



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 7, 2020

Title: ORDINANCE: P19RZ00013 ST. PHILIPS PLAZA LLC - N. CAMPBELL AVENUE REZONING

Introduction/Background:

The Board of Supervisors approved this rezoning on April 7, 2020.

Discussion:

The request was to rezone approximately .67 acres from the CB-1 (Local Business) zone to the CB-2 (General Business) zone to bring existing outdoor uses at St. Philips Plaza (live music performance venue, farmers market) into compliance with the zoning code.

Conclusion:

The Ordinance reflects the Board of Supervisors' approval.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services, Planning Division Telephone: 724-8800

Contact: Mark Holden, AICP, Principal Planner Telephone: 724-6619

Department Director Signature/Date: [Signature] 6/12/2020

Deputy County Administrator Signature/Date: [Signature] 6/15/2020

County Administrator Signature/Date: C. R. Melbany 6/15/20



Subject: P19RZ00013

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JULY 7, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: June 11, 2020

ORDINANCE FOR ADOPTION

P19RZ00013 ST. PHILIPS PLAZA LLC – N. CAMPBELL AVENUE REZONING
Owners: St. Philips Plaza LLC
(District 1)

If approved, adopt ORDINANCE NO. 2020 - _____

OWNERS: St. Philips Plaza LLC
4280 N. Campbell Avenue
Tucson AZ 85718-6594

AGENT: MJM Consulting, Inc.
Attn: Michael J. Marks, AICP
6401 E. Shepherd Hills Drive
Tucson, AZ 85710

DISTRICT: 1

STAFF CONTACT: Mark Holden, Principal Planner

STAFF RECOMMENDATION: APPROVAL.

CP/MH/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P19RZ00013 File

ORDINANCE 2020-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 0.67 ACRES OF PROPERTY (PORTIONS OF PARCEL CODES 108-18-7060 AND 108-18-7080) FROM THE CB-1 (LOCAL BUSINESS ZONE) TO CB-2 (GENERAL BUSINESS ZONE) IN CASE P19RZ00013 ST. PHILIPS PLAZA LLC - N. CAMPBELL AVENUE REZONING, LOCATED APPROX. 400 FEET SOUTHEAST OF THE INTERSECTION OF N. CAMPBELL AVENUE AND E. RIVER ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 24.

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

Section 1. The 0.67 acres located approx. 400 feet southeast of the intersection of N. Campbell Avenue and E. River Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 24, is rezoned from CB-1 (Local Business Zone) to CB-2 (General Business Zone) subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. CB-2 General Business uses shall be restricted to outdoor amplified live music venue (in Area 1-Courtyard only) and farmers market (on all CB-2 areas on the property); all CB-1 Local Business uses shall be permitted.
2. The amplified sound generated by the live outdoor music events shall be managed by a dedicated audio system to be installed, owned and operated by the plaza owner or their agent for the purposes of a consistent and metered sound level.
3. The dedicated audio system shall be designed and operated to focus its sound within the courtyard and to minimize sound propagation to off-site areas.
4. The sound generated by live outdoor music events shall not exceed 65 dBs between 7:00 AM and 10:00 PM and 58 dBs between 10:00 PM and 7:00 AM, as measured at the perimeter of the St. Philips Plaza property.
5. Adherence to the sketch plan (Exhibit B) as approved at public hearing.
6. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134."
7. 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.

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than April 7, 2025.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chairman of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day
of _____, 2020.

Chairman, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM:

APPROVED:



Deputy County Attorney
Lesley M. Lukach

Executive Secretary,
Planning and Zoning Commission

EXHIBIT A

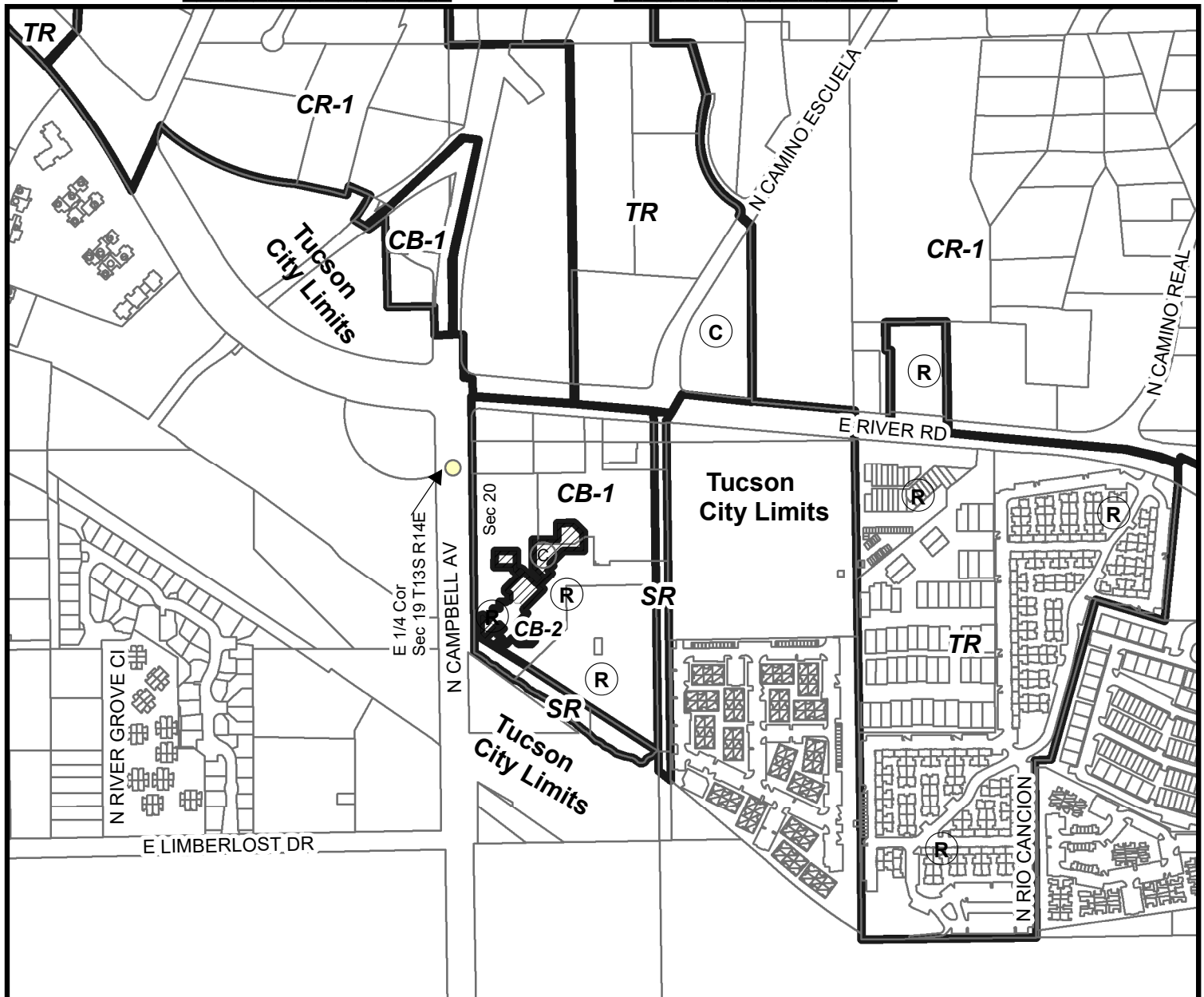
AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 24 TUCSON AZ. LOCATED
IN THE NW 1/4 OF THE SW 1/4 OF SECTION 20 T13S R14E AND A PORTION OF
LOT 1 OF SAINT PHILIPS PLAZA BK. 16 PG. 46.



0 125 250 500 Feet
[Scale bar with markings at 0, 125, 250, and 500 feet]

