



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 21, 2017

Title: P16RZ00009 KING CONE, LLC - N. ORACLE ROAD REZONING

Introduction/Background:

The Board of Supervisors approved this rezoning on November 22, 2016.

Discussion:

The rezoning was for approximately 3.54 acres from SH(GZ1)(Suburban Homestead - Gateway Overlay) to the CB-2 (GZ1)(General Business - Gateway Overlay) zone, located at 15605, 15621, and 15625 N. Oracle Road for RV and vehicular storage. The property lies outside of the Maeveen Marie Behan Conservation Lands System.

Conclusion:

The Ordinance reflects the Board of Supervisor's approval of the rezoning.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

Department: Pima County Development Services - Planning Telephone: 520-724-9000

Department Director Signature/Date: _____

[Handwritten Signature] 2-27-17

Deputy County Administrator Signature/Date: _____

[Handwritten Signature] 2/28/17

County Administrator Signature/Date: _____

[Handwritten Signature] 2/28/17



PIMA COUNTY
DEVELOPMENT SERVICES

Subject: P16RZ00009

Page 1 of 1

FOR MARCH 21, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Chris Poirier, Planning Official
Public Works-Development Services, Department-Planning Division
DATE: February 27, 2017

ORDINANCE FOR ADOPTION

P16RZ00009 **KING CONE, LLC - N. ORACLE ROAD REZONING**
Owners: King Cone, LLC, Attn: Claire & Larry Klingler
(District 1)

If approved, adopt ORDINANCE NO. 2017 - _____

OWNER: King Cone, LLC
Attn: Claire & Larry Klingler
3900 W. Moore Road
Tucson, AZ 85742

AGENT: Urban Engineering
Attn: David Williams, AICP
877 S. Alvernon Way
Tucson, AZ 85711

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

STAFF RECOMMENDATION: APPROVAL

TD/TT/ar
Attachments

cc: P16RZ00009 File
Tom Drzazgowski, Principal Planner

ORDINANCE 2017-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 3.54 ACRES OF PROPERTY ADDRESSED AS 15605, 15621, AND 15625 N. ORACLE ROAD (PARCEL CODES 222-21-0600, 222-21-0610, AND 222-21-0650) FROM THE SH (GZ-1) (SUBURBAN HOMESTEAD-GATEWAY OVERLAY) ZONE TO THE CB-2 (GZ-1) (GENERAL BUSINESS-GATEWAY OVERLAY) ZONE (RURAL RESIDENTIAL) ZONE, IN CASE P16RZ00009 KING CONE, LLC – N. ORACLE ROAD REZONING, LOCATED APPROXIMATELY 260 FEET WEST OF N. ORACLE ROAD AND APPROXIMATELY 300 FEET SOUTH OF THE INTERSECTION OF N. ORACLE ROAD AND N. LUPINE PLACE, AND AMENDING PIMA COUNTY ZONING MAP NO. 432.

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

Section 1. The 3.54 acres located approximately 260 feet west of N. Oracle Road and approximately 300 feet south of the intersection of N. Oracle Road and N. Lupine Place, addressed as 15605, 15621, and 15625 N. Oracle Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 432, is rezoned from SH (GZ-1) (Suburban Homestead-Gateway Overlay) zone to the CB-2 (GZ-1) (General Business-Gateway Overlay) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation condition: Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.
4. Environmental Planning condition: Upon the effective date of the Ordinance, the owner 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. Prior to issuance of the certificate of compliance,

the owner shall record a covenant, to run with the land, memorializing the terms of this condition.

5. Cultural Resources conditions:
 - A. All work must be within the area as shown on the proposed project maps and plans in the submitted documentation, and
 - B. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. 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 ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. 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.
6. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
7. All lighting sources within 50 feet of the southern property boundary shall be located at a maximum height of 5 feet.
8. 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.
9. The property owner shall execute and record 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(I)."

Section 3. Time limits of conditions. Conditions 1 through 9 of Section 2 shall be completed no later than November 22, 2021.

