



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 10/20/2015

Title: Co9-02-06 1601 INA, LLC - INA ROAD #2 REZONING

Introduction/Background:

The applicant requests to waive rezoning condition #7 which limits the 2.76-acre CR-1 rezoning site to one residential lot with access through the parking area of the office complex to the north and allows two additional lots when physical and legal access can be provided other than through the office complex parking lot.

Discussion:

The applicant has not had success in obtaining an alternate access to the site other than through the office complex parking area and has resolved staff's original concerns pertaining to emergency access to the site by obtaining a Northwest Fire/Rescue District variance from fire code standards related to access. The variance allows access through the access lanes of the office complex parking lot with provision of signage related to the approved fire access lane which follows the path of an established access easement.

Conclusion:

The exclusive access through the office complex appears necessary to allow full use of the rezoning site's potential for three residential lots and will also facilitate avoidance of potential for access through a minor wash and associated Regulated Riparian Area at the southeast corner of the site.

Recommendation:

Staff recommends approval of a waiver of rezoning condition #7 and addition of new condition #12 pertaining to adherence to the revised rezoning sketch plan which shows singular access at the north boundary of the rezoning site for three residential lots.

Fiscal Impact:

0

Board of Supervisor District:

- 1 2 3 4 5 All

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

Department Director Signature/Date:

[Signature] 9/28/2015

Deputy County Administrator Signature/Date:

[Signature] 10/1/15

County Administrator Signature/Date:

[Signature] 10/1/15



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District # 1
FROM: Arlan M. Colton, Planning Director *AMC*
DATE: September 28, 2015
SUBJECT: Co9-02-06 1601 INA, LLC – INA ROAD #2 REZONING

The above referenced Modification of Rezoning Conditions within your district is scheduled for the Board of Supervisors **OCTOBER 20, 2015** hearing.

REQUEST: Request for a modification of rezoning conditions to waive condition #7 which states: "Development shall be limited to one residential lot which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot." The applicant proposes access to three proposed lots through the office complex parking area.

OWNER: Landmark Title TR 18333-T
8423 N. Gaetano Loop
Tucson, AZ 85742-8502

AGENT: Cotlow Company
Attn: Dean Cotlow, President
3499 N. Campbell Avenue, Suite 907
Tucson, AZ 85719

DISTRICT: 1

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of September 28, 2015, staff has received no comments from the public regarding this request.

STAFF RECOMMENDATION: **APPROVAL** of waiver of rezoning condition #7 and addition of rezoning condition #12.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The subject property is located outside of the Maeveen Marie Behan Conservation Lands System (MMBCLS).

AC/DP/ar
Attachments

BOARD OF SUPERVISORS MEMORANDUM

Subject: Co9-02-06

Page 1 of 4

FOR TUESDAY, OCTOBER 20, 2015 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: September 28, 2015

ADVERTISED ITEM FOR PUBLIC HEARING

MODIFICATION OF REZONING CONDITIONS

Co9-02-06 1601 INA, LLC – INA ROAD #2 REZONING

Request of **Landmark Title TR 18333-T**, represented by **Cotlow Company**, for a modification of rezoning conditions to waive condition #7 which states: "Development shall be limited to one residential lot which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot." The applicant proposes access to three proposed lots through the office complex parking area. The subject site is approximately 2.76 acres zoned CR-1 and is located approximately 430 feet south of Ina Road and approximately 1,200 feet west of La Canada Drive. Staff recommends **APPROVAL** of waiver of rezoning condition #7 and addition of rezoning condition #12 (District 1)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of waiver of rezoning condition #7 and addition of rezoning condition #12 as follows:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.

4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department of Transportation, Document Services.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
- ~~7. Transportation condition:
Development shall be limited to one residential lot which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot.~~
87. Wastewater Management condition:
The property owner shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
98. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
409. Utility services to individual residences shall be underground.
4410. Maximum building heights shall be limited to 18 feet and one story.
4211. Uses shall be limited to single-family residences and related accessory uses.
12. Adherence to the revised sketch plan as presented at the October 20, 2015 public hearing.

STAFF REPORT:

Staff supports the requested waiver of condition #7 because emergency service providers do not object to allowing residential access through the office complex to the north of the rezoning site. The applicant also indicates that residential lot owners within the subdivision to the south have refused access to the rezoning site through their properties via Pomona Road. Such refusal would likely also be the case for subdivision lot owners east of the site. (The applicant did not address whether the owner of the large residential parcel to the west of the site refused what would be circuitous access through that parcel to Ina Road.)

Access through the office complex, for which an easement for access and utilities has been recorded, would also avoid potential access through a minor wash and associated Pima County Regulated Riparian Habitat at the southeast corner of the site had access to nearby Pomona Road been granted by one or more adjacent lot owners. The original rezoning sketch plan depicts a proposed future access at this corner of the site. The revised sketch plan, recommended for adherence per new condition #12, no longer shows this option.

The original 2002 proposal for access to the rezoning site through the parking area and access lanes of the office complex was opposed by Transportation staff due to concerns with potential liability and emergency services access. Transportation staff had recommended various alternative access routes to public streets which would have required cooperation from adjacent lot owners. None of the alternatives was secured by the applicant after four continuances of the CR-1 rezoning by the Board of Supervisors. The Board's approval of the rezoning came with the current condition limiting the site to one residential lot pending an alternative access other than through the office complex.

As part of the current request to waive this condition, the Northwest Fire/Rescue District initially objected to the request. Staff advised the applicant to consult with the District to find an acceptable solution. The applicant did so and has obtained approval of a variance to the fire code to allow access through the office complex via a defined Fire Access Lane that will contain appropriate Fire Access Lane clearance warning signs.

The Sheriff's department has reviewed the request and reports no objection to the proposed access.

The Regional Flood Control District and the Regional Wastewater Reclamation Department also report no objections to the waiver request.

The 2.76-acre undeveloped CR-1 rezoning site is a remnant of the office complex site which had some development at the time of the CR-1 rezoning, but that was rezoned to TR as a "sister case" (Co9-02-05) to the CR-1 rezoning. The subsequent development plan for the office complex was approved prior to the parcel split of the subject CR-1 area from the TR area. The development plan depicts a 40-foot natural bufferyard within the CR-1 area that is required for the TR use. The proposed revised sketch plan for the CR-1 area depicts the 40-foot bufferyard. The applicants are advised that an agreement should be recorded for the required bufferyard for the TR use to be located within the northerly proposed CR-1 lot.

The CR-1 zoning conforms to the Low Intensity Urban 1.2 (LIU 1.2) comprehensive plan designation of the site and is consistent with predominant CR-1 zoning in the area.

TRANSPORTATION REPORT:

The Pima County Department of Transportation has no objection to the request to relocate the access for the rezoning to Ina Road via the adjacent office complex. This request does not reflect a change to traffic patterns, density, or cause any impact to the adjacent residents and property owners. As approved, the condition limited the development to one residential lot unless alternative access was obtained.

