



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: July 3, 2018

**Title:** P17RZ00011 Tucson Mountain Ranch LLC - W. Valencia Road #2 Rezoning

**Introduction/Background:**

The applicant requests a 15.3-acre rezoning from the CMH-1 (County Manufactured and Mobile Home-1) to the CB-1 (Local Business) zone for a commercial center for grocery, strip retail, restaurant, and services.

**Discussion:**

Current CMH-1 zoning allows for 83 single-family residential units to be developed. The comprehensive plan designation of Neighborhood Activity Center (NAC) plans for areas designed to provide goods and services within/near residential neighborhoods for day-to-day and weekly living needs.

**Conclusion:**

The requested rezoning conforms to the NAC comprehensive plan designation and Special Area Policies S-29, S-35, and Rezoning Policy 119. The site is located outside the Maeveen Marie Behan Conservation Lands System.

**Recommendation:**

Staff recommends approval of the rezoning subject to standard and special conditions. The Planning and Zoning Commission also recommends approval subject to special and standard conditions with one notable exception- to strike rezoning condition #10 and not apply the Retail Enhancement Contribution special area policy S-35.

**Fiscal Impact:**

0

**Board of Supervisor District:**

1       2       3       4       5       All

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

Contact: Terrill L. Tillman - Principal Planner Telephone: 520-724-6921

Department Director Signature/Date: [Signature] 6/14/18

Deputy County Administrator Signature/Date: [Signature] 6/15/18

County Administrator Signature/Date: [Signature] 6/18/18

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**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Sharon Bronson, Supervisor, District 3

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

**DATE:** June 11, 2018

**SUBJECT:** P17RZ00011 TUCSON MOUNTAIN RANCH LLC – W. VALENCIA ROAD #2 REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JULY 3, 2018** hearing.

**REQUEST:** For a **rezoning** of approximately 15.3-acre portion of parcel 210-15-1990 from the CMH-1 (County Manufactured and Mobile Home-1) to the CB-1 (Local Business) zone, located on the north side of W. Valencia Road approximately 260 feet west of the T-Intersection of W. Valencia Road and S. Wade Road.

**OWNERS:** Tucson Mountain Ranch LLC  
Attn: Ted Fotinos  
5851 E. Speedway Boulevard  
Tucson, AZ 85742

**AGENT:** The WLB Group  
Attn: Brian Pugh, Asst. Project Manager  
4444 E. Broadway Boulevard  
Tucson, AZ 85711

**DISTRICT:** 3

**STAFF CONTACT:** Terrill Tillman

**PUBLIC COMMENT TO DATE:** As of June 11, 2018, staff has received no public comments.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (6 – 0, Commissioner Membrilla abstained, Commissioners Bain, Becker, Gungler and Matter were absent).

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

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

TD/TT/ar  
Attachments



PIMA COUNTY

DEVELOPMENT SERVICES

**BOARD OF SUPERVISORS MEMORANDUM**

Subject: P17RZ00011

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**FOR JULY 3, 2018 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: June 11, 2018

**ADVERTISED ITEM FOR PUBLIC HEARING**

**REZONING**

**P17RZ00011 TUCSON MOUNTAIN RANCH LLC – W. VALENCIA ROAD #2 REZONING**

Request of the Tucson Mountain Ranch LLC, represented by The WLB Group, to rezone an approximately 15.3-acre portion of parcel 210-15-1990 from the CMH-1 (County Manufactured and Mobile Home-1) to the CB-1 (Local Business) zone, located on the north side of W. Valencia Road approximately 260 feet west of the T-Intersection of W. Valencia Road and S. Wade Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Neighborhood Activity Center designation. On motion, the Planning and Zoning Commission voted 6-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioner Membrilla abstained, Commissioners Bain, Becker, Gungle and Matter were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.

(District 3)

**Planning and Zoning Commission Public Hearing Summary (February 28, 2018)**

Staff presented information from the staff report to the commission with a recommendation of approval with conditions. The applicant proposes a rezoning to the CB-1 zone on a 15.3-acre portion of a parcel for a 129,000 square feet commercial center for grocery, strip retail, restaurant, and services with a centralized event space for musical performances, sidewalk sales, holiday programs, patio seating, food promotions and vendor displays. The commercial center proposes an integrated design approach in conjunction with the planned 419-lot residential cluster to the north and west. Staff supports the request because the subject rezoning area is in a region designated by the Comprehensive Plan, Pima Prospers, as a Focused Development Investment Area which encourages growth by making infrastructure expansion more economical and provides a rational pattern of land development while conserving the nearby prominent natural resources of the Tucson Mountains and Saguaro National Park. The Wade Road extension will be built to support the use and will provide an efficient pattern of growth that is suitable for multi-modal transportation and improvements that support a concentration of residential and commercial uses.

Staff discussed that Special area policy S-35 Retail Enhancement Contribution Area applies to the site for development of retail stores in excess of 40,000 square feet within a four mile radius of Ajo Highway and Kinney Road shall meet the operating constraints and enhancement contribution as outlined in the "Wal-Mart" development agreement. Pima Prospers designates the property as a low food access area surrounded by a food desert and encourages rezoning requests that provide access to fresh foods. Staff explained in detail how the development agreement would have functioned in order to expedite the needed infrastructure at Ajo Highway and Kinney Road. Wal-Mart and the county entered into a development agreement that Wal-Mart would collect a 2% enhancement contribution fee similar to, but not a sales tax from customers. Wal-Mart would pay themselves back for the road improvements with the money and once they were paid back, then the county would be paid back to offset some of the disturbance to the Tucson Mountain Park. The agreement would be in effect for approximately 20 years. Wal-Mart was not built, but the development agreement remains as a policy of Pima Prospers. The Planning and Zoning Commission and the Board of Supervisors have a tough decision to make because if the policy is not applied, it will no longer be valid. If it is applied, we have a continuous food desert. Conflicting policies of Pima Prospers regarding food access/desert and the special area policy S-35 warrant the consideration of applying the policy. Staff's report contains a condition #10 which applies the S-35 policy.

