



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 8/21/2023

\*= Mandatory, information must be provided

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

**\*Title:**

P23CA00003 THORNYDALE RANCH LLC – N. THORNYDALE ROAD PLAN AMENDMENT

**\*Introduction/Background:**

Thornydale Ranch LLC, represented by The Planning Center, requests a comprehensive plan amendment of approximately 5.14 acres (parcel code 225-33-068C) from the Low Intensity Urban 1.2 (LIU-1.2) to the Community Activity Center (CAC) land use designation. The site is located on the west side of N. Thornydale Road, approximately 600 feet north of the intersection of N. Thornydale Road and W. Magee Road, addressed as 8101 N. Thornydale Road in Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area.

**\*Discussion:**

The owner requests the plan amendment to CAC as a first step to rezone the property to a compatible zoning district.

**\*Conclusion:**

Approval of the plan amendment would allow the owner to request rezoning to a compatible zoning district that will allow the highest and best use based on market demand.

**\*Recommendation:**

The Planning and Zoning Commission recommends an AMENDED APPROVAL of the plan amendment request to Neighborhood Activity Center (NAC).

Staff recommends APPROVAL of the plan amendment request to CAC.

**\*Fiscal Impact:**

None

**\*Board of Supervisor District:**

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services

Telephone: (520) 724-6675

Contact: Anita McNamara, AICP, Senior Planner

Telephone: (520) 724-6692

Department Director Signature: \_\_\_\_\_

Date: 7-26-23

Deputy County Administrator Signature: \_\_\_\_\_

Date: 7/28/2023

County Administrator Signature: \_\_\_\_\_

Date: 7/28/23



**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Rex Scott, Supervisor, District 1

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

**DATE:** July 31, 2023

**SUBJECT:** **P23CA00003 THORNYDALE RANCH – N. THORNYDALE ROAD PLAN AMENDMENT**

The above referenced Comprehensive Plan amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, AUGUST 21, 2023** hearing.

**REQUEST:** For a **Comprehensive Plan amendment** of approximately 5.14 acres from Low Intensity Urban 1.2 (LIU-1.2) to Community Activity Center (CAC), located on the west side of N. Thornydale Road, approximately 600 feet north of the intersection of N. Thornydale Road and W. Magee Road, addressed as 8101 N. Thornydale Road. Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area.

**OWNER/** Thornydale Ranch LLC, c/o Abraham Slilaty  
PO Box 40333  
Tucson, AZ 85717-0333

**AGENT:** The Planning Center, c/o Lexy Wellott  
592 E. Congress St, Suite 600  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** Anita McNamara, AICP, Senior Planner

**PUBLIC COMMENT TO DATE:** As of July 31, 2023, staff has received public comment. A petition containing signatures of multiple property owners in the area was received before the June 28, 2023 Planning and Zoning Commission and is posted to the agenda.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** **AMENDED APPROVAL TO NEIGHBORHOOD ACTIVITY CENTER (NAC) 9-0** (Commissioner Maese was absent)

**STAFF RECOMMENDATION:** **APPROVAL TO COMMUNITY ACTIVITY CENTER (CAC)**

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS:** The subject site is located in the Multiple Use Management Areas of the Maeveen Marie Behan Conservation Lands System.

TD/AM/ds  
Attachments



## **BOARD OF SUPERVISORS MEMORANDUM**

**SUBJECT: P23CA00003**

**Page 1 of 2**

### **FOR AUGUST 21, 2023 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

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

**DATE:** July 31, 2023

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### **ADVERTISED ITEM FOR PUBLIC HEARING**

### **COMPREHENSIVE PLAN AMENDMENT**

#### **P23CA00003 THORNYDALE RANCH LLC – N. THORNYDALE ROAD PLAN AMENDMENT**

Thornydale Ranch LLC, represented by The Planning Center, requests a comprehensive plan amendment of approximately 5.14 acres (parcel code 22533068C) from the Low Intensity Urban 1.2 (LIU-1.2) to the Community Activity Center (CAC) land use designation. The site is located on the west side of N. Thornydale Road, approximately 600 feet north of the intersection of N. Thornydale Road and W. Magee Road, addressed as 8101 N. Thornydale Road. Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area. On motion, the Planning and Zoning Commission voted to recommend an **AMENDED APPROVAL to NEIGHBORHOOD ACTIVITY CENTER 9-0** (Commissioner Maese was absent). Staff recommends **APPROVAL to COMMUNITY ACTIVITY CENTER**.  
(District 5) 1

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#### **Planning and Zoning Commission Public Hearing Summary (June 28, 2023)**

Staff presented information on the plan amendment request and stated that the recommendation was approval of the plan amendment.

A commissioner asked staff if the applicant plans to provide the Conservation Lands System requirements on-site. Staff replied yes, the applicant intends to provide all CLS requirements on-site.

The applicant spoke regarding the deed restricted area along the west side of the property, the drainage area the southeast corner, and the intent to fully comply with Conservation Lands Systems requirements onsite. The applicant stated that approximately 1 acre, or maybe 2 acres at most, of the site can be developed. The applicant also provided an overview of potential uses, light pollution mitigation, and that a future traffic study will be provided at the time of rezoning addressing traffic generation and mitigation.

The commission opened the public hearing. One member of the public spoke regarding being

against the plan amendment due to traffic, unknown use(s), compatibility, and the need for open space in the area. She also requested that the commission and applicant consider Neighborhood Activity Center in lieu of Community Activity Center.

The applicant stated that they want to develop the property in a way that is compatible with the neighboring properties and that they are open to the Neighborhood Activity Center (NAC) designation.

A commissioner asked if staff is agreeable to Neighborhood Activity Center. Staff replied that they are supportive as the allowable uses are lower in intensity.

The commission closed the public hearing.

A commissioner asked staff what the difference is between Neighborhood Activity Center and Community Activity Center. Staff replied that there are fewer uses allowed in NAC and that the minimum and maximum densities are lower than Community Activity Center.

Commissioner Gungle made a motion to recommend an **AMENDED APPROVAL** of the plan amendment to the NAC land use designation; Commissioner Matter gave second.

Upon a roll call vote, the motion to recommend an **AMENDED APPROVAL** passed 9-0 (Commissioner Maese was absent).