The initial concern with the concept of access through the office complex was safety and emergency vehicle access. The applicant obtained a variance from the fire department, and the Sherriff's department has also stated no objection to this request. Since this issue has been resolved, access through the neighborhood is no longer a concern, and no additional access points are being proposed, the Department of Transportation has no objection.

PUBLIC COMMENTS

As of the writing of this report, no written public comments have been received.

AC/DP/ar
Attachments

c: Landmark Title TR 18333-T, 8423 N. Gaetano Loop, Tucson, AZ 85742-8502
Cotlow Company, Attn: Dean Cotlow, President, 3499 N. Campbell Avenue, Suite 907
Tucson, AZ 85719
Chris Poirier, Assistant Planning Director
Co9-02-06 File

INA ROAD

W INA RD

POMONA RD

SUBJECT
PROPERTY

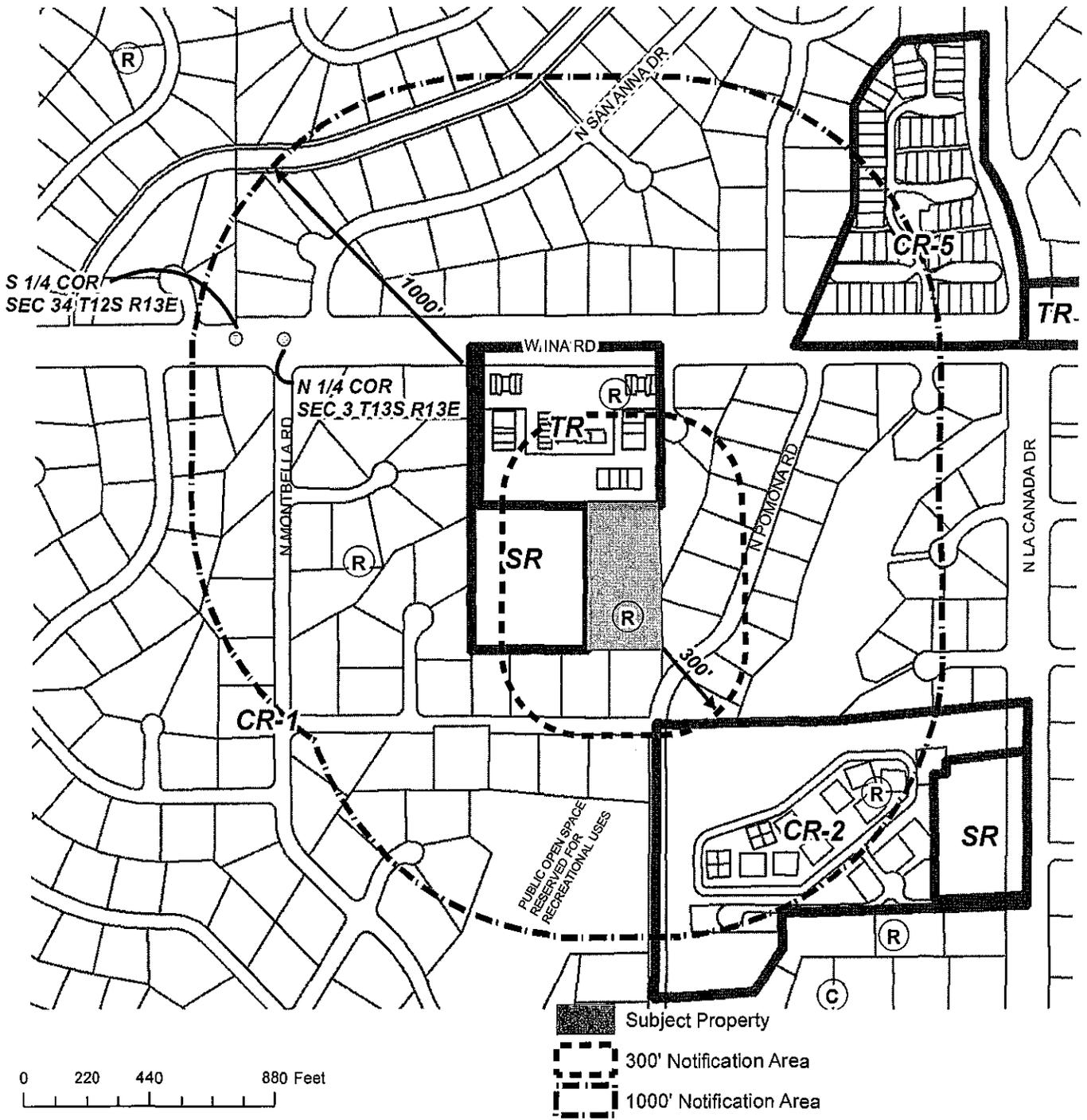


2014



Case #: CO9-02-006 1601 INA LLC - INA ROAD REZONING #2

Tax Code(s): 102-10-002W



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: **MODIFICATION OF REZONING CONDITIONS**