A commissioner discussed whether there has been a similar tax-imposed that is similar in nature. Staff responded that a bed-tax was imposed for Starr Pass for park improvements adjacent to the park. The tax was successful at Starr Pass, so the county entered into the Wal-Mart development agreement to apply the tax similarly as Starr Pass.

A commission asked if the strategy developed 10 years ago for the elimination of the food desert was to charge the people in the area 2% more sales tax for food. Staff responded that the food desert was not meant to be solved by the tax. The enhancement contribution fee may be contributing to the fact that there is a food desert. A rezoning at Mark Road and Valencia Road in 2012 was approved for a shopping center with a Fry's and when it came time to develop, the developer was not interested in entering into the 2% tax agreement.

A commissioner asked if the 2% was for food or non-food. Staff replied it was on non-food items.

A commissioner commented that Fry's changed its plan and developed in the City of Tucson.

A commissioner asked what we would get for the 2% since Arizona Department of Transportation has mostly completed the much needed infrastructure at Ajo Highway and Kinney Road. Staff replied that we would get additional money for park improvements adjacent to Tucson Mountain Park.

The applicant's representative presented additional information about the proposed development and described some of the southwestern architectural features.

A commissioner asked why 39 feet in height is required. The applicant responded that is a typical height of a commercial building.

A commissioner discussed the access points and whether the intersection at Wade Road and Valencia Road was signalized. Staff responded that it is.

A commissioner asked about the plans to build out the property to the north and west of the subject property. The applicant's representative stated that they are moving forward with platting the first phase for single-family residential.

A commissioner asked the applicant to address the S-35 policy. The applicant's representative discussed that the original intention of the policy was to fund infrastructure, but it doesn't make sense anymore because the infrastructure has been installed and Wal-Mart is not planning to build. He discussed that 2% is a big deal in a depressed area and that a meeting to discuss the policy will be scheduled with the Board of Supervisors. He further discussed the fact that the development will be installing its fair share of infrastructure improvements.

Several commissioners discussed that since the infrastructure is in place, the policy should not be applied as the tax payers have paid for the improvements.

Staff reported that the Wal-Mart agreement, once implemented would apply to any development within a four mile radius of the Ajo Highway/Kinney Road intersection. If the development agreement is applied to this site on Valencia Road, the agreement would then be applied to a four mile radius from this site in addition to the original site, and would continue to grow in its reach.

A commissioner questioned staff as to why we would want to apply the policy in a blighted area that doesn't need the additional burden of the 2% tax and whether the commission could amend the condition. Staff replied that the Commission can include in their vote to not apply rezoning condition #10. Staff is required to apply the policy, but will work through the proper channels to formally remove the policy if the condition is not applied.

A commissioner commented that it is not the county's role to subsidize development through installing infrastructure in undeveloped areas to encourage retail and it is the county's responsibility to come up with the best cost recovery and asked what the recommendation is for enhancing cost recovery strategies in the southwest areas. Staff replied that the SWIP policy was implemented for cost recovery/sharing of infrastructure needs and impact fees were considered as a part of the recovery, but has currently been deferred. Effective Planning should help us to employ cost recovery understanding that there are triggers for services, such as higher-density residential developments which are employed through rezonings. As an example, the area also has an approved specific plan that will contain a commercial component that will include future installation of infrastructure.

A speaker commented that services are needed in the area of Ajo Highway and Kinney Road and there are more suitable locations for development and questioned why the Wal-Mart property had not been considered for this development. Staff replied that we are seeing activity in the area in the southeast corner for potential restaurants and shops.

The public hearing was closed.

Commissioner Hook made a motion to recommend **APPROVAL** of the rezoning subject to standard and special conditions with the striking of condition #10. Commissioner Maese gave second to the motion.

The commissioners discussed how this area desperately needs services and the removal of the policy creates a fair playing ground for services to come in. What was applicable 10 years ago is not applicable today and development has changed, there is impact to the neighbors by the application of the policy. A commissioner stated that if there had been enough people to come out

in public against the policy for the needed services, this removal of the policy would have been done some time ago. He also stated that taxes should not provide infrastructure. A commissioner responded that this is a moot point if the infrastructure has been built and if this has become detrimental to an area. A commissioner is totally in agreement with the striking of condition #10 and believes it will assist the Board of Supervisors to make an easier decision. The commissioner discussed that there is a need for a broader, complete strategy for cost recovery and since there is no immediate need for infrastructure, we should strike the condition.

The commission voted to recommend **APPROVAL** of the rezoning subject to the Standard and Special Conditions EXCEPT for condition #10. (6 – 0, Commissioner Membrilla ABSTAINED, Commissioners Bain, Becker, Gungle and Matter were absent)

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. The property owner/developer shall construct Wade Road north of Valencia Road as indicated on the preliminary development plan.
  - B. Vehicular and pedestrian cross access shall be provided between the rezoning site and the adjacent cluster subdivision to the north in a location internal to the development.
  - C. The property shall be limited to three access points on Valencia Road and three access points on Wade Road as shown on the preliminary development plan.
3. Regional Flood Control District conditions:
  - A. A CLOMR shall be submitted to the Pima County Regional Flood Control District for review and approval prior to issuance of the Site Construction Permit.
  - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
  - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
  - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.

- E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.
  6. Cultural Resources conditions:
    - A. 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.
    - B. If antiquities, archaeological sites, artifacts, burial sites are uncovered during excavation, a clearance from Pima County's archaeologists is required prior to resuming construction.
  7. Adherence to the preliminary development plan as approved at public hearing.
  8. The parking areas shall be landscaped to reduce the heat island effect by employing groupings of shade trees that create effective shade clusters. The minimum tree counts, per the Zoning Code, will be exceeded by 25% or shade structures will be constructed along pedestrian walkways and seating areas to reduce the heat island effect.
  9. The project will have a consistent and uniform architectural design concept for all commercial/retail elements of the site as presented in the Site Analysis-Appendix F, Commercial Design Manual.
  - ~~40. Retail stores in excess of 40,000 square feet shall be subject to the Retail Enhancement Contribution special area policy S-35.~~
  - ~~44-10.~~ 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.
  - ~~42-11.~~ 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(I)."