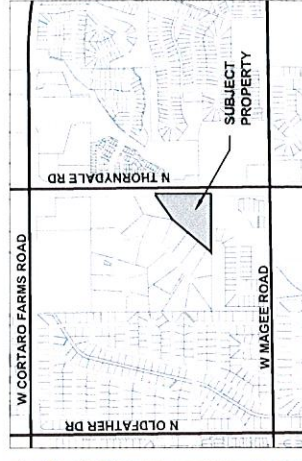
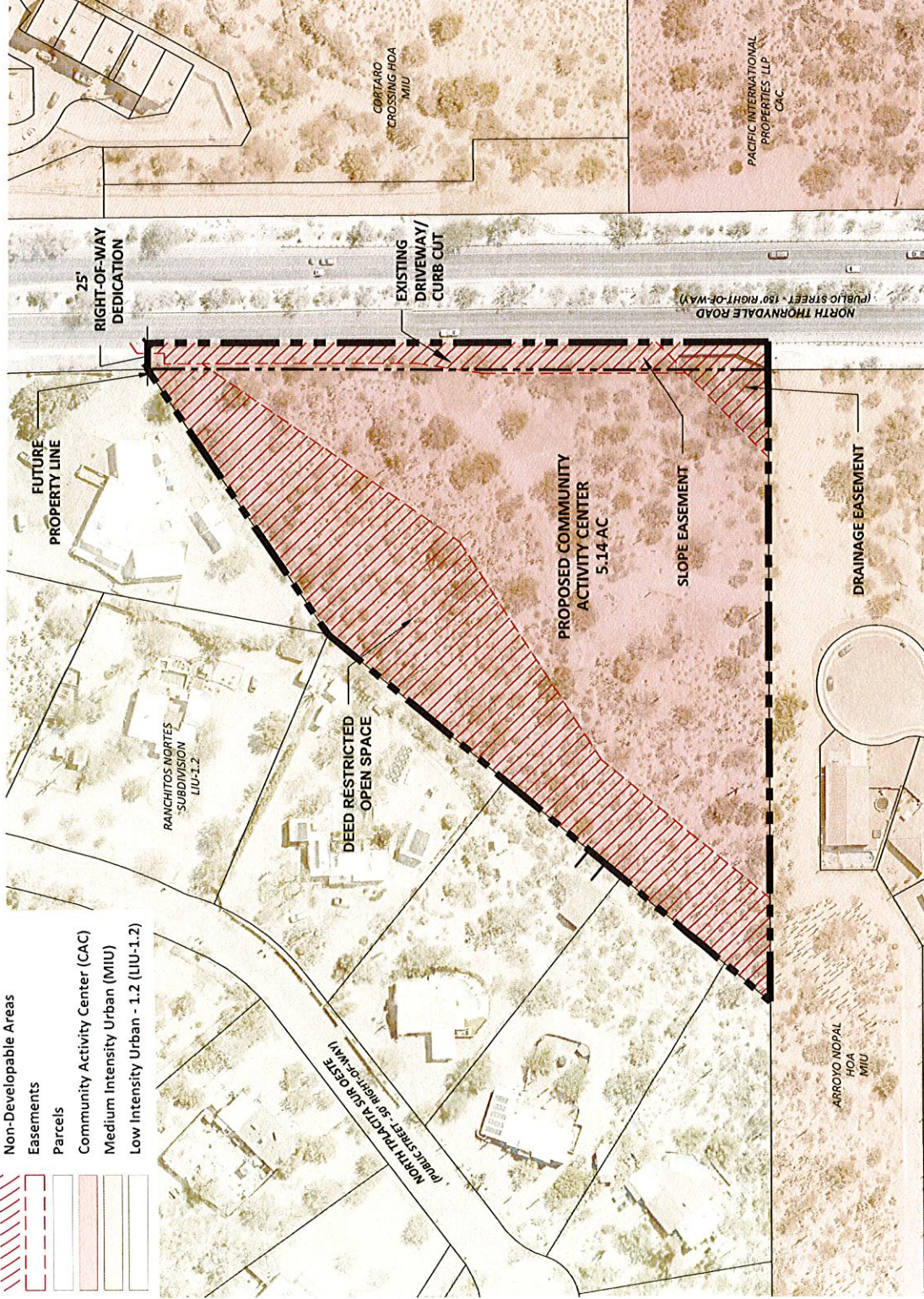
TD/AM/ds  
Attachments

c: Thornydale Ranch, LLC  
Lexy Wellott, The Planning Center

# SKETCH PLAN

## LEGEND

- Property Boundary
- Non-Developable Areas
- Easements
- Parcels
- Community Activity Center (CAC)
- Medium Intensity Urban (MIU)
- Low Intensity Urban - 1.2 (LIU-1.2)



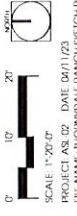
LOCATION MAP  
SCALE: 1" = 0.25 MILE

## PROJECT NARRATIVE:

On behalf of the property owner, Thornydale Ranch LLC, this request proposes to modify the property's existing land use designation as prescribed by Pima Prosper from LIU-1.2 to CAC to allow for future commercial uses that are intended to support the surrounding neighborhoods. The property's location along a major arterial road and limited developability present an opportunity for a reasonable infill development on an underutilized property that is supported with existing infrastructure. It also positions the property to develop with its highest and best use and allows it to organically develop based on market demand.

## NOTES:

- Project Acreage: 5.14 Acres
- Parcels: 225-33-068C
- Address: 8101 North Thornydale Road
- Jurisdiction: Pima County (District 1 - Scott)
- Existing Comp. Plan Designation: LIU-1.2
- Existing Zoning: SH
- Existing Use: Vacant
- CLS Designations: Special Species / Multiple Use Management Area
- Proposed Comp. Plan Designation: CAC
- Developable Area: Only 20% of the subject property can accommodate future commercial uses per the CLS.



# 8101 NORTH THORNYDALE ROAD





## 2023 PLAN AMENDMENT PROGRAM

### PLANNING AND ZONING COMMISSION STAFF REPORT



HEARING DATE	June 28, 2023
CASE	P23CA00003 THORNYDALE RANCH LLC - N THORNYDALE ROAD PLAN AMENDMENT
PLANNING AREA	Tortolita
DISTRICT	1
LOCATION	West side of N. Thornydale Road, approximately 600 feet north of the intersection of N. Thornydale Road and W. Magee Road, addressed as 8101 N. Thornydale Road
REQUEST	Low Intensity Urban 1.2 (LIU-1.2) to Community Activity Center (CAC) for approximately 5.14 acres
OWNER	Thornydale Ranch, LLC
AGENT	The Planning Center c/o Lexy Wellott, AICP

#### **APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:**

The overall intent of the proposed amendment is to position the subject property for a future rezoning to allow for commercial uses intended to support the surrounding neighborhoods and motorists traveling along North Thornydale Road. Because of the property's constraints, only 20% will be developed outside of deed-restricted and field-surveyed flood control resource areas and easements (refer to the accompanying Sketch Plan)."

#### **STAFF REPORT:**

Staff recommends **APPROVAL** of the comprehensive plan amendment to the Community Activity Center (CAC) land use designation. The amendment prepares the site for a rezoning that will allow small-scale neighborhood-serving commercial uses.

The amendment site is located in the Multiple Use Management Area (MUMA) and the Special Species Management Area (SSMA) of the Maeveen Marie Behan Conservation Lands System (CLS). For this reason, only 20% of the site can be developed. The Massingale Wash traverses the southeastern corner of the property, which is designated as FEMA Flood Hazard Zone A.