Board of Supervisors Hearing: 8/11/15

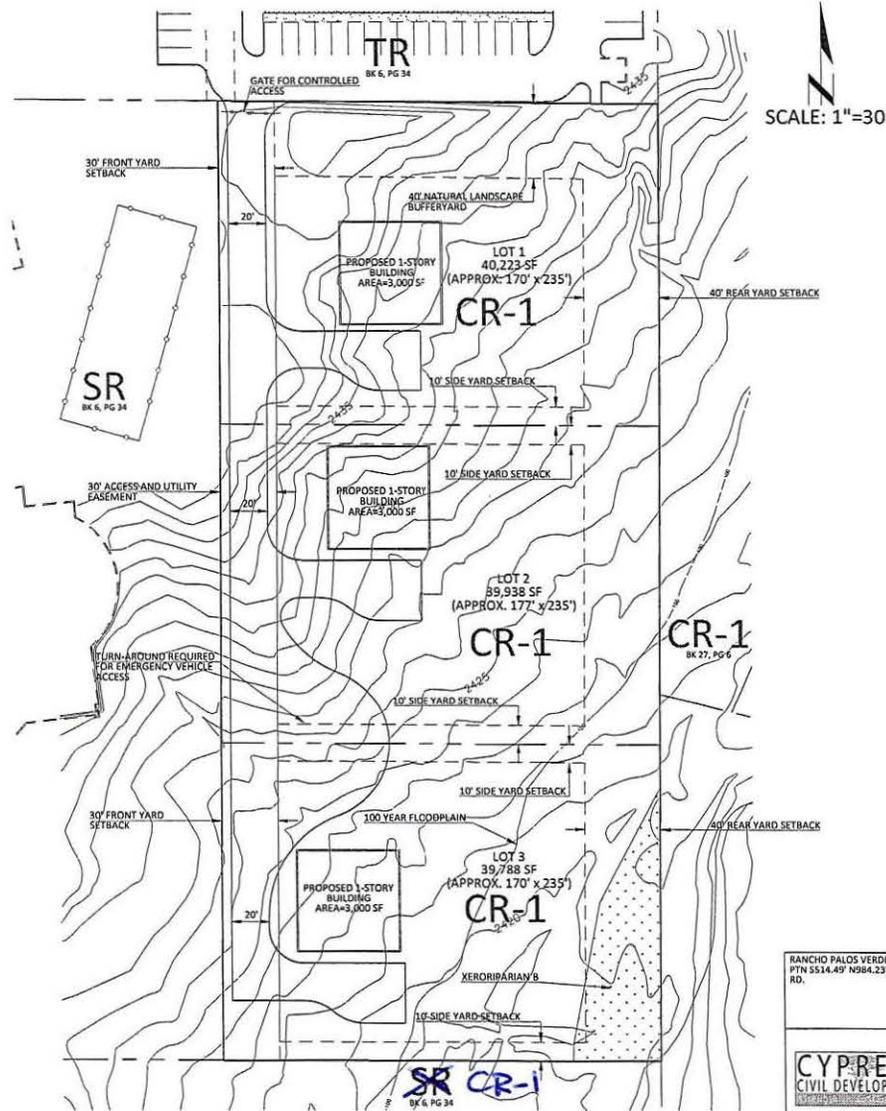
Base Map(s): 76

Map Scale: 1:6,000

Map Date: 08/15/2015



CONCEPTUAL SITE LAYOUT FOR INA MEDICAL RESIDENTIAL PARCEL 102-10-002W



SCALE: 1"=30'

GENERAL NOTES

- CR-2 ZONING REQUIREMENTS FOR RESIDENTIAL USE:
- MINIMUM LOT AREA = 36,000 SF
- MINIMUM AREA/DWELLING = 36,000 SF
- MINIMUM LOT WIDTH = 100 FEET
- BUILDING PERIMETER YARDS:
- FRONT = 30'
- REAR = 40'
- SIDE = 10'
- MAXIMUM BUILDING HEIGHT IS 34'
- MAXIMUM STORIES = 2

SITE ADDRESS NO ASSIGNED ADDRESS A.P.N. 102-10-002W	OWNER/DEVELOPER LANDMARK TITLE TRUST #18333-T 8423 NORTH GAETANO LOOP TUCSON, ARIZONA 85742
--	---

RANCHO PALOS VERDES EXTENSION
PTN 5514.49' N984.23' E234.17' LOT 2 PTN ABAND.
RD.

CONCEPTUAL SITE LAYOUT FOR INA MEDICAL RESIDENTIAL PARCEL 102-10-002W

CYPRESS PROJECT NO: 15-021



2202 north country club road
suite #9
tucson, arizona 85716
p: 520-991-5213
e: kmholl@cypresscivil.com



NO.	DATE	REVISION	BY
1			
2			
3			

1-800-782-5348

Co9-02-06 Revised Sketch Plan (2015)



It's simple. We get it done.

June 1, 2015

Ms. Janet Emel
Senior Planner
Pima County Development Services
201 North Stone Avenue 2nd Floor
Tucson, Arizona 85701

Re: Co9-02-06
Request to Substantial Modification

Dear Janet:

On behalf of the Owners, Landmark Title Assurance of Arizona, LLC as Trustee under Trust No. 18333-T, C/O Mike Kelly (mekelley2@gmail.com) and Mike Evans (evans3440@msn.com) at 10970 East Soapstone Place Tucson, Arizona 85748 with copy to me at the address below.

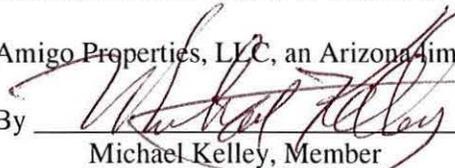
The site parcel is 102-10-002W (no assigned address).

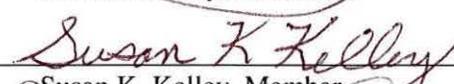
Explanation: Condition 7 of the rezoning conditions Transportation Condition states that the development is restricted to one residential lot, which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot.

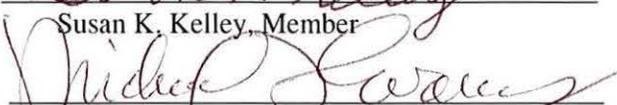
Our request is to drop this requirement do to the fact all the land south is privately held and single family residences. All access and utilities will come from the office building development site, which easements are in place.

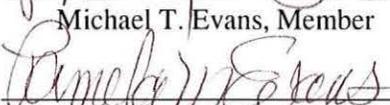
Authorization and Disclosure of Ownership. The following is a list of the beneficiaries under Landmark Title Assurance Trust of Arizona, LLC as Trustee under trust #18333-T and not otherwise. The following hereby authorize Dean P. Cotlow of Cotlow Company to request this modification:

Amigo Properties, LLC, an Arizona limited liability company

By 
Michael Kelley, Member

By 
Susan K. Kelley, Member

By 
Michael T. Evans, Member

By 
Pamela M. Evans, Member

RECEIVED
JUN 04 2015

BR 

3499 North Campbell Avenue Suite #907 Tucson, Arizona 85719 (US)
(520) 881-8180 (Direct) (800) 831-4090 (Toll Free) (520) 241-0180 (Mobile)
Licensed in the State of Arizona (BR011464000)
www.cotlow.com (Web Site) cotlow@cotlow.com (Email Address)

Fiercely independent, so there is never any agenda but yours.



It's simple. We get it done.

Approved: Landmark Title Assurance of Arizona, LLC as Trustee under trust 18333-T and not otherwise.

By  _____
Trust Officer

Enclose is a check payable to Pima County in the amount of \$1,933.00 for this Modification Request.

Thank you.

Sincerely,



Dean P. Cotlow
President/Designated Broker

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RECEIVED
JUN 09 2015

BY:

June 5, 2015

Mr. David Peterson
Pima County Development Services
201 North Stone Avenue 2nd floor
Tucson, Arizona 85701

Re: Co-9-02-06
Request to Substantial Modification

Dear David:

You asked why the owners could not get access to the residential street to the south. There are a couple of reasons with the primary one being the neighbors to the south stated after many attempts they would never give the owner access through their properties. The second reason and not as primary as the first one is the fact if the owner could get access the southeast portion is a Xeroriparian Class "B" Habitat area and access south onto this area would not be allowed.

I have enclosed a copy of the November, 2014 ALTA Survey and copy of the approved Development Plan dated September 2007 for reference.

Thank you.