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 Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day of _____, 2017.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved As To Form:



Deputy County Attorney
Lesley M. Lukach

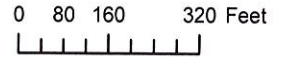
Approved:



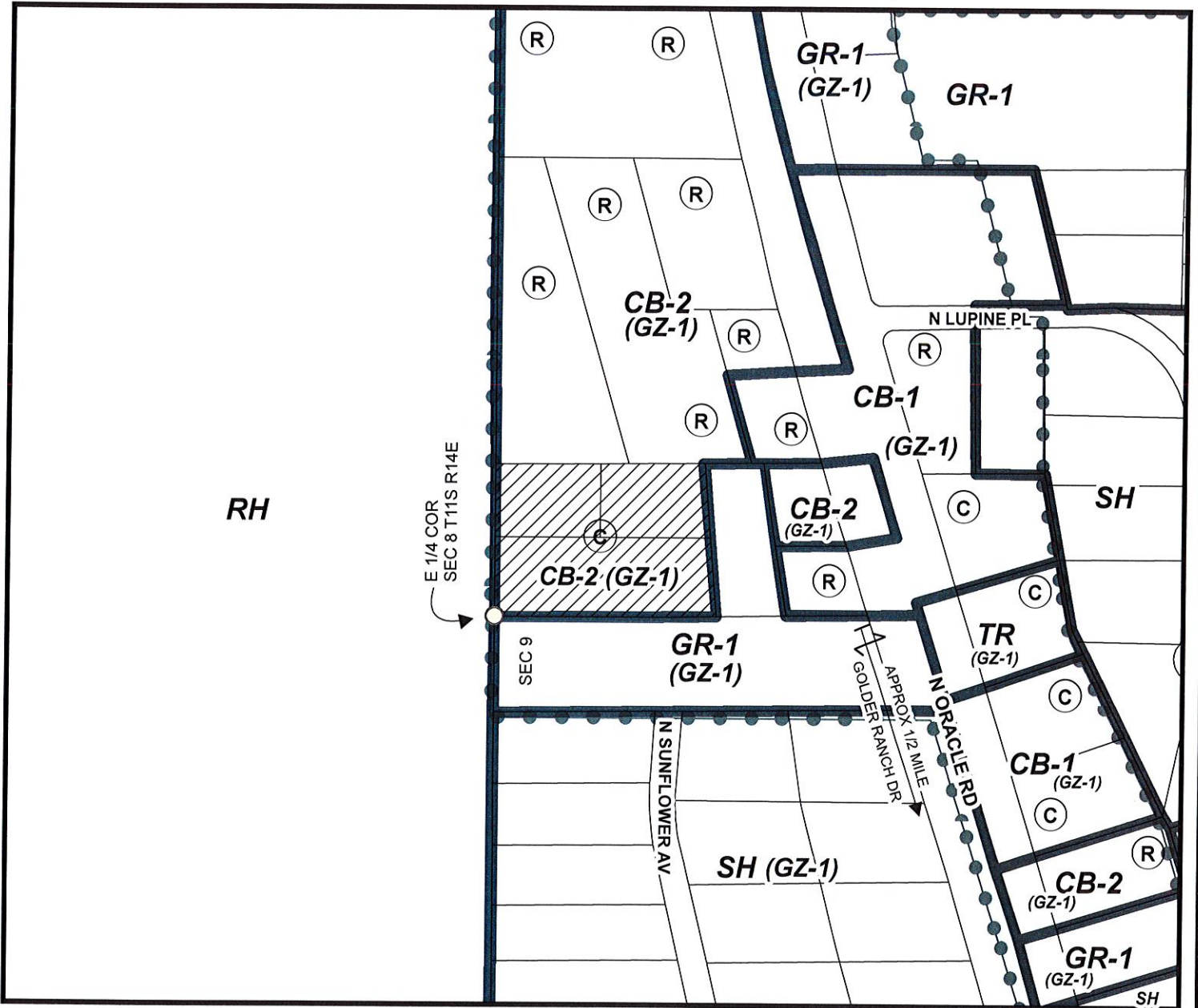
Executive Secretary
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
 TO PIMA COUNTY ZONING MAP NO. 432 TUCSON AZ.
 PARCELS 60, 61, AND 65 BEING A PART OF THE SW 1/4 OF THE NW 1/4
 OF SEC 9 T11S R14E.



ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
 FROM SH (GZ-1) 3.54 ac
 ds-January 10, 2017