#### **Background**

The applicant proposes the comprehensive plan amendment to allow for compatible commercial uses intended to serve the surrounding neighborhoods. The amendment site is an infill property, has direct frontage on N. Thornydale Road and is served by utilities. The site is approximately 600 feet north of the intersection of N. Thornydale Road and W. Magee Road, with roughly 650 feet of direct frontage on N. Thornydale Road. Properties to the west are zoned SH and are developed with single-family residences constructed in the 1970s and 1980s. The property immediately to the north is a childcare center zoned TR (Transitional) as is property across N. Thornydale Road developed with platted townhomes for rent. To the south is a newer single-

family subdivision zoned CR-5 (Multiple Residence), while to the southeast is property zoned CB-1 (Local Business) with an existing gas station and vacant land.

The amendment site is currently Low Intensity Urban 1.2 (LIU-1.2) land use designation, which is intended to designate areas for low density residential (1.2 residences per acre maximum) and other compatible uses, and to provide incentives for conservation subdivisions and preserve natural open space. The site has been zoned SH (Suburban Homestead) since 1967. Along the western property line is a deed-restricted conservation easement which will remain as open space. Based on assessor records, two structures - a mobile home and a travel trailer - were located on the property prior to approximately 2007. The site remains vacant.

#### **Plan Amendment Criteria**

Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

##### 1a. Growing Smarter Acts

- The amendment site is located on N. Thornydale Road, designated as a Medium Volume Arterial in the Major Streets Plan.
- Direct development toward existing communities: the amendment site is infill development and has access to existing utilities and facilities.

##### 1b. Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies

The amendment site is not covered under comprehensive plan policies or rezoning or special area policies.

##### 1c. Maeveen Marie Behan Conservation Lands System

The amendment site is located in the MUMA and SSMA of the CLS. In keeping with the CLS guidelines, the applicant's narrative states that a maximum of 20% of the site will be developed.

##### 2. Oversights, Inconsistencies, or Land Use Related Inequities/Changes

n/a

#### **DEPARTMENT/AGENCY COMMENTS:**

##### **Department of Transportation**

The Department of Transportation has no objection to the comprehensive plan amendment request for a project site located approximately 600 feet northwest of the Thornydale Road & Magee Road intersection. The applicant intends to apply for a rezoning following the approval of this request to allow for commercial uses.

Thornydale Road is classified as an Urban Minor Arterial per its federal highway code, and is a paved roadway maintained by the County. The current right-of-way width of Thornydale Road is 120 feet adjacent to the site's east boundary. The Major Streets and Routes Plan identifies Thornydale Road's future right-of-way width as 150 feet, therefore right-of-way dedication will be a condition of the rezoning.

Traffic impacts to the nearby roadway system are difficult to determine without proposed uses and a traffic impact study. The Department of Transportation will provide nearby roadway concurrency analysis at time of rezoning.

##### **Regional Flood Control District**

The District has reviewed the site conditions and offers the following information:

1. A Federal Emergency Management Agency (FEMA) Special Flood Hazard Area Zone A impacts this property in the southeast corner of the subject property. Per the Comprehensive Plan Pima Prospers Section 4.9 Goal 1 these FEMA Flood Hazard areas are to be avoided. At the time of rezoning a condition will be applied to ensure the FEMA floodplain will be avoided.
2. A regulatory wash resides within the FEMA SFHA Zone A. Massingale Wash enters the property from a reinforced box culvert that directs the drainage from the wash under Thornydale Road and has an associated 50' erosion hazard setback.
3. Regulated Riparian Habitat (RRH) impacts the property along the FEMA Floodplain and Massingale Wash. The RRH is classified as Xeroriparian Class C Habitat and development within the RRH should be avoided. Surface drainage generated from proposed development should be directed to the RRH in effort to provide supplemental water to promote the survivability of the RRH vegetation. At the time of rezoning a condition will be applied to ensure the RRH will be avoided.

The District has no objection to this comprehensive plan amendment and offers no policy recommendations.

#### **Regional Wastewater Reclamation Department**

The Planning Unit of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request and offers the following comments for your use. The property is located northwest of the intersection of Thornydale and Magee Roads. Sewer service is available within a 24-inch sewer interceptor located along the east side of Thornydale Road.

PCRWRD has no objection to the proposed comprehensive plan amendment. A no objection shall not construe any action by Pima County as a commitment to provide sewer to any new development within the plan amendment area and does not ensure that there is adequate treatment and conveyance capacity to accommodate this plan amendment area in the downstream public sewerage system.

#### **Environmental Planning Division**

##### **SITE CHARACTERISTICS**

The amendment site is entirely within the MUMA designation of the CLS and is also designated as an SSMA. The CLS Guidelines for the SSMA designation call for setting aside four acres of natural open space for each acre disturbed. The applicant has committed to full compliance with the CLS Guidelines, stating in their application that "only 20% [of the property] will be developed."

The amendment site is not located within any CLS Critical Landscape Connection or within any wildlife movement corridors identified by the Arizona Game and Fish Dept.

The amendment site was not identified as an acquisition priority under the 2004 Open Space Bond Program.

The amendment site is approx. 2,000 feet south of the Pima County-owned Mason South Preserve.

The amendment site is located within a Priority Conservation Area (PCA) for the Cactus ferruginous pygmy-owl; it is outside the PCAs for the Western burrowing owl, Pima pineapple cactus and Needle-spined pineapple cactus.

A wash and associated Class C riparian habitat runs across the southeast corner of the amendment site. Disturbances to these resources are regulated by the Regional Flood Control

District according to the Watercourse and Riparian Protection and Mitigation Requirements (Pima County Code Chapter 16.30).

The amendment site includes native vegetation and is largely undisturbed. Disturbances to these resources are regulated by the Development Services Dept. according to the Native Plant Preservation Ordinance (Pima County Code Chapter 18.72).

## **CONCLUSIONS**

No Special Area or Rezoning Policies are recommended at this time.

Potential impacts to the CLS and mitigation for those impacts will be addressed at subsequent development approval stages. The required mitigation will conform to the CLS Conservation Guidelines established in Pima Prospers (Sec. 3.4, Policies 1-12); the applicant has committed to full compliance with these Guidelines.

## **Cultural Resources & Historic Preservation Division**

A condition of a future rezoning of the subject property: If this plan amendment is approved, a condition shall be required at rezoning for a cultural resources survey prior to ground modifying activities; submittal of a cultural resources mitigation plan for any identified archaeological and historic sites with any tentative plan or development plan; and review of Type II grading permits for compliance with cultural resources requirements under Zoning Code Chapter 18.81. The Cultural Resources Division has no objection to the requested plan amendment and has no recommendation for rezoning policies.

## **Natural Resources, Parks and Recreation**

NRPR had no comments.

## **U.S. Fish and Wildlife Service**

FWS concerns are related to habitat loss and fragmentation from development in an area designated as a Species Management Area within the Pima County Comp Plan and the Sonoran Desert Conservation Plan.

The species potentially impacted are the lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*), a recently delisted species under the Endangered Species Act, and the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), a species formerly listed under the Endangered Species Act and recently proposed for relisting under the ESA and a species proposed for coverage under Pima County's Multi-Species Conservation Plan. The proposed amendment occurs in an area where lesser long-nosed bats have been documented foraging and moving between roosts and foraging areas. It is our recommendation that, if saguaros occur within these parcels, that they be preserved in place or salvaged and replanted within the parcels or within conservation lands in this general area. By so doing, there should be no net loss of lesser long-nosed bat forage resources.