Sincerely,

Dean P. Cotlow
President/Designated Broker

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EXHIBIT "A"
LEGAL DESCRIPTION OF
INA MEDICAL AND DENTAL

SOUTH PARCEL

That portion of land being a re-subdivision of a portion of Lot 2 of Ranchos Palos Verdes Extension, recorded in Book 6 of Maps and Plats, Page 34 and lying within the Northeast Quarter (NE 1/4) of Section 3, Township 13 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

The basis of Bearing for this legal is the North line of the Northeast Quarter (NE 1/4) of said Section 3, recorded in Book 27 Maps and Plats, Page 6, said bearing is S 89°28'08" E,

COMMENCING at the Northwest corner of said Northeast Quarter (NE 1/4) of Section 3;

THENCE S 89°28'08" E, along the North line of said Northeast Quarter (NE 1/4) a distance of 1,317.29 feet;

THENCE S 00°31'52" W, 75.00 feet to a point on the South right-of-way line of Ina Road;

THENCE S 00°17'32" W, along the West line of Oracle Heights Estates recorded in Book 27 Maps and Plats, Page 6, a distance of 469.74 feet to the **POINT OF BEGINNING**;

THENCE continue S 00°17'32" W, along said line a distance of 512.66 feet;

THENCE N 89°52'41" W, 232.95 feet;

THENCE N 00°09'26" E, 514.49 feet;

THENCE S 89°25'50" E, 234.17 feet to the **POINT OF BEGINNING**.

CONTAINING 2.75 acres of land, more or less.

Prepared by:
THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB: mo



N 1/4 COR.

INA ROAD

P.O.B
NORTH PARCEL

S 89°28'08"E 1,317.29'

75'

NORTH
PARCEL

102-10-002T

PRIVATE INGRESS/
EGRESS, PUBLIC
UTILITY & PRIVATE
WATER EASEMENT

P.O.B
EASEMENT

P.O.B
SOUTH PARCEL

SOUTH
PARCEL

ORACLE HEIGHTS ESTATES
BOOK 27, M&P, PAGE 6

EXHIBIT "D"

**EXHIBIT TO ACCOMPANY DESCRIPTION OF
NORTH & SOUTH PARCELS,
INGRESS/EGRESS, PUBLIC UTILITY,
AND PRIVATE WATER EASEMENT**

WITHIN

**INA MEDICAL & DENTAL CENTER
SECTION 3, T. 13 S., R. 13 E., G.S.R.M.,
PIMA COUNTY, ARIZONA**

1"=150'



WLB# project No. 103056A001-1003
12-12-07 N:\103056\EXH SOUTH PARCEL.DWG

12-12-07 09:34:12



EXHIBIT "C"
LEGAL DESCRIPTION OF
INA MEDICAL AND DENTAL
INGRESS-EGRESS, PUBLIC UTILITY, AND PRIVATE WATER EASEMENT
TO BENEFIT (SOUTH PARCEL)

That portion of land being a re-subdivision of a portion of Lot 2 of Ranchos Palos Verdes Extension, recorded in Book 6 of Maps and Plats, Page 34 and lying within the Northeast Quarter (NE 1/4) of Section 3, Township 13 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

The basis of Bearing for this legal is the North line of the Northeast Quarter (NE 1/4) of said Section 3, recorded in Book 27 Maps and Plats, Page 6, said bearing is S 89°28'08" E,

COMMENCING at the Northwest corner of said Northeast Quarter (NE 1/4) of Section 3;

THENCE S 89°28'08" E, along the North line of said Northeast Quarter (NE 1/4) a distance of 1,317.29 feet;

THENCE S 00°31'52" W, 75.00 feet to a point on the South right-of-way line of Ina Road;

THENCE S 00°17'32" W, along the West line of Oracle Heights Estates recorded in Book 27 Maps and Plats, Page 6, a distance of 469.74 feet;

THENCE N 89°25'50" W, 199.96 feet to the **POINT OF BEGINNING**;

THENCE continue N 89°25'50" W, 40.00 feet;

THENCE N 00°04'05" E, 19.05 feet;

THENCE N 44°55'55" W, 7.11 feet;

THENCE N 00°04'05" E, 133.56 feet to a point of curvature of a tangent curve concave to the Southeast;

THENCE Northeasterly along the arc of said tangent curve to the right, having a radius of 20.00 feet, a central angle of 90°06'08", for an arc distance of 31.45 feet to a point of tangency;

THENCE S 89°49'47" E, 51.77 feet to a point of curvature of a tangent curve concave to the Northwest;

THENCE Northeasterly along the arc of said tangent curve to the left, having a radius of 3.00 feet, a central angle of 89°59'02", for an arc distance of 4.71 feet to a point of tangency;

100000 000010



THENCE N 00°11'10" E, 127.59 feet;

THENCE S 89°58'55" W, 11.44 feet;

THENCE N 00°06'01" W, 10.69 feet;

THENCE N 89°56'37" W, 112.11 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Northwestery along the arc of said tangent curve to the right, having a radius of 20.00 feet, a central angle of 90°28'29", for an arc distance of 31.58 feet to a point of tangency;

THENCE N 00°31'52" E, 131.24 feet to a point on the South right-of-way line of Ina Road;

THENCE S 89°28'08" E, along said right-of-way line a distance of 62.00 feet;

THENCE S 00°31'52" W, 122.86 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said tangent curve to the left, having a radius of 4.00 feet, a central angle of 90°28'29", for an arc distance of 6.32 feet to a point of tangency;

THENCE S 89°56'37" E, 81.54 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Southeasterly along the arc of said tangent curve to the right, having a radius of 20.00 feet, a central angle of 90°07'47", for an arc distance of 31.46 feet to a point of tangency;

THENCE S 00°11'10" W, 164.27 feet to a point of curvature of a tangent curve concave to the Northwest;

THENCE Southwesterly along the arc of said tangent curve to the right, having a radius of 20.00 feet, a central angle of 89°59'02", for an arc distance of 31.41 feet to a point of tangency;

THENCE N 89°49'47" W, 44.72 feet to a point of curvature of a tangent curve concave to the Southeast;



THENCE Southwesterly along the arc of said tangent curve to the left, having a radius of 10.00 feet, a central angle of 90°06'08", for an arc distance of 15.73 feet to a point of tangency;

THENCE S 00°04'05" W, 92.30 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said tangent curve to the left, having a radius of 12.00 feet, a central angle of 48°07'30", for an arc distance of 10.08 feet to a point of tangency;

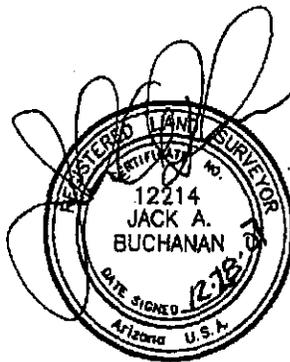
THENCE S 48°03'25" E, 13.96 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Southeasterly along the arc of said tangent curve to the right, having a radius of 20.00 feet, a central angle of 48°17'46", for an arc distance of 16.86 feet to a point of tangency;

THENCE S 00°14'21" W, 3.45 feet to the **POINT OF BEGINNING**.

Prepared by:
THE WLB GROUP, INC.