TD/TT/ar  
Attachments

cc: Tucson Mountain Ranch LLC, Attn: Ted Fotinos, 5851 E. Speedway Boulevard  
Tucson, AZ 85742  
The WLB Group, Attn: Brian Pugh, Asst. Project Manager, 4444 E. Broadway Boulevard  
Tucson, AZ 85711  
Tom Drzazgowski, Chief Zoning Inspector  
P17RZ00011 File



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION  
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

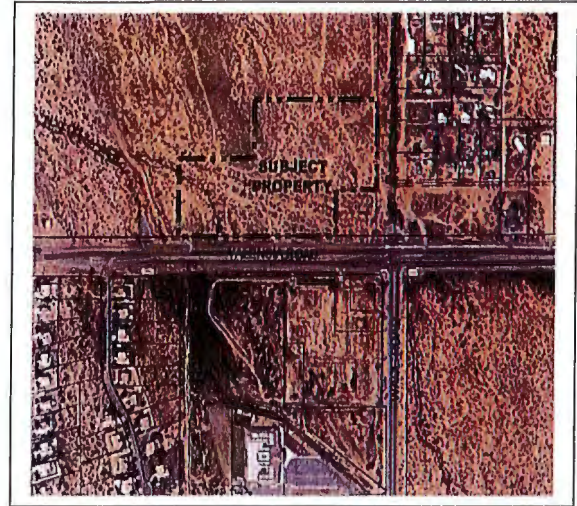
**HEARING**      February 28, 2018

**DISTRICT**      3

**CASE**            P17RZ00011 Tucson Mountain  
Ranch LLC – W. Valencia Road #2  
Rezoning

**REQUEST**       Rezone 15.3 acres from CMH-1  
(County Manufactured and Mobile  
Home 1) to the CB-1 (Local  
Business) zone

**OWNER**          Tucson Mountain Ranch LLC  
Attn: Ted Fotinos  
5851 E. Speedway Boulevard  
Tucson, AZ 85742



**APPLICANT**    The WLB Group  
Attn: Brian Pugh, Asst. Project Manager  
4444 E. Broadway Boulevard  
Tucson, AZ 85711

**APPLICANT'S PROPOSED USE**

The applicant proposes a rezoning to the CB-1 zone on a 15.3-acre portion of a parcel for a 129,000 square feet commercial center for grocery, strip retail, restaurant, and services with a centralized event space for musical performances, sidewalk sales, holiday programs, patio seating, food promotions and vendor displays. The commercial center proposes an integrated design approach in conjunction with the planned 419-lot residential cluster to the north and west.

**APPLICANT'S STATED REASON**

"The proposal will provide the opportunity for commercial development to serve existing and future residential units in the area."

**STAFF REPORT SUMMARY**

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CB-1 (Local Business) zone for a commercial project that will provide groceries, retail opportunities, goods and services while promoting a community gathering place in an underserved area. The proposal conforms to the Neighborhood Activity Center comprehensive plan land use designation.

**PUBLIC COMMENT**

As of February 20, 2018, staff has not received any public comment.

**COMPREHENSIVE PLAN**

A comprehensive plan amendment Co7-08-10 was approved by the Board of Supervisors, March 10, 2009 for LIU 1.2 (Low Intensity Urban 1.2) to Neighborhood Activity Center (NAC) establishing rezoning policy RP-119 - W. Valencia Road/S. Wade Road. The plan amendment was

unchanged by the 2015 Comprehensive Plan update, Pima Prospers, and the established rezoning policy remained.

The objective of NAC is to designate lower intensity mixed-use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Pima Prospers also designates the property as a Focused Development Investment Area (growth area). Two special area policies and one rezoning policy apply to the property.

Special area policy S-29 Southwest Infrastructure Plan Area applies to the subject rezoning. Applicable portions of the S-29 policy guide the needs, obligations, funding, and provision of infrastructure and services related to transportation, flood control, wastewater, parks and recreation, and other governmental facilities. Rezoning condition #2A has been added in relationship to the guiding SWIP policy because of the need for additional transportation infrastructure to support the proposed uses.

Special area policy S-35 Retail Enhancement Contribution Area applies to the site. The retail enhancement contribution policy states that development of retail stores in excess of 40,000 square feet within a four mile radius of Ajo Highway and Kinney Road shall meet the operating constraints and enhancement contribution as outlined in the development agreement recorded at Docket 12939 and Page 7309. The applicant is requesting the Board of Supervisors waive these requirements. The request letter is attached. Staff is supportive of the discussion related to the S-35 policy. Currently condition #10 has been included in relationship to the policy.

Rezoning policies RP-119 - W. Valencia Road/S. Wade Road applies to the property. Details of the policy with applicant responses are contained within an excerpt from the site analysis and attached. Rezoning conditions #7-9 have been added in response to the policies that are not met through the preliminary development plan and building code requirements. The policies will be implemented during development review and site construction permitting.

#### **SURROUNDING LAND USES/GENERAL CHARACTER**

North:	CMH-1/RH	Undeveloped Residential
South:	CR-5/CB-1	Undeveloped Residential/Undeveloped Commercial
East:	GR-1	Developed Residential
West:	CMH-1	Subdivided Developed Residential

The nearby vicinity has a kindergarten through eighth grade charter school, a casino with a hotel and restaurants, and two convenience stores with gas stations. The general area is characterized by multiple dense residential developments located off a major street and route with limited available services nearby. Residential properties in the vicinity of the rezoning request to the north, south and west are planned for, or contain single-family dwellings in subdivisions with higher densities. The properties to the east are low-density, un-subdivided, mostly developed residential properties. There is undeveloped commercial property at the southwest corner of Valencia Road and Wade Road. Recreational activities are contained within subdivision sidewalks and along the major thoroughfare, subdivision park areas, and wash areas. The nearest churches, banking, grocery, medical, restaurants and shopping opportunities exist approximately 5 miles to the east along Valencia Road.