With regard to the pygmy-owl, this parcel occurs in the general area historically occupied by pygmy-owls and where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl but is also a sensitive and valuable vegetation community. It is possible with on-site natural open space set aside as required by the CLS guidelines; the proposed development may avoid the potential to render these previous conservation actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a special species management area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend and support as suggested in the application materials that the guidelines outlined within the CLS and

Comprehensive Plan be applied to this parcel if this amendment application is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities.

We recommend that future development complies with the CLS guidelines for the special species management designation through either on-site or off-site natural open space set asides at the time of rezoning and/or development plan review.

**Tucson Electric Power Co.**

The utility had no comments.

**Metro Water District**

Metro Water does not have any comments on the plan amendment for this property, as it is currently outside (though adjacent) to our Metro Main service area (in light green below), and has not sought a will-serve from Metro Water as yet. We can, however, provide some guidance on any water pursuits when the time comes.

Generally speaking, since the obligated area for the City of Tucson Water is also adjacent to this area, Metro Water will typically have the owner/developer contact Tucson Water first for a will-serve. This property will likely not meet their Service Area Policy, requiring obligated parcels bordering it on three sides (though it does meet the <20 acres requirement), and TW will likely issue a will-serve denial. Supplied with this TW denial, then Metro Water can evaluate any requests for a will-serve, and if/when issued, will typically also include amending our legal boundary to include this property as a condition of service, among constructing the necessary infrastructure needed to service the property.

**Tucson Water**

The district had no comments.

**Northwest Fire District**

The district had no comments.

**PUBLIC COMMENTS:**

As of June 13, 2023, staff has received no public comments regarding this amendment request.

Published and mailed notice of the proposal along with the website posting of this staff report will occur a minimum of fifteen (15) 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.

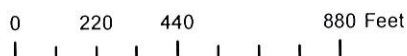
Respectfully submitted,



Anita McNamara, AICP  
Senior Planner

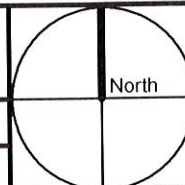
c: The Planning Center, c/o Lexy Wellott, AICP

## Planned Land Use



300' Notification Area

Map Date: May 19, 2023 / dms



**P23CA00003 THORNYDALE RANCH LLC – N. THORNYDALE ROAD PLAN AMENDMENT*****Current:* Low Intensity Urban (LIU-1.2)**

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC; 2.5 RAC with 45 percent open space; or 4 RAC with 60 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC; 2 RAC with 50 percent open space

***Requested:* Community Activity Center (CAC)**

Objective: To designate medium and higher intensity mixed use districts designed to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses; and other similar uses as described in the Campus Park Industrial (CPI) zoning district (Section 18.49); and compatible medium to higher density housing. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how it serves to create or enhance the mixed use character of the designated activity center as a whole. Larger centers may include a regional mall. Smaller centers may provide goods and services needed on a more frequent basis. These may include a major supermarket, discount department stores, large variety stores, or specialty stores such as a hardware/building/home improvement stores. Community Activity Centers may be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods. Community Activity Centers may range from 25 acres to up to 100 acres or more in size depending on the area served and services provided.

- Residential Gross Density: (if any) Minimum- 6 RAC; Maximum- as allowed by the requested conforming zoning district
- Residential Gross Densities for TDR Receiving Areas: Minimum- 6 RAC; Maximum- 18 RAC



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):**

Thornydale Ranch LLC APN: 225-33-068C

### **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) **NA**  
Important Riparian Area  
Biological Core  
Multi-Use Management Area
2. Is the project within a CLS Special Species Management Area? **SELECT**
3. Is the project in the vicinity of any of the six Critical Landscape Linkages? **SELECT**
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? **SELECT**
5. Is the project located within a Priority Conservation Area for any of the following species?
  - a. Cactus ferruginous pygmy-owl: **SELECT**
  - b. Western burrowing owl: **SELECT**
  - c. Pima pineapple cactus: **SELECT**
  - d. Needle-spined pineapple cactus: **SELECT**

**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:** [Mark Holden](#)  
**To:** [Anita McNamara](#)  
**Subject:** FW: Comprehensive Plan Amendment Application form submission  
**Date:** Friday, April 28, 2023 8:13:26 AM  
**Attachments:** [Site Analysis Document - Thornydale Ranch Comp Plan Amendment Application\\_042723.pdf](#)  
[Letter of Authorization Document - Rezoning Authorization Letter to TPC 20230427.pdf](#)

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Hi Anita –

Would you please process & intake this Comp Plan amendment? Thank you,

MH

**From:** DSD Planning <[DSDPlanning@pima.gov](mailto:DSDPlanning@pima.gov)>  
**Sent:** Friday, April 28, 2023 7:04 AM  
**To:** Mark Holden <[Mark.Holden@pima.gov](mailto:Mark.Holden@pima.gov)>  
**Subject:** FW: Comprehensive Plan Amendment Application form submission

**From:** Comprehensive Plan Amendment Application <[no-reply@formbackend.com](mailto:no-reply@formbackend.com)>  
**Sent:** Thursday, April 27, 2023 3:10 PM  
**To:** DSD Planning <[DSDPlanning@pima.gov](mailto:DSDPlanning@pima.gov)>  
**Subject:** Comprehensive Plan Amendment Application form 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.

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## New submission

You received a new submission.

**OwnerName**  
Thornydale Ranch LLC c/o Abraham Slilaty

**Owner Address**  
PO Box 40333

**Owner City**  
Tucson

**Owner State**  
AZ

**Owner Zipcode**

85717-0333

**Owner Phone**

6077433499

**email**

[abeslilaty@aol.com](mailto:abeslilaty@aol.com)

**Applicant Name**

Lexy Wellott

**Applicant Address**

2 E Congress Street Suite 600

**Applicant City**

Tucson

**Applicant State**

AZ

**Applicant Zipcode**

85701

**Applicant Phone**

5206236146

**Applicant\_Email**

[lwellott@azplanningcenter.com](mailto:lwellott@azplanningcenter.com)

**Property Address**

8101 N Thornydale Road

**Property Parcel Number**

225-33-068C

**Property Acreage**

5.14

**Current Land Use Designation**

Low Intensity Urban 1.2 - 5.14 Acres

**Proposed Land Use Designation**

Community Activtiy Center - 5.14 Acres

**Policies**

11, Tortolita

**Concurrent Property Acreage**

5.14

**Property Present Zone**

Low Intensity Urban 1.2

**Property Proposed Zone**

Community Activity Center

**Letter of Authorization Document**

[Rezoning Authorization Letter to TPC 20230427.pdf](#)

**Site Analysis Document**

[Thornycroft Ranch Comp Plan Amendment Application \\_042723.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**

2023-04-27



April 27, 2023

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

*Subject: Proposed Comprehensive Plan Amendment for a 5.14-acre parcel (APN: 225-33-068C) located along Thornydale Road approximately 600 feet north of Magee Road at 8101 North Thornydale Road*

Dear Mr. Poirier:

On behalf of the property owner, Thornydale Ranch LLC, this letter provides the rationale for amending *Pima Prospers*, Pima County's Comprehensive Plan (the Plan), as per Section 18.89.040 – Plan Amendment Program of the Pima County Zoning Code. The request entails modifying the land use designation for the subject parcel from Low Intensity Urban-1.2 (LIU-1.2) to Community Activity Center (CAC). Please see *Exhibit 1: Existing Land Use Intensity* and *Exhibit 2: Proposed Land Use Intensity*. The overall intent of the proposed amendment is to position the subject property for a future rezoning to allow for commercial uses intended to support the surrounding neighborhoods and motorists traveling along North Thornydale Road. Because of the property's constraints, only 20% will be developed outside of deed-restricted and field-surveyed flood control resource areas and easements (refer to the accompanying Sketch Plan).