Jack A. Buchanan, RLS
JAB: mo



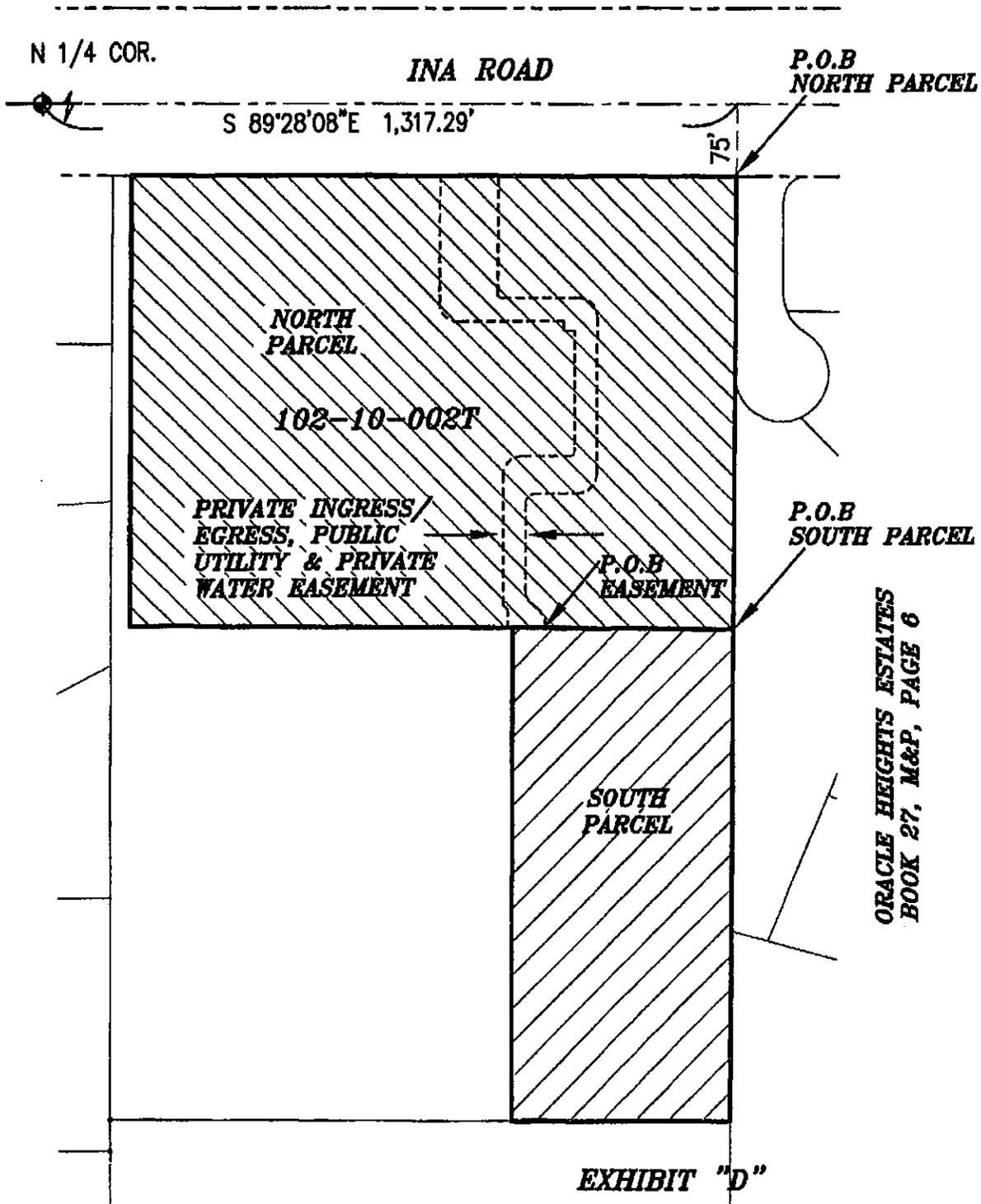


EXHIBIT "D"
EXHIBIT TO ACCOMPANY DESCRIPTION OF
NORTH & SOUTH PARCELS,
INGRESS/EGRESS, PUBLIC UTILITY,
AND PRIVATE WATER EASEMENT
WITHIN
INA MEDICAL & DENTAL CENTER
SECTION 3, T. 13 S., R. 13 E., G.S.R.M.,
PIMA COUNTY, ARIZONA



WLB# project No. 103056A001-1003
 12-12-07 N:\103056\EXH SOUTH PARCEL.DWG

103056A001-1003



Northwest Fire District

5225 W. Massingale Rd.
Tucson, AZ 85743
(520) 887-1010

**VARIANCE REQUEST
TO THE FIRE CODE OFFICIAL**

All conditions MUST be detailed on this form. Supporting data may be attached and submitted if desired but all entries and statements on this form must be completed.

Date 8/12/15
Prevention Staff Familiar with Project
Jim Pratt / Ian Robinson

Business/Project <u>AMIGO PROPERTIES, LLC</u>	Business Address <u>5445 N. CALLE LACIMA</u>	City <u>TUCSON</u>	State <u>AZ</u>	Zip Code <u>85718</u>	Permit No.
Owner's Name <u>MICHAEL EVANS</u>	Owner's Address <u>SAME</u>	City	State	Zip Code	Phone <u>907-2048</u>
Tenant's Name (if other than owner) <u>N/A</u>	Tenant's Address	City	State	Zip Code	Phone
Requestor's Name <u>KEVIN HALL, PE</u>	Requestor's Address <u>2102 N. COUNTRY CLUB #9</u>	City <u>TUCSON</u>	State <u>AZ</u>	Zip Code <u>85716</u>	Phone <u>991-5213</u>

Requestor's Relationship to Project
PROTECT CIVIL ENGINEER

A Request is hereby made for a variance to the Fire Marshal or authorized representative related to Section(s) 503.1.1 THRU 503.1.3 of the International Fire Code which requires that: (use attachment if necessary).
FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED FOR EVERY FACILITY, BUILDING OR PORTION OF A BUILDING HEREAFTER CONSTRUCTED OR MOVED INTO OR WITHIN THE JURISDICTION. THE FIRE APPARATUS ACCESS ROAD SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION AND SHALL EXTEND TO WITHIN 150 FEET OF ALL PORTIONS OF THE FACILITY AND ALL PORTIONS OF THE EXTERIOR WALLS OF THE FIRST STORY OF THE BUILDING AS MEASURED BY AN APPROVED

Explanation of why you are unable to comply with the above requirement or reason for variance (use attachment if necessary)
THE SUBJECT PARCEL, APN #102-10-002W, IN PIMA COUNTY IS "LAND-LOCKED" IN THAT IT DOES NOT HAVE ANY PHYSICAL ACCESS TO A PUBLIC STREET, AND DOES NOT ABUT ANY PUBLIC RIGHT-OF-WAY. ACCESS HAS BEEN PROVIDED TO THE PARCEL THROUGH THE ADJACENT IAVA ROAD MEDICAL DEVELOPMENT IMMEDIATELY NORTH. (EMERGENCY INGRESS / EGRESS TO THE PARCEL THRU THE PROPERTY TO THE NORTH WAS GRANTED BY DECRET 13260, PAR 3210 (SEE ATTACHED BASSEMENT AND SITE EXHIBIT)).