#### **PREVIOUS REZONING CASES ON PROPERTY**

The subject property had a previous rezoning by case Co9-71-023 for RH (Rural Homestead) to CMH-1(County Manufactured Home 1) (233.24 acres) and CB-2 (General Business) (2.01 acres) approved by the Board of Supervisors July 21, 1971 which encompassed 235.25 acres. The

rezoning conditions for the approved CMH-1 zoning of the subject property have not been met. A second rezoning request for CB-1 (Local Business) in 2014 by case Co9-14-14 was closed due to inactivity. If this rezoning request is approved, the previously approved CMH-1 zoning for the subject area will be closed.

### **PREVIOUS REZONING CASES IN GENERAL AREA**

#### **Recent activity:**

The most recent rezoning activity was in 2002 for 30.22 acres by case Co9-02-04 for RH (Rural Homestead) to CR-3 (Single Residence-15.06 acres) and RH@ (Restricted- 15.16 acres) located approximately one-half of a mile west of the subject property for residential development.

#### **Past activity:**

Many properties along the Valencia Road corridor have been rezoned to CR-3, CR-4 (Mixed-Dwelling Type) zoning and TR (Transitional) zoning for higher density residential uses resulting in approved subdivision plats. South of Valencia Road and Wade Road lies Star Valley, an approved Specific Plan that has high-density residential uses as well as planned commercial uses approved in 1976. One CR-1 (Single Residence) subdivision was the result of an approved rezoning in 2001 located south of Valencia Road, just southwest of the subject property. Commercial property just south of the subject property located at the southwest corner of Valencia Road and Wade Road were rezoned to CB-1 and TR zoning in 1979 and 1981.

### **MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)**

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

### **PLANNING REPORT**

Staff supports the request because the subject rezoning area is in a region designated by the Comprehensive Plan, Pima Prospers, as a Focused Development Investment Area which encourages growth by making infrastructure expansion more economical and provides a rational pattern of land development while conserving the nearby prominent natural resources of the Tucson Mountains and Saguaro National Park. The Wade Road extension will be built to support the use and will provide an efficient pattern of growth that is suitable for multi-modal transportation and improvements that support a concentration of residential and commercial uses.

The preliminary development plan demonstrates the relationship between the proposed commercial rezoning and the planned residential cluster to the north and west creating pedestrian and bicycle paths with vehicular connectivity in conformance with rezoning policy A.7 and furthering the goals of Pima Prospers in a Focused Development Investment Area. The 129,000-square-foot proposal includes 60,000 square feet for three major tenants, 49,000 square feet for shops, and 20,000 square feet of pads. The northwest corner lot has been included in the preliminary development plan per rezoning policy A-5, however, is not included in the square feet allotment for the proposed development. In addition to the relationship between the residential cluster to the west and north, the proposal includes an outdoor community gathering space for events and patio seating. A 10-foot-wide landscaped bufferyard "D" is planned around the commercial site. The landscaping contained within the parking areas will exceed the required number of trees by 25% to reduce the heat island effect and will contain groupings of shade trees that create effective shade clusters or shade structures will be constructed along pedestrian walkways and seating areas as implemented through rezoning condition #8.

Valencia Road is designated as a Major Street and a Scenic Route. As such, all structures that are located within 200 feet of the Valencia Road right-of-way may have a maximum height of 24 feet and be earthtone in color to blend in with the natural surroundings. A maximum height of 39 feet may be approved if a viewshed analysis demonstrating a clear view corridor for 20 percent

of the Valencia Road frontage is approved. The preliminary development plan appears to meet the 20 percent clear view corridor. The remaining buildings outside the Scenic Route area of applicability are proposed with variable heights, with a maximum height of 39 feet. The commercial center is proposing a contemporary southwestern style design that will meet the Scenic Route color requirements. Architectural guidelines are included within the site analysis as Appendix F and meet the guiding rezoning policies for integrated design for mixed-use development, connectivity to proposed residential cluster to the north and west, orientation and location of buildings by creating an aesthetically pleasing development, implemented by rezoning condition #9. The vegetative qualities of the site is characterized by sparse desert scrub which is relatively denuded by off-road activity and contains no significant vegetative density. There are no ironwood trees nor any needle-spined cactus on the property. There is one Pima Pineapple cactus on the property that will be relocated near the wash and propagated by a licensed biologist. Some of the native vegetation will be transplanted on-site within the proposed bufferyards and streetscapes. The applicant will utilize both the preserved-in-place and transplanted on-site method of preservation along with the required mitigation according to the Native Plant Preservation Ordinance and plan that will be submitted with the subdivision plat.

Concurrency of Infrastructure:

Concurrency of infrastructure exists to serve the proposed development:

<b>CONCURRENCY CONSIDERATIONS</b>		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No comment
WATER	Yes	"Will serve" letter in the site analysis

**TRANSPORTATION REPORT**

Concurrency considerations for the proposed rezoning have been met, as roads in the vicinity of this project are functioning below capacity and off-site improvements will be made to accommodate this request.

Access to the project will be on both Valencia Road and Wade Road. Access on Valencia Road will be right-in and right-out only due to the median on Valencia Road. Access drives on Wade Road will have full access turning movements. The project will generate approximately 5,500 average daily trips (ADT). The project will generate 124 AM peak hour trips and 479 PM peak hour trips. The traffic study indicated that an exclusive left turn lane will be built on south-bound Wade Road to east-bound Valencia Road.

Valencia Road has recently been widened to a four-lane divided parkway between Mark Road and Wade Road. The improvements extended through the Wade Road intersection to Star

Diamond Place. The design for the section of Valencia between Star Diamond Place and Ajo Highway has recently been completed. The project should go out to bid this spring. Construction is estimated to start in 2018 and be completed in 2019. This project was part of the Regional Transportation Authority (RTA) program passed by the voters in May 2006. Improvements include widening, construction of a raised median, bike lanes, sidewalks, drainage improvements, landscaping and intersection improvements. The current traffic counts for Valencia Road are 8,871 ADT (Ajo Highway to Camino Verde) and 16,170 ADT (Camino Verde to Mark Road). Upon completion of the roadway improvements, the capacity for Valencia Road will be approximately 36,000 ADT.