The 5.14-acre parcel is currently vacant, with past disturbances associated with previous development on site. Historical aerial imagery suggests two single-family residential structures were located on the site; however, they were demolished sometime in 2007. Other disturbances on the property include informal trails and a paved portion of the former driveway. The Massingale Wash crosses the subject property's southeast corner and contains flows between 1,000 – 2,000 cubic feet per second (CFS).

*Pima Prospers* designates the surrounding properties as follows:

- North – Low Intensity Urban - 1.2 (LIU-1.2)
- South – Medium Intensity Urban (MIU)
- East – Community Activity Center, Medium Intensity Urban (CAC, MIU)
- West – Low Intensity Urban - 1.2 (LIU-1.2)

*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/Compact Development: The proposed plan amendment would allow for infill development of an underutilized parcel with access to existing water, sewer, and electric

infrastructure. In addition to promoting infill development, the proposed amendment promotes compact development by preserving 80% of the site as open space and limiting disturbance to be outside of deed/easement restricted areas and, wherever possible, floodplain/riparian habitats.

- Promoting Mixed-Use Planning: Because much of the surrounding area is built out with residential uses, the proposed amendment provides opportunities for residents to access commercial services within walking distance of their homes. Increased commercial services will give the surrounding residents more options and reduce their dependence on vehicle trips to other retail centers further away.
- Promoting Multi-Modal Transportation: As previously mentioned, providing additional commercial services in this area supports alternative transportation modes for residents of the car-dominated subdivisions surrounding the property.

#### 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. Provide an appropriate mix of land uses that: a) Supports a balance of housing, employment, shopping, recreation, and civic uses; b) Furthers expansion of economic development goals; c) Recognizes in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area; d) Promotes the integrated and efficient use of infrastructure and services; and e) Conserves, protects and maintains culturally and biologically important lands – Policy 2 (Goal 1), Use of Land – 3.1 Land Use Element;
3. 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;
4. Minimize flood and erosion damages for all County residents, property and infrastructure – Goal 1 – 4.9 Flood Control and Drainage Element; and
5. Continue to require all new development to comply with all applicable requirements of the Floodplain Management Ordinance addressing the impact of development on flooding, erosion, and riparian habitat – Policy 1 (Goal 2) Stormwater Runoff – 4.9 Flood Control and Drainage Element.

#### Maeveen Marie Behan Conservation Lands System

The subject property is within a Special Species Management Area and a Multiple Use Management Area of the Conservation Lands System (CLS). Because of the property's CLS status, 80% of it will be preserved



as natural open space. Areas to be kept as open space include the deed-restricted portion of the property along the western boundary and the easement area in the southeast corner of the site where the Massingale Wash crosses the property. While the riparian vegetation limits are unknown at this time, flood control resource areas associated with the Massingale Wash will also be avoided to the greatest extent feasible.

Applicable Special Area Policies

The subject property is not subject to any Special Area Policies.

Applicable Rezoning Policies

The subject property is not subject to any Rezoning Policies.

Additional Rationale

The CAC designation is appropriate for the subject property for the following reasons:

1. The area surrounding the site is predominately characterized as single-family residential with some multi-family and commercial uses located along the major arterials. Because of the property's location along Thornydale Road and the inherent transition imposed on the site due to its encumbrances, the CAC 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 the adjacent residences.

As a result of the transportation improvements and the increased traffic on Thornydale Road, the uses currently permitted on the subject property are no longer as viable as they were in years past when the area was much more rural. As such, positioning this property with a CAC designation maximizes its ability to develop with commercial uses that provide services to the adjacent neighborhoods and generate sales tax revenues for the County.

2. While the exact layout of the future development is unknown, future construction of this site will entirely avoid the areas indicated as non-developable on the accompanying Sketch Plan, establishing significant buffers and transitions on the site.

We thank you for evaluating the application based on the information provided in this letter. Please do not hesitate to contact me if you have any questions.