State in detail what is proposed in lieu of literal compliance with the Fire Code (use attachment if necessary).
IT IS REQUESTED THAT THIS RECORDED ACCESS BE ACCEPTED AS THE APPROVED FIRE APPARATUS ACCESS ROAD FOR ACCESS TO PARCEL #102-10-002W. PLEASE NOTE THAT THE ATTACHED SITE EXHIBIT INDICATES LOCATIONS FOR PROPOSED "KEEP-CLEAR-FIRE ACCESS LANE" SIGNS.

[Signature]
OWNER'S SIGNATURE IF APPLICANT IS OTHER THAN OWNER

[Signature]
APPLICANT

KEVIN M. HALL
PRINCIPAL, CYPRESS CIVIL DEVELOPMENT
TITLE

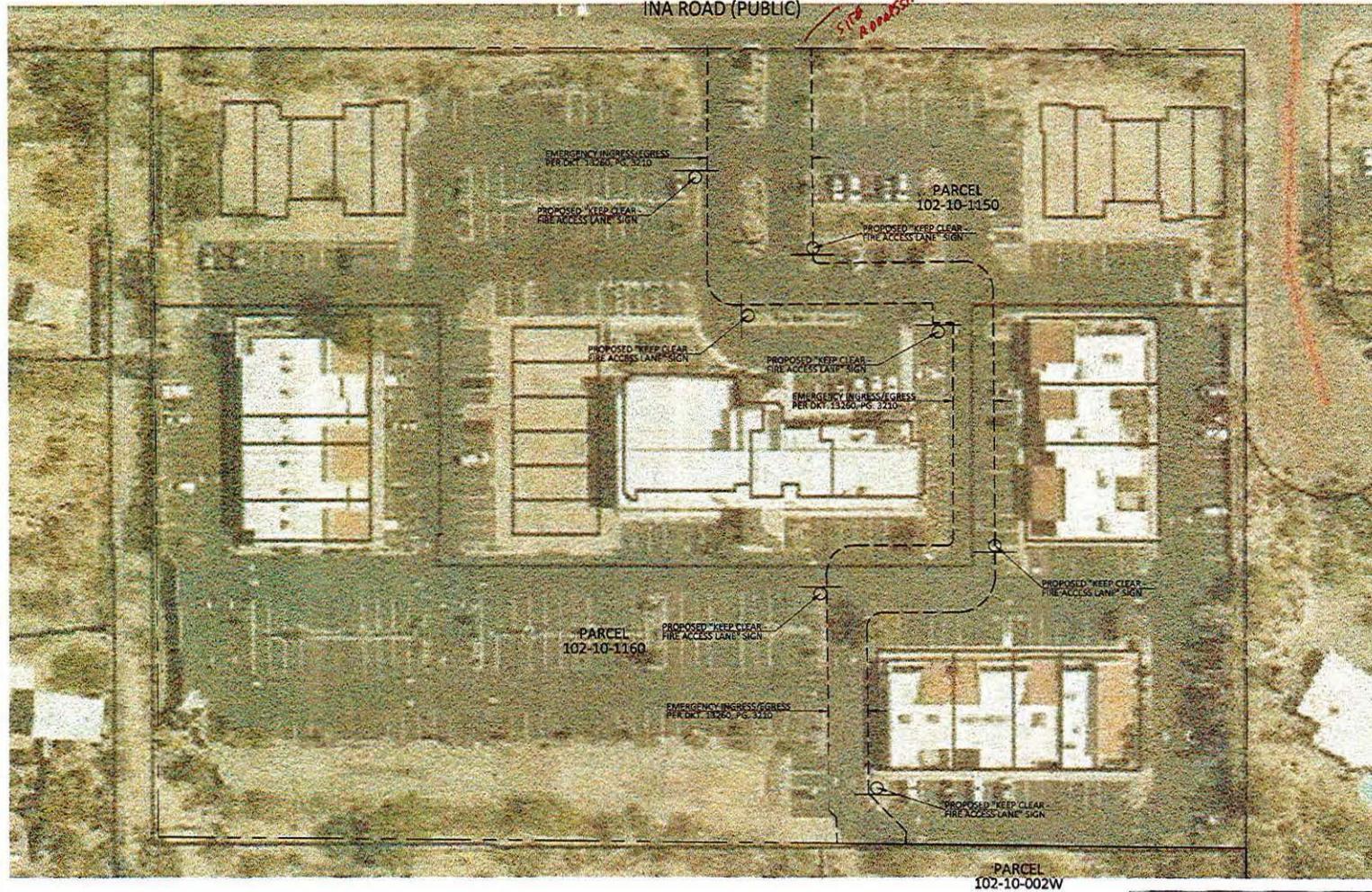
For Prevention and Safety Use Only

Variance No. APPROVED APPROVED WITH STIPULATIONS DENIED
STIPULATIONS:

DATE 20 Aug 15 FIRE CODE OFFICIAL [Signature]

[Large Signature]

EMERGENCY ACCESS TO PARCEL 102-10-002W



SCALE: 1"=30'

Not to be used for Fire Department and Safety Division
 "KEEP CLEAR" SIGN COMPLIANCE
James Pratt, City Ord
 DATE
 JAMES PRATT, CITY ORD
 SITE ADDRESS REQUIRED BY
 TITLE OF CONTRACT

SITE ADDRESS NO ASSIGNED ADDRESS A.P.N. 102-10-002W	OWNER/DEVELOPER LANDMARK TITLE TRUST #18833-7 8425 NORTH GRIETANG LOOP TUCSON, ARIZONA 85742
--	--

RANCHO PALOS VERDES EXTENSION
 PTN 5514.49' N984.23' E234.17' LOT 2 PTN ARAND,
 RD.
 CYPRESS PROJECT NO. 19-031

EMERGENCY ACCESS FOR PARCEL 102-10-002W

1-800-782-5348

CYPRESS CIVIL DEVELOPMENT
 2102 north country club road
 suite #0
 tucson, arizona 85716
 p: 520.991.3213
 e: kmhall@cypresscivil.com



NO.	DATE	REVISION	BY
1			
OR			
1			

Sheriff's Department Comments

David Petersen

From: Gilbert R. Dominguez <Gilbert.Dominguez@sheriff.pima.gov>
Sent: Friday, June 26, 2015 2:48 PM
To: David Petersen
Subject: FW: Co9-02-06 Modification of Rezoning Conditions Request
Attachments: conceptual site plan - ina medical residential - 06-12-15.pdf; Transmittal Information Co9-02-06.pdf; Proposed Sketch Plan 2015.pdf; Aerial Photo 2014.jpg

Sir,

I apologize for the 11th hour response. I had this email trail in my inbox and lost sight of it for a bit after our phone call.

Per our phone conversation. The Sheriff's Department does not expect to encounter any problems involving the addressing and access to the property/properties in question. We would adjust accordingly by adding info to address databases (directions, access points, notes, etc). I imagine this would be a bigger deal to Northwest Fire due to the size of fire trucks and ambulances. No issue with police cars.