Wade Road currently does not extend north of Valencia Road. The developer will need to construct Wade Road north of Valencia Road to accommodate this proposal. The current traffic volume for Wade Road south of Valencia Road is 7,503 ADT (Camino Verde to Valencia Road). A drainage channel will need to be relocated in order to construct Wade Road.

Other improvements in the area include the recent completion of Camino Verde from Brightwater Way to Valencia Road.

The Department of Transportation has no objection to the request subject to rezoning conditions #2A-C.

### **FLOOD CONTROL REPORT**

Regional Flood Control District has the following comments:

1. The site is entirely within FEMA floodplains including depths up to 2 feet. As described therein a collector channel along Wade Road and building pads or other drainage infrastructure to be constructed by the developer will be needed to remove the "project" from the floodplain. The District and FEMA will review this mapping change during the development review process. County drainage improvements to Valencia Road discussed are in place between Wade and the drainage to the west but these improvements have not removed the site from the FEMA floodplain.
2. A satisfactory PIWMP has been submitted that identifies appropriate conservation measures for the minimum 15-point requirement.
3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
  - a. The site will be served by Metropolitan Water and they deliver Renewable and Potable Water at this location. The proposed commercial project estimate provided by the applicant uses slightly less water than would build-out under existing CMH-1 zoning with individual lot development using the approved demand projection methodology and default assumptions. These calculations conducted by staff are available upon request.
  - b. The southwestern portion of the site is within a covered subsidence zone however additional conservation points are not required as the development uses less water than would build-out under current manufactured home zoning. The site is not located within a covered subsidence zone.
  - c. The nearest shallow groundwater area is the intermittent section of Enchanted Hills Wash across the basin divide over five miles away.
  - d. The site is within the Avra Hydrogeologic Basin, and depth to bedrock ranges from 400 to 1600 feet based upon mapped isopleths. This is not an isolated basin associated with additional requirements.

With the information available at this time, the project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to the addition of rezoning conditions #3A and B.

**WASTEWATER RECLAMATION REPORT**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) offers the following comments:

The proposed development is within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area and is tributary to the Avra Valley Water Reclamation Facility. This development's connection options and capacity availability have increased with the Black Wash augmentation project, which included a construction of a new 15" sewer line west of the development. Capacity is currently available in either the 12" sewer line in Valencia Road or in the new 15" sewer line.

PCRWRD has no objection to the proposed rezoning request subject to the addition of rezoning conditions #4A-F.

**ENVIRONMENTAL PLANNING REPORT**

Environmental Planning has no objection subject to rezoning condition #5.

**CULTURAL RESOURCES REPORT**

Cultural Resources has no objection to this request subject to the addition of conditions #6A-B.

**NATURAL RESOURCES, PARKS AND RECREATION REPORT**

Natural Resources, Parks and Recreation has no comment.

**UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

There is the potential for the endangered Pima Pineapple cactus to occur within the limits of the proposed development. We recommend that surveys for this species occur as a condition of the rezoning. If any Pima Pineapple cacti are located during surveys, we recommend that Pima County or the project proponents contact us to discuss the development of any necessary conservation measures or mitigation.

If there is the potential for saguaros to occur within the project limits, saguaros provide forage for the endangered lesser long-nosed bat. While we do not anticipate any significant impacts to this listed species, by way of recommendation, we recommend that any saguaros found within the disturbance limits of this project be preserved in-place if feasible, or salvaged and transplanted on-site, or replaced with nursery stock at a ratio of 3:1.

**WATER DISTRICT REPORT**

Metro Water District comment letter is attached.

**FIRE DISTRICT REPORT**

Drexel Heights Fire District has no objection to the rezoning request and will require review during the development stage of the property.

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

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

2. Transportation conditions:
  - A. The property owner/developer shall construct Wade Road north of Valencia Road as indicated on the preliminary development plan.
  - B. Vehicular and pedestrian cross access shall be provided between the rezoning site and the adjacent cluster subdivision to the north in a location internal to the development.
  - C. The property shall be limited to three access points on Valencia Road and three access points on Wade Road as shown on the preliminary development plan.
3. Regional Flood Control District conditions:
  - A. A CLOMR shall be submitted to the Pima County Regional Flood Control District for review and approval prior to issuance of the Site Construction Permit.
  - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
  - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
  - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.

6. Cultural Resources conditions:
  - A. 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.
  - B. If antiquities, archaeological sites, artifacts, burial sites are uncovered during excavation, a clearance from Pima County's archaeologists is required prior to resuming construction.
7. Adherence to the preliminary development plan as approved at public hearing.
8. The parking areas shall be landscaped to reduce the heat island effect by employing groupings of shade trees that create effective shade clusters. The minimum tree counts, per the Zoning Code, will be exceeded by 25% or shade structures will be constructed along pedestrian walkways and seating areas to reduce the heat island effect.
9. The project will have a consistent and uniform architectural design concept for all commercial/retail elements of the site as presented in the Site Analysis-Appendix F, Commercial Design Manual.
10. Retail stores in excess of 40,000 square feet shall be subject to the Retail Enhancement Contribution special area policy S-35.
11. 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.
12. 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(l)."