Sincerely,

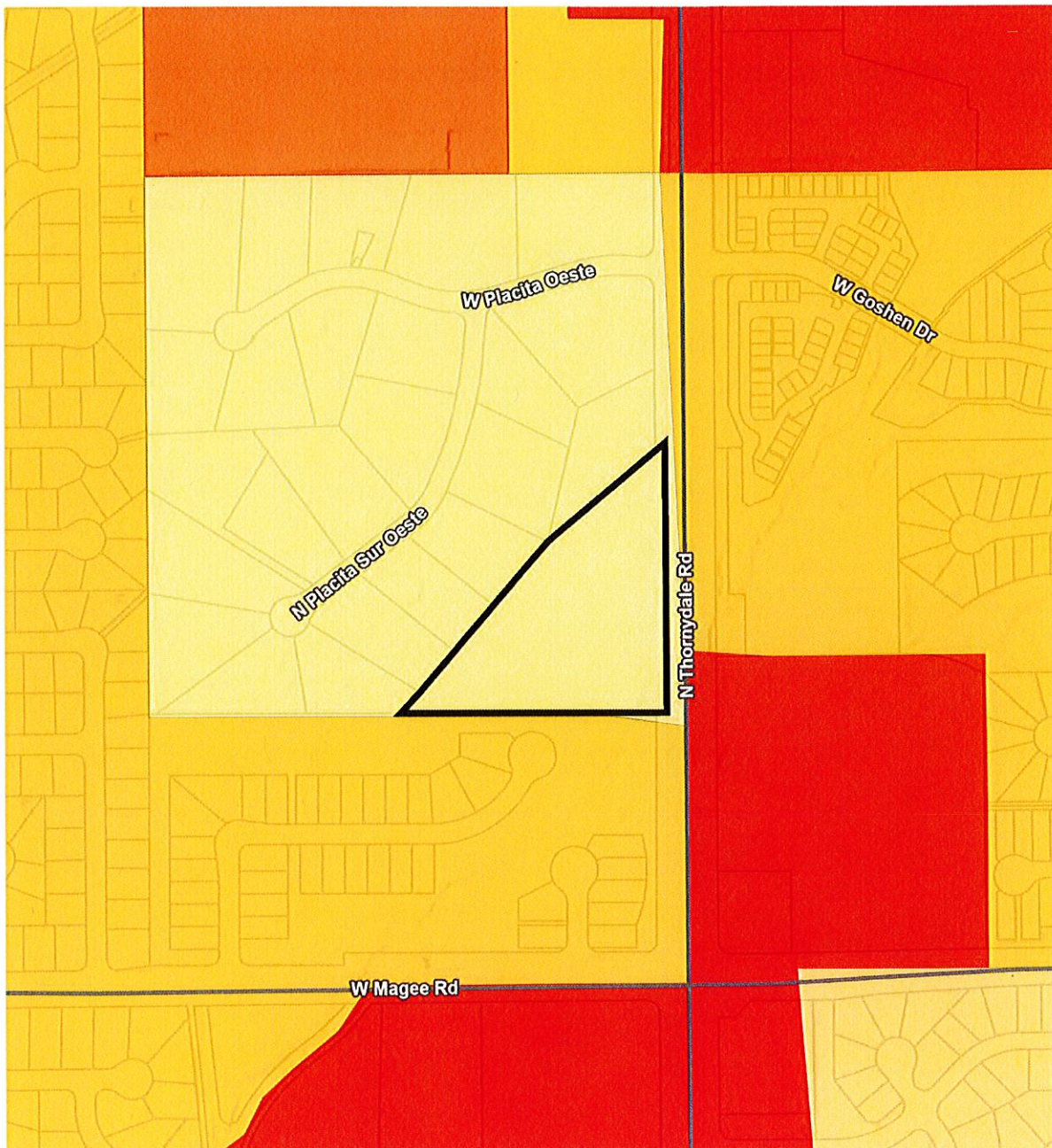
The Planning Center



Lexy Wellott, AICP  
Project Manager



**Exhibit 1: Existing Land Use Intensity**

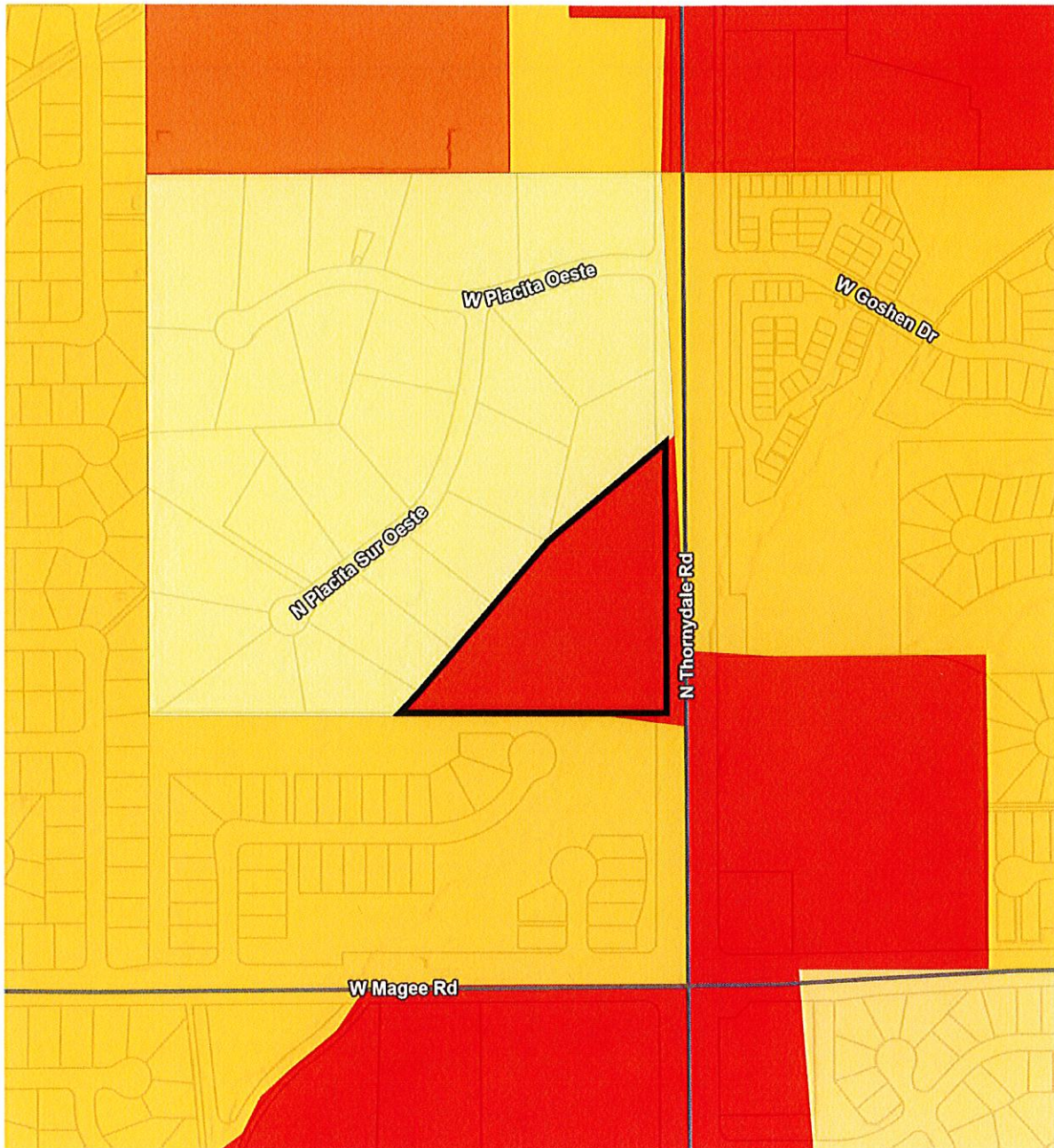


- LEGEND**
- Subject Property
  - Low Intensity Urban 1.2 (LIU 1.2)
  - Medium Low Intensity Urban (MLIU)
  - Medium Intensity Urban (MIU)
  - High Intensity Urban (HIU)
  - Community Activity Center (CAC)

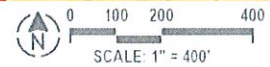
0 100 200 400  
 SCALE: 1" = 400'