Please contact me if you require further.

Regards,

Lieutenant Gilbert R. Dominguez
Foothills Patrol District Commander
Pima County Sheriff's Department
(520)351-4305
Gilbert.Dominguez@sheriff.pima.gov
www.pimasheriff.org

From: Gilbert R. Dominguez
Sent: Wednesday, June 17, 2015 2:46 PM
To: Gilbert R. Dominguez
Subject: FW: Co9-02-06 Modification of Rezoning Conditions Request

From: Nicole L. Feldt
Sent: Friday, June 12, 2015 1:56 PM
To: Gilbert R. Dominguez
Subject: FW: Co9-02-06 Modification of Rezoning Conditions Request

For you
Lt. Nicole Feldt

From: David Petersen [<mailto:David.Petersen@pima.gov>]
Sent: Friday, June 12, 2015 1:55 PM
To: Jeanette DeRenne; Mirela Hromatka; Greg Saxe; Stephanie Mancine; Xavier Armendariz; Pratt, James

**Pima County Comprehensive Plan
Catalina Foothills Plan Area
Plan Designation: Low Intensity Urban 1.2 (LIU 1.2)**

LIU 1.2

N
↑

MHC

RP-104

LIU 1.2

RP-12

LIU-12

W INA RD

W INA RD

Site

LIU 1.2

N LA CANADA DR

AC

REAC

Low Intensity Urban (LIU)

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.

a. 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.

Low Intensity Urban 1.2 (LIU-1.2)

a) Residential Gross Density:

i) Minimum – none

ii) Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following options:

a) Gross density of 2.5 RAC with 45 percent open space; or

b) Gross density of 4 RAC with 60 percent open space.

b) Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs). Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:

i) Minimum density – none

ii) Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following option:

a) Gross density of 2 RAC with 50 percent open space.

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: D
DEPUTY RECORDER
7864 PE1



DOCKET: 12362
PAGE: 3299
NO. OF PAGES: 4
SEQUENCE: 20041540823
08/10/2004
ORDIN 17:04
PICKUP
AMOUNT PAID \$ 0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

ORDINANCE 2004- 61

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (TAX CODE 102-10-002T SOUTH PORTION) IN CASE Co9-02-06 1601 INA LLC - INA ROAD REZONING #2; LOCATED ON THE SOUTH SIDE OF INA ROAD, APPROXIMATELY 1,200 FEET WEST OF LA CANADA DRIVE; AMENDING PIMA COUNTY ZONING MAP NO. 76.

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

Section 1. The 2.76 acres located on the south side of Ina Road, approximately 1,200 feet west of La Canada Drive, illustrated by the shaded area on the attached rezoning ordinance map, which amends Pima County Zoning Map No. 76, are hereby rezoned from SR to CR-1.

Section 2. Rezoning Conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department of Transportation, Document Services.

4

6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation condition:
Development shall be limited to one residential lot which may be accessed through the parking area of the office complex to the north. Two additional residential lots may be created and developed when physical and legal access can be provided other than through the office complex parking lot.
8. Wastewater Management condition:
The property owner shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
9. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
10. Utility services to individual residences shall be underground.
11. Maximum building heights shall be limited to 18 feet and one story.
12. Uses shall be limited to single-family residences and related accessory uses.

Section 3. Time limits, extensions and amendments of conditions.

1. Conditions 1 through 12 shall be completed by June 17, 2008.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.

3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 13 are satisfied and the Planning Official issues a Certificate of Compliance.
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 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chair of the Board of Supervisors.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, this 3rd day of August, 2004.

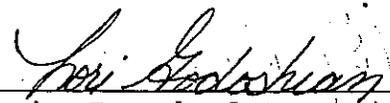


Chair, Board of Supervisors

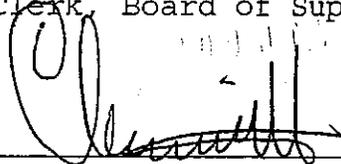
AUG 3 - 2004

Date

ATTEST:



Clerk, Board of Supervisors



Deputy County Attorney

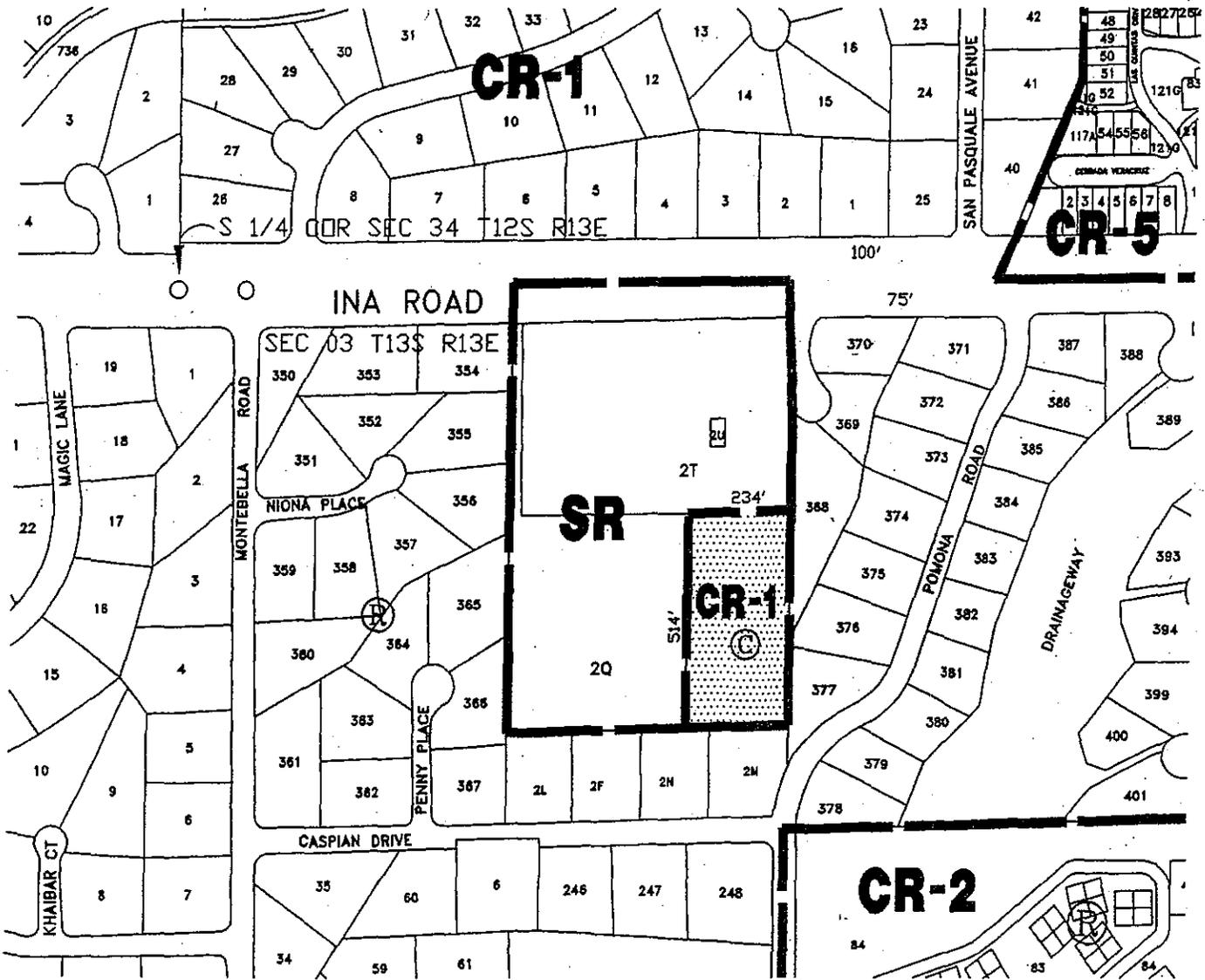
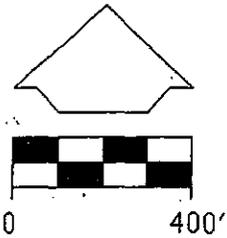