Respectfully Submitted,



Terrell L. Tillman  
Principal Planner

c: The WLB Group, Attn: Brian Pugh, Asst. Project Manager, 4444 E. Broadway Boulevard  
Tucson, AZ 85711

Tucson Mountain Ranch LLC, Attn: Ted Fotinos, 5851 E. Speedway Boulevard,  
Tucson, AZ 85742





Engineering • Planning  
Surveying • Urban Design  
Landscape Architecture

**Date:** February 20, 2018

**To:** Terri Tillman  
Pima County Development Services, Principal Planner  
201 N. Stone Avenue, 2nd Floor  
Tucson, AZ 85701

**Subject:** Request to Waive Special Area Policy 35 as a Rezoning Condition for  
Tucson Mountain Ranch Commercial Rezoning Case Number P17RZ00011

Dear Terri:

On behalf of Tucson Mountain Ranch, LLC, we are requesting that the Pima County Board of Supervisors waive the requirements of Special Area Policy 35 Retail Enhancement Contribution Areas (SW) for the Tucson Mountain Ranch Commercial Rezoning (The Project). The reasons are as follows:

1. The basis of the S-35 requirements is the development agreement between the County and the developers of the proposed Walmart at Ajo & Kinney over ten years ago. That Walmart would've necessitated extensive improvements to nearby roads. As such, the development agreement sought to ensure Walmart was not put at a competitive disadvantage compared to other commercial developments to be built in the area. However, the Walmart was never built, so other proposed developments (including this one) shouldn't be held to that onerous requirement.
2. The Project will be contributing significant costs to public infrastructure as it is subject to the requirements of S-29 Southwest Infrastructure Plan (SWIP) Area (SW). This plan provides for the funding of transportation, flood control and wastewater management infrastructure. Also, as a rezoning condition, Tucson Mountain Ranch, LLC will improve Wade Road north of Valencia including the flood control channel adjacent to the Project.

Please feel free to contact me with any questions. Thank you for hearing our request.

Best Regards,

Paul Oland  
Senior Project Manager  
The WLB Group, Inc.

## **Rezoning Policy 119 – W. Valencia Road/S. Wade Road**

**Excerpt from Site Analysis (applicant responses to each policy is in italics)**

### **Policy A.1:**

1. Planning and design of the subject property shall occur in such a manner so as to minimize appearance of traditional “strip” commercial development.  
*The Preliminary Site Design (PDP) of Tucson Mountain Ranch Commercial Center does not propose a traditional "strip" development pattern. The commercial center is designed around a pedestrian walkway and event center. Anchor tenants and shops are balanced along the western and eastern wings. The design also incorporates four stand-alone pads along Valencia that will incorporate architectural details on all sides.*
2. A single, monolithic strip of buildings that is solely oriented toward Valencia Road or Wade Road is prohibited.  
*The building massing has a central pedestrian-friendly event center and is not a single monolithic strip of buildings.*
3. However, building placements along Valencia Road and Wade Road shall comprise no more than 40 percent of each street frontage.  
*The PDP has four stand-alone pads along Valencia and will not comprise 40% of the street frontage.*

### **Policy A.2:**

1. Parking lots shall be landscaped so as to reduce heat-island effect by employing groupings of shade trees that create effective shade clusters and improve the survivability and thriving of the specimens.  
*The parking lot design provides parking fields in five separate clusters. Landscape plantings, anchored with shade trees, provides shade clusters in the center and along the edges of the parking fields.*
2. The total number of trees placed within the parking lot shall be at least 25 percent more than that minimally required by the Zoning Code or provide an alternative site design including such things as extended creative shade structures around buildings, other pedestrian areas, and asphalt, that accomplishes a functionally equivalent reduction in heat island effect.  
*The minimum tree counts, per the Zoning Code, will be exceeded by 25% or shade structures will be constructed along pedestrian walkways and seating areas to reduce the heat island effect.*

### **Policy A.3:**

1. Mixed-use development is encouraged where the size of the parcel warrants it or where the property directly abuts existing residential development.  
*This application is not proposing a mixed-use commercial/residential development.*
2. Complementary lower intensity uses such as offices, daycare centers, and the like shall be encouraged adjacent to residential areas rather than retail.  
*The CB-1 zoning district allows for service uses. The proposed layout provides areas for non-retail uses that will serve adjacent residential development. The Tucson Mountain Ranch commercial project is located adjacent to the Tucson Mountain Ranch cluster residential project (see Exhibit IIB-1a). The residential project was approved on October 15, 2015 by the DRC and received an extension to October 15, 2019 on March 1, 2017. The cluster residential project proposed 419 lots, recreation and open space. A walking/bicycle trail will connect the residential project to the commercial project on the northern boundary, allowing residents to access the project without traveling in an automobile. Automobile access will be provided along the western, eastern, and southern boundaries.*

3. Building heights shall be limited to a maximum of 20 feet within 100 feet of the boundary of existing or platted lots for single family residences, except that the height limit shall not apply within 200 feet of the edge of right-of-way for Valencia Road and Wade Road.

*Currently, there are no existing or platted residential lots adjacent to the commercial center. The residential cluster development to the west and north have provided 40' and 25' buffers adjacent to the commercial center. Exhibit II-B-1a shows the relationship between the proposed residential cluster development and the proposed commercial center. Tucson Mountain Ranch Commercial Center is requesting a 50' combined buffer, as the approved Cluster Development incorporated bufferyards in anticipation of the development of commercial land uses.*

**Policy A.4:**

1. The project will have a consistent and uniform architectural design concept for all commercial/retail elements of the site.

*The future developer of the commercial center will present architectural concepts during the building permit phase. Presently, commercial developers use uniform architectural design concepts to brand the commercial centers to improve the leasing success. The development of this commercial center will conform to the current trends.*

2. All tenants shall modify and upgrade their standard prototypes so as to be consistent in character and quality with the overall architectural design concept of the project.

*Acknowledged. The use of uniform architectural design concepts improves the commercial centers branding.*

**Policy A.5:**

1. The existing CB-1 zoning at the corner of the intersection shall be included in the rezoning Preliminary Development Plan and subsequent subdivision plat or development plan.

*See Exhibit II-B-1 - Preliminary Development Plan. The existing CB-1 zoning at the corner of the intersection has been integrated into the PDP.*

**Policy A.6:**

The subject property shall be designed so as to employ non-traditional arrangements of the various commercial uses on the property and will ensure that same do not unilaterally "back up" to the north or west property boundaries with minimal or no buffering, as is the case with conventional "strip commercial" developments.