SOURCE: Pima County GIS  
 PROJECT: TRL-01 Maps

**Exhibit 2: Proposed Land Use Intensity**



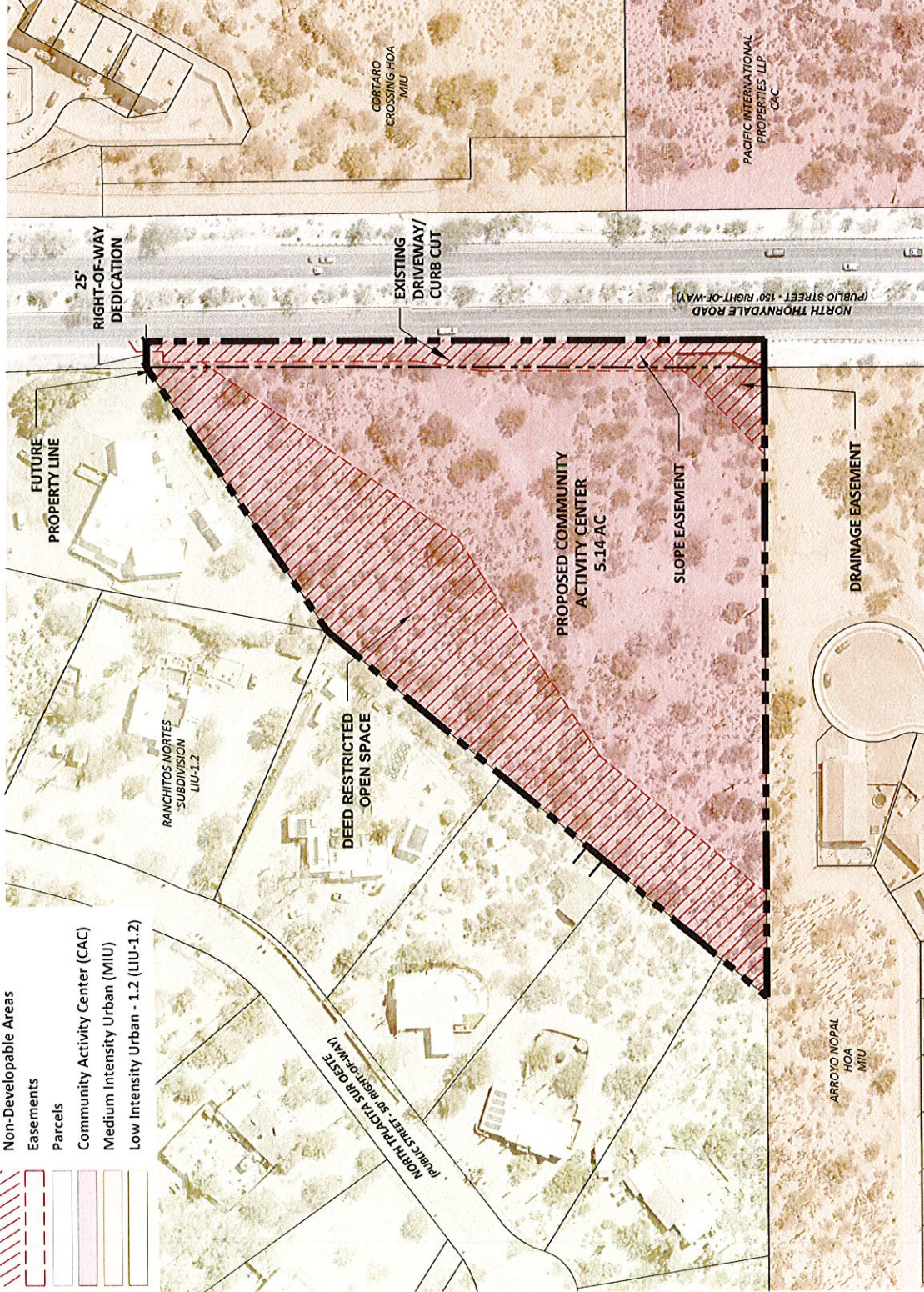
- Subject Property
- Pima Prosper Land Use Intensity
- Low Intensity Urban 1.2 (LIU 1.2)
  - Medium Low Intensity Urban (MLIU)
  - Medium Intensity Urban (MIU)
  - High Intensity Urban (HIU)
  - Community Activity Center (CAC)



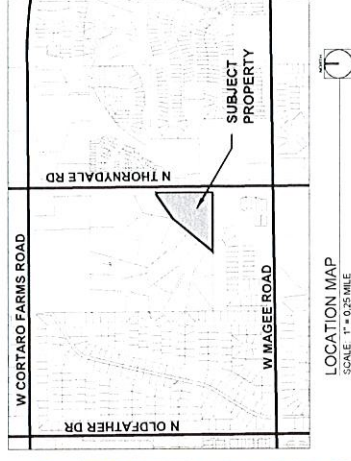
SOURCE: Pima County GIS  
PROJECT: TRL-01 Maps

# LEGEND

-  Property Boundary
-  Non-Developable Areas
-  Easements
-  Parcels
-  Community Activity Center (CAC)
-  Medium Intensity Urban (MIU)
-  Low Intensity Urban - 1.2 (LIU-1.2)



# SKETCH PLAN



## PROJECT NARRATIVE:

On behalf of the property owner, Thornydale Ranch LLC, this request proposes to modify the property's existing land use designation as prescribed by Pima Prosper from LIU-1.2 to CAC to allow for future commercial uses that are intended to support the surrounding neighborhoods. The property's location along a major arterial road and limited developability present an opportunity for a reasonable infill development on an underutilized property that is supported with existing infrastructure. It also positions the property to develop with its highest and best use and allows it to organically develop based on market demand.

## NOTES:

- Project Acreage: 5.14 Acres
- Parcels: 225-33-068C
- Address: 8101 North Thornydale Road
- Jurisdiction: Pima County (District 1 - Scott)
- Existing Comp. Plan Designation: LIU-1.2
- Existing Zoning: SH
- Existing Use: Vacant
- CLS Designations: Special Species / Multiple Use Management Area
- Proposed Comp. Plan Designation: CAC
- Developable Area: Only 20% of the subject property can accommodate future commercial uses per the CLS.

# 8101 NORTH THORNYDALE ROAD

April 27, 2023

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

**Subject: Concurrent Comprehensive Plan Amendment and Rezoning  
On Tax Parcel: 225-33-068C**

Pima County Development Services Department:

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

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Slilaty", is written over a horizontal line.

Thornydale Ranch LLC  
Abraham Slilaty, Member

Property Owner: THORNYDALE RANCH LLC  
PO BOX 40333  
TUCSON AZ 85717-0333

Thornydale Ranch LLC Members:  
• Abraham Slilaty, Manager

June 13, 2023

Pima County Development Services  
201 N. Stone Ave, 2<sup>nd</sup> Floor  
Tucson, AZ 85701

Dear Sir/Madam:

We are writing regarding the Proposed Comprehensive Plan Amendment for a 5.14-acre parcel (APN: 225-33-068C) located along Thornydale Road approximately 600 feet north of Magee Road at 8101 North Thornydale Road. **We are opposed to this zoning modification from Low Intensity Urban-1.2 (LIU-1.2) to Community Activity Center (CAC).** Although the property owner, Thornydale Ranch LLC, states that the rezoning will "allow for commercial uses intended to support the surrounding neighborhoods and motorists traveling along North Thornydale Road", we disagree.