ADOPTED: _____

EFFECTIVE: _____

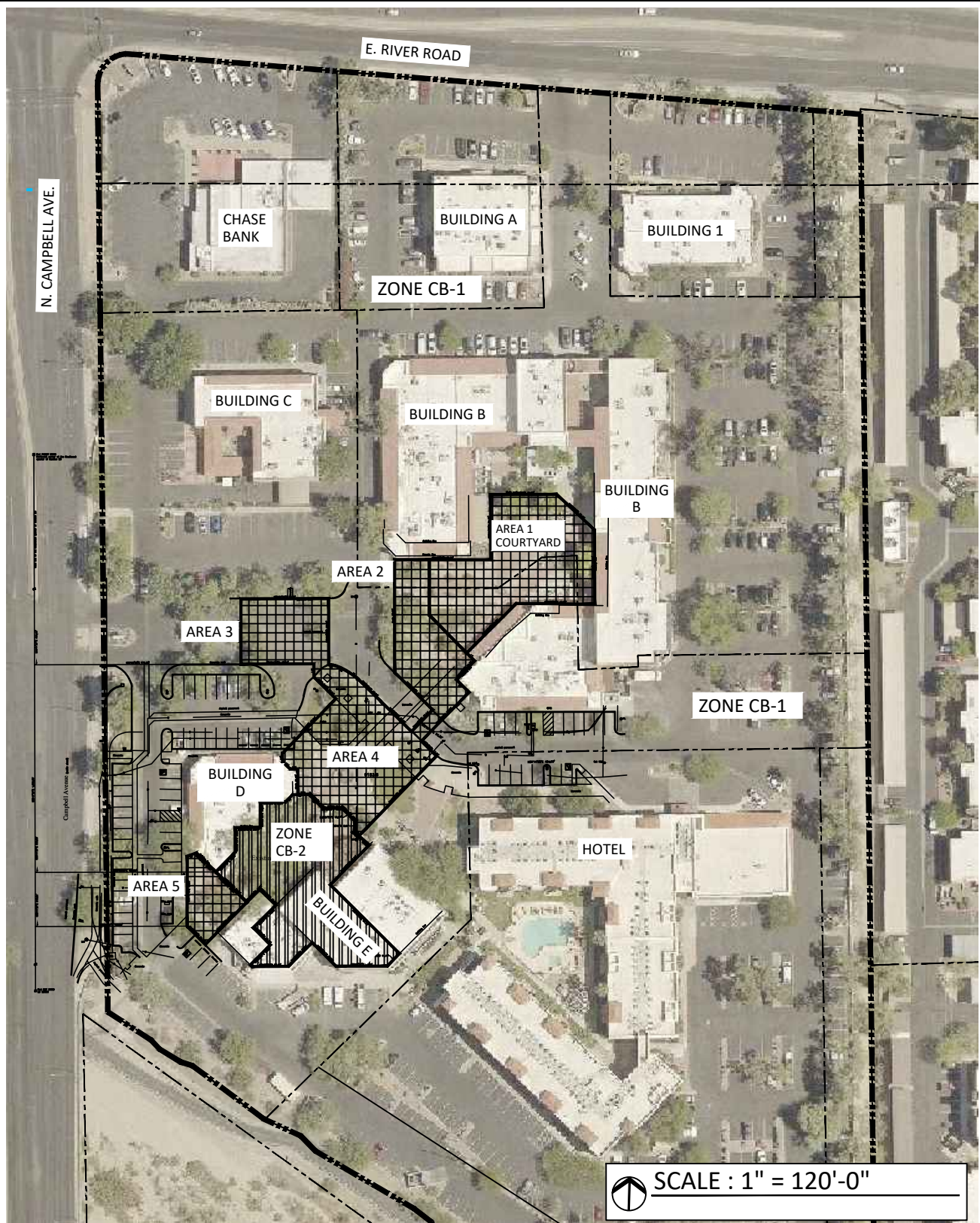


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM CB-1 0.67 ac
ds-May 18, 2020

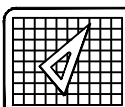


P19RZ00013
Portions of
108187060, 108187080



SITE ADDRESS:

ST. PHILIPS PLAZA
4280 N. CAMPBELL AVE.
PIMA COUNTY, AZ



VVC DESIGN
ARCHITECT
1920 W. CASSIM LN
TUCSON AZ. 85704 (520)575-7040

AREA CALCULATIONS:
COURTYARD (AREA #1) = 10,851 SQ.FT.
FARMERS MARKET (AREAS 2-5) = 18,488 SQ.FT.
TOTAL = 29,339 SQ.FT. = 0.67 ACRES

LEGEND



AREA OF PROPOSED
CB-2 ZONING



AREA OF EXISTING
CB-2 ZONING



OVERALL ST. PHILIPS PLAZA
BOUNDARIES

EXHIBIT B
SKETCH PLAN FOR THE
ST. PHILIPS PLAZA
CB-2 REZONING

PREPARED: 01-27-2020