*The proposed massing arrangement of the commercial center utilizes the entire 15.3-acre site. To conform to the commercial development standards, the main massing of the center is along the northern portion of the site, anchored by a pedestrian-friendly event space. Between the commercial center and the proposed residential neighborhood there are bufferyards and the service access for the commercial shops. Along the southern portion of the site four stand-alone pads frontage Valencia Road.*

**Policy A.7:**

The design of the subject property shall also provide for direct pedestrian, bicycle, and vehicular connectivity, via a landscaped linkage to the adjacent property so as to facilitate the latter's future planning, design, and use in an integrated fashion.

*The commercial center has a pedestrian/bicycle path that connects to the pathway system in the proposed residential development to the north. Also, two local street alignments are proposed. One to the west and one to the east.*

**Procedure B.1:**

In addition to standard rezoning application requirements (i.e. Site Analysis, Rezoning Impact Statement, etc.), the rezoning application for the property shall also include a detailed architectural and aesthetic concept to include:

- a) Architectural elevations for the anchor store, shop space, and free-standing pad concepts;

*Included in Architectural and Aesthetic Concepts.*

- b) Character sketches and perspectives of the project;  
*Included in Architectural and Aesthetic Concepts.*
- c) Descriptions of proposed materials;  
*Included in Architectural and Aesthetic Concepts.*
- d) Written architectural guidelines and theming requirements;  
*Included in Commercial Design Manual.*
- e) Landscape concepts and sketches for buffers, parking fields, and landscape amenity/accent elements;  
*Included in Architectural and Aesthetic Concepts.*
- f) Photometric studies and conceptual lighting design to support compliance with Outdoor Lighting Code (OLC).  
*The photometric studies will be provided during the building permit phase. The Tucson Mountain Ranch Commercial Center will conform to Lighting Area E1c requirements and will include Amber LEDs or max 2700K LED lamps in the final lighting design.*

**Procedure B.2:**

1. In developing the architectural and aesthetic concept described in Item 1 above, the rezoning applicant shall meet with designated neighborhood representatives to review the project site plan, architectural design, and landscape elements so as to obtain feedback and input from the neighborhood representatives.  
*Two neighborhood meetings were held on December 5, 2017 and January 18, 2018. The meeting proceedings are included in the Appendix C in which no neighbors were in attendance.*
2. While no formal approval rights are conferred to the neighborhood representatives in this regard, the applicant shall work in good faith to solicit and incorporate the neighborhood input and to develop a final design that balances owner/developer needs against neighborhood preferences.  
*Acknowledged.*
3. The rezoning applicant shall conduct and complete these required interactions with the neighborhood representatives prior to submitting the full rezoning application package.  
*Acknowledged and completed.*
4. Within 30 days after a positive action on a rezoning request by the Board of Supervisors, the applicant shall memorialize and record any written agreement with the neighborhood(s) discussed or presented at the public hearing(s).  
*Acknowledged.*

**Procedure B.3:**

The applicant shall meet with staff at least once prior to submitting the full rezoning application package to ensure compliance with the rezoning policies.  
*The meeting was completed on November 1, 2017 with Brian Pugh, a representative from the WLB Group, and Pima County Senior Planners Terri Tillman, Mark Holden, and Thomas Drzazgowski.*

**Procedure B.4:**

The rezoning application will include a narrative describing the applicant's neighborhood interactions and the neighborhood issues of particular concern. In addition to architectural design, landscaping, lighting, etc., the narrative shall also address the following project particulars and operational matters:

1. Project maximum building square footage.
2. Maximum single-tenant size.
3. Maximum building height.
4. Hours of operation.
5. Trash pickup limitations.
6. Service delivery limitations.

The PDP was presented to the December 5, 2017 neighborhood meeting and all of the project particulars found above were addressed. A narrative of the interactions is included in Appendix C.

**Procedure B.5:**

1. The final architectural and aesthetic concept and neighborhood documentation shall be considered a material part of the rezoning application and shall be binding upon the owner/developer as a condition of rezoning approval.

*Acknowledged.*

2. The project's subsequent formal Development Plan and Building Permit submittals to Pima County shall be reviewed by Development Services Department staff to ensure compliance and consistency with the architectural and aesthetic concepts as included in the rezoning application.

*Acknowledged.*

**Procedure B.6:**

Prior to submitting the full rezoning application to Pima County, the applicant shall also:

1. Meet with Pima County Chief Building Official to discuss the project's proposed concept lighting design and photometric analysis and to demonstrate conceptual compliance with the Outdoor Lighting Code (OLC); and
2. Meet with representatives of Kitt Peak National Observatory to discuss the same proposed lighting design and to describe the activities which have occurred with the Chief Building Official and the manner in which compliance with the OLC will occur. The applicant's rezoning application package will include a narrative describing the meetings, issues, findings, and results from these interactions with Kitt Peak and the Chief Building Official.

*On February 17, 2016, the Tucson Mountain Ranch Commercial Project communicated with the Pima County Chief Building inspector, Yves Khawam, to discuss the proposed lighting design. The project is in Lighting Area E1c, and the project will use full cutoff fixtures, and LPS fixtures may be used. The project proposed to meet "conceptual compliance" by agreeing to either Option 1 or 2 of the OLC's Table 401.1, plus any reasonable requests by Kitt Peak representatives. On February 17, 2016, the Pima County Chief Building inspector responded regarding the project's proposed conceptual lighting design to meet the OLD. Yves Khawam's response is below:*

*"I think we can consider conceptual compliance achieved per your proposal below as I concur it doesn't make sense to provide photometry on a conceptual plan. If you select option 2, I would encourage you to use amber LEDs or max 2700K LED lamps."*

*The specific requirements of the of the Chief Building Inspector's response are acknowledged. As project development continues, the Chief Building Inspector and representatives from Kitt Peak will be contacted and photometry of a conceptual lighting plan will be provided.*

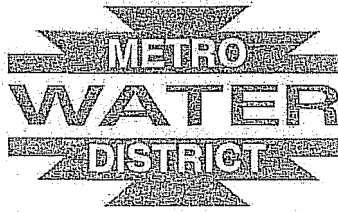
**Procedure B.7:**

1. Board of Supervisors approval of each plan amendment does not preclude the Board from reviewing the land use for each site in the next update of the Comprehensive Plan due to be completed in 2011.