Thornydale is a busy divided four (4)-lane street that becomes noticeably congested during peak rush hours. Adding businesses to the west side of the road will significantly increase this congestion. As the curb cut-through at 8101 N Thornydale does not have a dedicated left-turn lane from northbound Thornydale, the number of U-turns that will occur at the intersection of Thornydale and Placita Oeste will increase. This increase in intersection traffic will subsequently cause residents in the Placita Oeste and Gosen Drive developments undue delays when attempting to leave our neighborhoods, especially when attempting to turn left onto Thornydale in either direction. Furthermore, the development of any form of drive-through service business carries significant risk of backup overflowing onto Thornydale, which will further worsen traffic backups. Thornydale Road is very sensitive to any traffic interference, as frequently shown by construction-related lane restrictions or car accidents occurring as far away as Ina Road. The risk of any additional delays due to new traffic at the proposed development is frankly unacceptable.


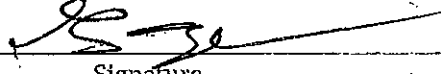
The developer has acknowledged the property is within the Conservation Lands System (CLS) management area and states that eighty percent (80%) of the property, approximately 4.1 acres, will be preserved as natural open space. Future onsite construction would avoid this non-developable area; however, the non-developable area depicted on the developer's distributed sketch plan accounts for only forty-five (45%) of the property. The developer's sketch plan refutes their claim of preserving 80% of the property and needs to be corrected to accurately show the full non-developable area. This bad-faith discrepancy makes it impossible for the county authorities and affected community to fully evaluate the proposed impacts of the zoning change request.

The neighborhoods surrounding 8101 N Thornydale Rd do not require more services within walking distance from our homes. We have a grocery store, three (3) convenience stores (associated with gas stations), two (2) banks, several restaurants, a post office, and several specialty stores in the Basha's center (SE corner of Thornydale and Cortaro Farms Rd) within walking distance already. Furthermore, there are vacant storefronts in Basha's center and throughout strip malls surrounding the corner of Thornydale and Ina (about one (1) mile away to the south). In terms of office space, the professional development complexes along North Thornydale Rd between Hardy Rd and Overton Rd have been open for at least ten (10) years and have never achieved full occupancy. There are plenty of underused commercial properties within a one (1)-mile radius that would be perfect for new business development. On the other hand, any new housing developments would sell quickly.

Finally, converting this property into CAC will result in lots of light pollution. Housing does not increase this nearly as much. For example, the new car wash on the corner of Thornydale and Cortaro

keeps its lights on 24/7 and this is not desirable for the neighborhood. When houses were purchased in the last few years along Cape Aloe Ct., they were not purchased with the idea of having a business at the end of their cul-de-sac. CAC should be limited to the main intersections in the region.

Please see the signatures and addresses below of the landowners affected by this potential change who are all opposed to the change from Low Intensity Urban to CAC. Thank you for considering our request to NOT approve the proposed change. Those of us without prior work commitments will attend the meeting in late June.

\* 8180 N Placita Sur Oeste  
Address  
Kim Ogden   
Greg Ogden   
Printed Name Signature Date 6/18/23

8100 N. PLACITA SUR OESTE  
Address Date 6/18/23

\* KRISTINE D. BAUM Kristine D. Baum  
Printed Name Signature Date

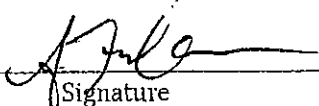
8220 N. PLACITA SUR OESTE  
Address

\* STEVE SHERMAN   
Printed Name Signature Date 6-18-23

3941 WEST PLACITA OESTE  
Address Date 6-18-23

TEERY FREDRICK   
Printed Name Signature Date 6-18-23

3940 W Placita Oeste  
Address Date 6/18/23

Ashley Felde   
Printed Name Signature Date 6/18/23

\* within 300' of rezoning

3850 W. Placita Oeste

Address

Phyllis Leach

Printed Name

Signature

Date

6/18/2023

3810 W Placita Oeste

Address

Kyle Vining

Printed Name

Signature

Date

6/18/2023

3890 W Cape Aloe CT

Address

Jonathan Badle

Printed Name

Signature

Date

6/18/2023

Address

STEPHAN WHITNEY

Printed Name

Signature

Date

6/18/23

3900 W. CAPE ALOE CT TUCSON, AZ 85741

Address

Raquel Nunez

Printed Name

Signature

Date

6/18/23

3940 W. Cape Aloe CT TUCSON AZ 85741

Address

Printed Name

Signature

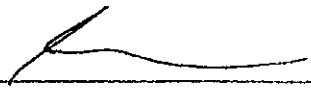
Date

\* within 300' of rezoning

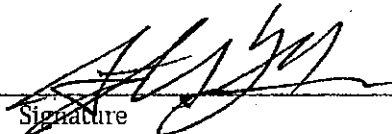
8055 N. DESERT GUM DR  
Address

FRANCIS ACQUAYE  6/18/23  
Printed Name Signature Date

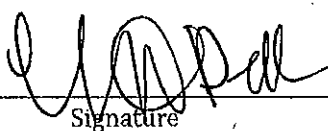
8005 N. Desert Gum Dr  
Address

Rilwan Balogun  6/18/23  
Printed Name Signature Date

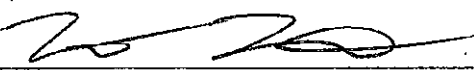
8030 N Desert Gum Dr  
Address

Stanley Yellowhair  6/18/23  
Printed Name Signature Date

3905 W Cape Aire CT  
Address

\* [ Nicole Dodd  06/18/23  
Printed Name Signature Date

8135 N Placita Sur Oeste  
Address

Robert Bastian  6/19/2023  
Printed Name Signature Date

8160 N. PLACITA SUR OESTE  
Address

\* SANDRA BAZIL  6/18/23  
Printed Name Signature Date

\* within 300' of rezoning

8140 N. PLACITA SUR OESTE

Address

\* LYNN ERVIN *Lynn Ervin*

Printed Name

Signature

6/18/23

Date

8200 N Placita Sur Oeste

Address

\* *Maria Nickel* *Maria Nickel*

Printed Name

Signature

6/19/23

Date

8145 N PLACITA SUR OESTE

Address

BRENT MICHAEL CULBERTSON

Printed Name

*Brent Culbertson*

Signature

6/19/23

Date

8125 N Placita Sur Oeste

Address

*Cristian Torres* *Cristian Torres*

Printed Name

Signature

6-19-23

Date

8901 W. Placita Oeste

Address

Mary Johnson

*Mary Johnson*

Printed Name

Signature

6/19/2023

Date

8205 N. Placita Sur Oeste

Address

Mary Johnson

Printed Name

*Mary Johnson*

Signature

6/19/2023

Date

\* within 300' of rezoning

\* [ 8120 N P San Oeste  
Address  
Tom Webb Tom Webb 6/20/2023  
Printed Name Signature Date  
3961 W. Placita Oeste  
Address  
Susanna Chapman M Chapman 6/20/2023  
Printed Name Signature Date  
3920 W. Placita Oeste  
Address

\* [ 8048 N. Purple Aster Pl. Tucson Az  
Address  
Jose Venegas Jose Venegas 6/21/2023  
Printed Name Signature Date  
8105 N Placita San Oeste Tucson Az  
Address  
Kristen Grace Kristen Grace 06/21/2023  
Printed Name Signature Date

Address

Printed Name

Signature

Date

\* within 300' of rezoning