Executive Secretary,
Planning and Zoning Commission

PHOTOCOPIED

AMENDMENT NO. **87** BY ORDINANCE NO. **2004-1**
 TO PIMA COUNTY ZONING MAP NO. **76** TUCSON, AZ.
 PORTION OF LOT 2 & ABAND ROAD OF RANCHO PALOS VERDES
 EXTENSION BEING A PART OF THE NW 1/4 OF SEC 3, T13S R13E.

ADOPTED **8-3-04** EFFECTIVE **8-3-04**



[Handwritten Signature]
 EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

CO9-02-06 Original Rezoning Approval BOS Minutes 6-17-03

12. Building heights are restricted to one story and a maximum of 20 feet to the parapet, except that buildings A and F as labeled on the preliminary development plan are restricted to one story and a maximum of 24 feet to the parapet.

CC&R's

1. The Property and Project shall be utilized only for professional offices semi-professional offices, medical dental, clinics, and surgery centers, and all uses incidental to the foregoing; and veterinary offices without boarding, kenneling or outdoor facilities.
2. Public ingress and egress to the Project shall be from Ina Road only with not more than two points of access on Ina Road.
3. Building will not exceed one story in height. Any newly constructed building which are adjacent to the perimeter of the Property (as opposed to being developed within internal portions of the project or otherwise described in this paragraph) shall not exceed 20' in height including any parapet. Additions made to the existing building within the Project designated 1601 Ina Road and any new building directly west of the 1601 Ina building may not exceed 24' including any parapet.
4. Bufferyards will meet or exceed the Pima County requirements. The existing variance, (Pima County Case #Co10-01-01), reducing the bufferyards for portions of the property, will apply along the east property line. However, on the west Property line, said variance shall be applicable as to the depth of any required bufferyard, but additional density of trees and other vegetation shall be required as agreed to between Neighbors and 1601 Ina. L.L.C.
5. All lighting on the Property shall conform to the more stringent of the Pima Outdoor Lighting Code as amended August 2001 and such code as in effect at the time the buildout of the Project is undertaken.
6. All sign dimensions and restrictions will follow the Pima County Zoning title 18, section 18.79 (signs) as in effect at the time the buildout of the Project is undertaken.
7. All retention basins will conform to all Pima County Requirements, including safety precautions to reduce hazards for pedestrians and vehicles around the detention basins. Off-site discharge of storm water shall meet all Pima County standards. Retention/detention basins and a complete hydrology analysis will assure that runoff amounts off-site will remain at or below existing, pre-construction conditions as of the Effective Date stated at the beginning of this Declaration."

- B. Co9-02-06, 1601 INA L.L.C. - INA ROAD NO. 2 REZONING Request of 1601 Ina L.L.C., represented by AMEC Infrastructure, for a rezoning of 2.76 acres from SR (Suburban Ranch) to CR-1 (Single Residence), located on the south side of Ina Road approximately 1,100 feet west of La Canada Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-00-20. On motion, the Planning and Zoning Commission voted 6-0 (Commissioners Membrila, Poulos and Williams were absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and standard and special requirements. (District 1)

"IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL REQUIREMENTS SHOULD BE CONSIDERED: Completion of the following requirements within five years from the date of rezoning approval by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department of Transportation, Real Property Division.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation condition:
Access is limited to Pomona Road, Caspian Drive or the Ina Road cul-de-sac. ~~No access will be allowed to Ina Road through the medical office development to the north to Ina Road.~~ Access through the property to the north shall be separate from the existing and proposed development parking area and access lanes.
8. Wastewater Management condition:
The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
9. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
10. Utility services to individual residences shall be underground.
11. Maximum building heights shall be limited to 18 feet and one story.
12. Uses are limited to single-family residences and related accessory uses.
13. The subject 2.76 acres shall not be split from the original parcel until legal and physical access is obtained."

Jim Mazzocco, Planning Official, stated this request is for an office complex, and the Planning and Zoning Commission and staff recommended approval with conditions. The Board of Adjustment made an interpretation stating that a veterinary clinic is permissible within a medical clinic. Mr. Mazzocco stated the applicant requested three lots on the parcel for Co9-02-06, however, staff recommended only one lot on the parcel.

Mark Schnaffer, representing the applicant, stated currently there are existing tenants on the property and all issues regarding the tenants and neighbors were resolved. Mr. Schnaffer stated one issue the neighbors had with this rezoning was the issue of homes being single story.

Rita Hall, representing area residents, stated the neighbors support this rezoning for Co9-02-05. Conditions 1 - 7 in the agreement between the area neighbors should be adopted as part of the rezoning conditions. Ms. Hall stated the majority of residents are opposed to the rezoning for Co9-02-06 and would prefer to have this parcel remain a parx course and never developed. No one spoke to area residents as to what type of development was proposed for the property. Ms. Hall asked that the new homes be compatible to the existing homes and that development not take place until access is gained from Pomona Road or Caspian Drive to the parcel. The residents would support the rezoning if the parcel were to remain as one lot and not subdivided.

Mr. Schnaffer stated Condition No. 3 was worked out with the Planning and Zoning Commission. He said the existing sign was grandfathered, and his client would not be willing to accept Condition No. 6, regarding removal of the signage.

Mr. Mazzocco stated should the rezoning be approved the sign would have to meet the current sign code.

Co9-02-05 Motion

On consideration, it was moved by Supervisor Day, seconded by Chair Bronson, and unanimously carried by a five to zero vote, to close the public hearing and approve Co9-02-05 subject to conditions and standard and special requirements to include the recording of the neighborhood agreement and that the CC&R's be enforced by the Homeowners Association.



Co9-02-06 Motion

On consideration, it was moved by Supervisor Day, seconded by Chair Bronson, and unanimously carried by a five to zero vote, to close the public hearing and approve the rezoning subject to standard and special conditions for one residential lot with the provision of two additional lots when access can be provided other than through the office parking lot.