed storage space to meet its long-term needs.

Due to supply chain challenges during the COVID-19 pandemic, the company sought extra storage space for inventory its owners had to buy in bulk to avoid wait times of eighteen months or more for critical items like new air conditioning units and flex duct. Luckily, the Hamstra's were able to purchase the building immediately to the north (and the subject property) from the Zion City church next door to store the overstocked inventory, but that building was constructed in 1980 and not specifically for Hamstra Heating & Cooling. Therefore, HHC would like to construct a new building on the subject property with an outdoor storage yard screened from adjacent properties.

The northern subject parcel, which totals 0.37 acres, currently contains a vacant single-family residential structure, a detached shed, concrete sidewalks and six concrete parking curb-stops. The southern parcel, which also totals 0.37 acres, is completely vacant. Historical imagery suggests that the southern parcel contained a single-family residence as recently as 2016. Both parcels are fully graded and cleared of vegetation except for a few trees and shrubs, with existing disturbance associated with previous development/ownership.

HHC's redevelopment plans call for the removal of all structures and the construction of an 8,100 square-foot storage building with an outdoor storage yard between the building and Violet Ave. Oversized roll-up doors are anticipated on the south and west sides of the building for convenient loading and potential pull-through access. The maximum building height in CI-1 is 90 feet, but the proposed building will not exceed 39 feet. Although very little vegetation exists on the site today, all four property boundaries will be landscaped and screened in accordance with Pima County bufferyard standards, as indicated on the accompanying Sketch Plan. Since the site will function more like a satellite warehouse for HHC's headquarter location down the street, only one to two employees, minimal parking, and hours of operation between 7:00 AM and 7:00 PM are anticipated.

The property falls within the Tucson Water Obligated Service Area and will be served by sewer lines located along Ruthrauff Road to the north of the subject property.

Arizona Growing Smarter and Growing Smarter Plus

The purpose of the Arizona Growing Smarter and Growing Smarter Plus legislation is to provide a framework to guide growth within communities in Arizona that is responsive to the ever-changing nature of the natural, built, and social environments. The proposed plan amendment will support the core fundamentals of smart growth by:



- Promoting Infill Development: The proposed plan amendment would allow for infill development of underutilized parcels with access to existing water, sewer, and electric infrastructure.
- Promoting Economic Diversity: The development of underutilized parcels in an area with high economic and transportation activity will benefit a local business and help stabilize the economic outlook of surrounding properties.

Applicable Policies of Pima Prospers

The proposed plan amendment will comply with the following policies as outlined in Pima Prospers:

1. Promote land use patterns that support healthy people, a healthy environment, and a healthy economy – Policy 1 (Goal 1), Use of Land – 3.1 Land Use Element;
2. Supports land uses, densities and intensities appropriate for the suburban and rural areas of the County - Policy 4 (Goal 1) Use of Land – 3.1 Land Use Element;
3. Promote efficient growth in urban, suburban and rural areas compatible with each area's specific scale, character and identity in areas where infrastructure is planned or in place. – Policy 1 (Goal 1) – 3.2 Focused Development Investment Areas Element
4. Increase and maximize employment opportunities and growth of area median income to provide for personal discretionary income as a component of quality of life – Policy 2 (Goal 4) Opportunities for Job Growth – 6.1 Economic Development Element

Applicable Special Area Policies

The property is not subject to any Special Area Policies.

Applicable Rezoning Policies

The property is not subject to any Rezoning Policies.

Additional Rationale

The CI-1 designation is appropriate for the subject property for the following reasons:

1. The area to the south and west of the site is predominantly industrial in nature. Additionally, the parcel immediately to the north was permitted in 1980 as a concrete block warehouse and is currently used by HHC for storage. The subject property would positively contribute to this existing industrial area, which stretches for approximately 6 miles along the Interstate 10 corridor.



2. Because of the subject property's easy access to Ruthrauff Road and Interstate 10, as well as its proximity to the headquarters of the company utilizing it, the CI-1 designation presents an opportunity for this property to develop with the highest and best use based on market demand and in a manner sensitive to adjacent properties.

We thank you for evaluating this request based on the submitted application materials. Please do not hesitate to contact me if you have any questions.

Sincerely,

THE PLANNING CENTER



Brian Underwood

Principal

520-209-2628

bunderwood@azplanningcenter.com



November 20, 2023

Pima County
Development Services Department, Planning Division
201 North Stone
Tucson, AZ 85701

Subject: **Maryvale & Ruthrauff Concurrent Comprehensive Plan Amendment & Rezoning (2649 West Ruthrauff Road, 4716 North Parkway Drive, and 2656 West Violet Avenue)
On Tax Parcels: 103-07-0050 and 103-07-0060**

To Whom It May Concern:

As the owner of the above-referenced tax parcels, I hereby authorize The Planning Center to act as my agent throughout the comprehensive plan amendment and rezoning application process.

Very Truly Yours,

Maryvale Development, LLC
3075 West Mockingbird Lane
Tucson, AZ 85713

By: 

Jeff Hamstra, Manager

Maryvale Development, LLC
Attn: Jeff Hamstra
3075 West Mockingbird Lane
Tucson, AZ 85713

Maryvale Development, LLC Officers:

- Manager: Jeff Hamstra
- Manager: Yvonne Hamstra
- Member and Manager: Wade Hamstra
- Member and Manager: Dolora Hamstra
- Member: Jeffrey Allen & Yvonne Marie