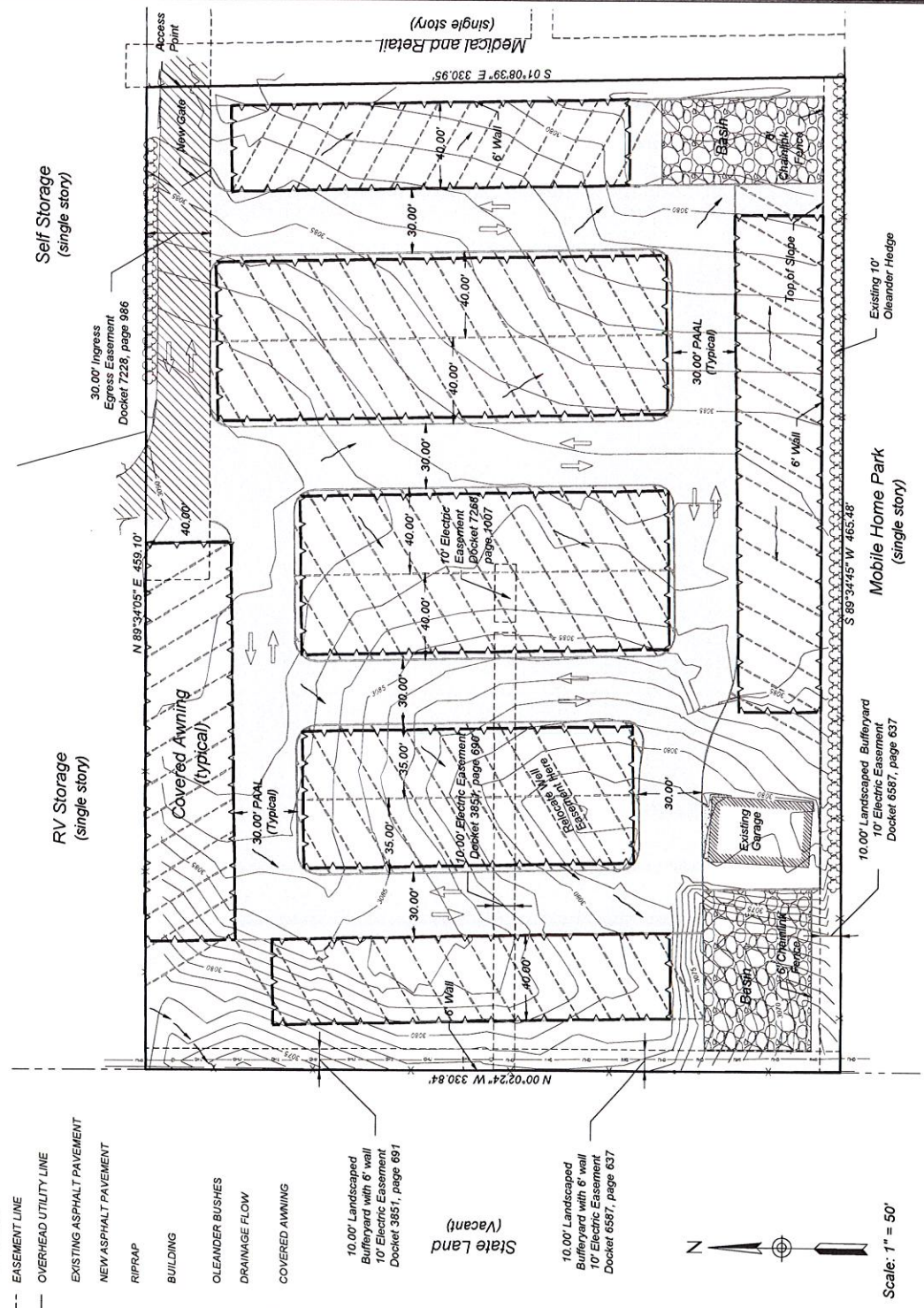
P16RZ00009
 Co7-13-10
 222-21-0600, 0610, 0650



LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- OVERHEAD UTILITY LINE
- EXISTING ASPHALT PAVEMENT
- NEW ASPHALT PAVEMENT
- RIPRAP
- BUILDING
- CLEANDER BUSHES
- DRAINAGE FLOW
- COVERED AWNING

**Preliminary Development Plan
Northwest Tucson Storage**



Support Data

a. There are no buildings in this project. A portion of the RV storage spaces will have covered parking (under roof) of 71,041 square feet.

b. The shade cover structures or awnings will have a maximum height of 15 feet.

c. There are no dwellings or units in this project.

d. As there are no dwellings or units on this project, there will be no residents.

e. Approximately 120 RV storage spaces and 9 passenger vehicle spaces will be provided.

f. New landscaping will include only drought tolerant, native plant materials. Existing oleander bushes along the south property will remain.

g. There will be no natural or functional open space or recreation areas as the use is a vehicle storage lot. Landscaped bufferyards will be provided along the south and west property lines.

h. The site will be screened and secured with a wall. The site is located adjacent to the adjacent retail center on Oracle Road at 15831 North Oracle Road.

No.	Revision/Issue	Date

Urban Engineering
877 S. Alvernon Way
Tucson, AZ 85711
520.318.3800

Preliminary Development Plan
Northwest Tucson Storage
15605 N. Oracle Road,
Catalina, Arizona

Exhibit B
Page 5 of 5