*Acknowledged.*

2. Further, if the uses as proposed have not fully developed by the kick-off of the following Comprehensive Plan update due to be completed in 2021, the planned land use for the undeveloped or partially developed site shall be reconsidered by the Board for re-planning.

*Acknowledged.*



In Email

February 5, 2018

Terrill L. Tillman  
Development Services Department-  
Planning Division  
201 North Stone, 2nd Floor  
Tucson, AZ 85701

**Re: Valencia Road Rezoning (P17RZ00011)**

Dear Ms. Tillman:

The Metropolitan Domestic Water Improvement District (MDWID) is certified to provide water to the above referenced development and is designated as having a 100-year assured water supply.

The MDWID acknowledges an Assured Water Supply Agreement exists for 382.69 acre-feet for properties that include the development of Tucson Mountain Ranch until July 24, 2022, the currently renewed expiration of the Analysis of Assured Water Supply for Tucson Mountain Ranch.

Any onsite or offsite requirements deemed necessary to provide the domestic and fire flow water supply will be determined at the time of improvement plan submittal or whenever application for water service is received, and will be the financial responsibility of the owner or those developing the property. Pipe sizing and system augmentation, if necessary, will be based on calculated demand for both domestic and fire flows as needed to adequately supply this area. The MDWID will require an approved water master plan for the remainder of the Tucson Mountain Ranch area in advance of any water improvement plans for development of the subject property.

I can be of further assistance regarding this matter, please call me at 209-2817 or email at [tdinkel@metrowater.com](mailto:tdinkel@metrowater.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Dinkel", written over a horizontal line.

Timothy Dinkel, P.E.

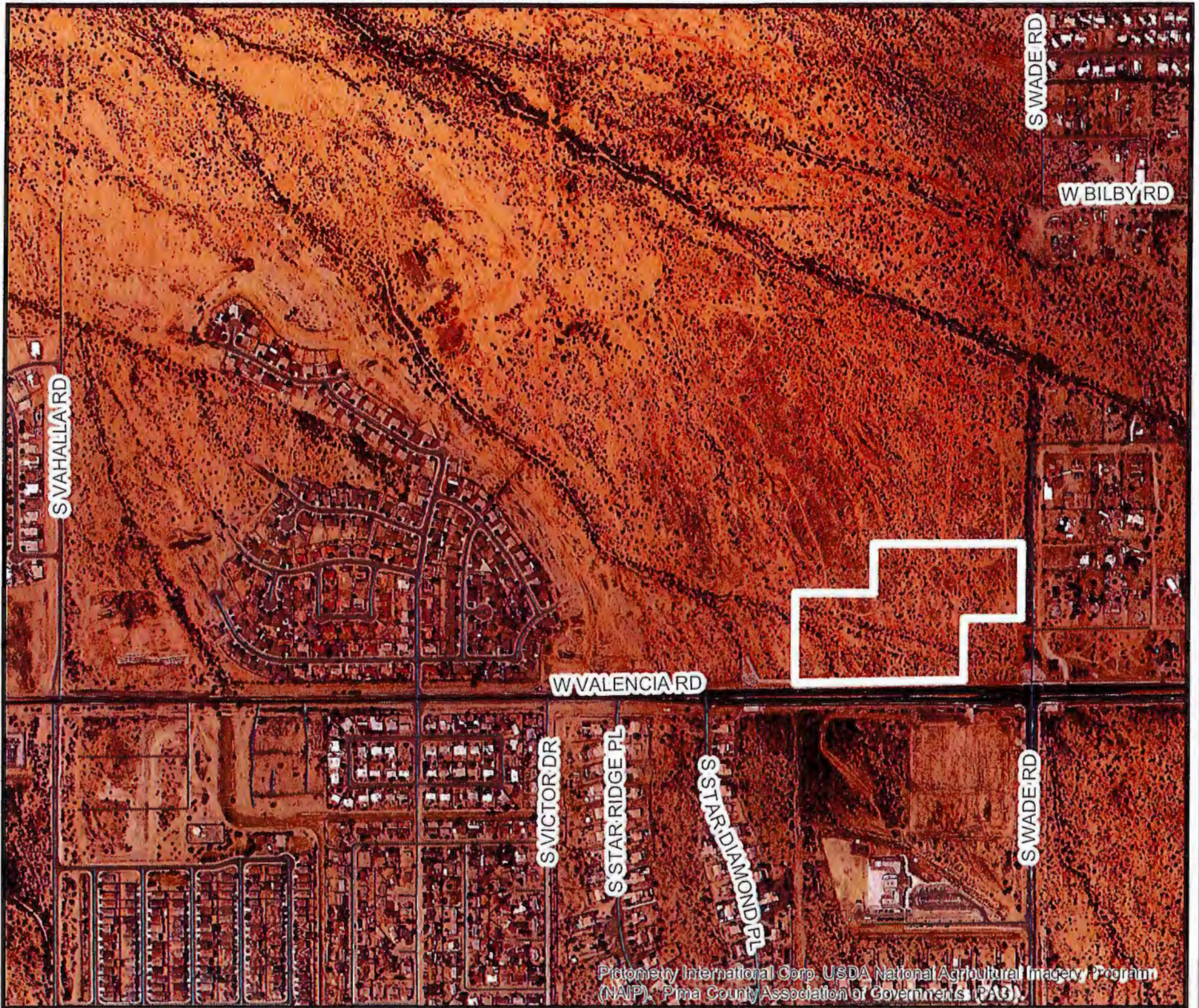
Enclosure

c: Sheila Bowen, District Engineer / Project File

Case #: P17RZ00011

Case Name: TUCSON MOUNTAIN RANCH LLC - S VALENCIA ROAD REZONING



Tax Code(s): Portion of 210-15-1990



Pictometry International Corp. USDA National Agricultural Imagery Program (NAIP). Pima County Association of Governments (PAG).

0 360 720 1,440 Feet



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

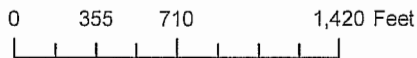
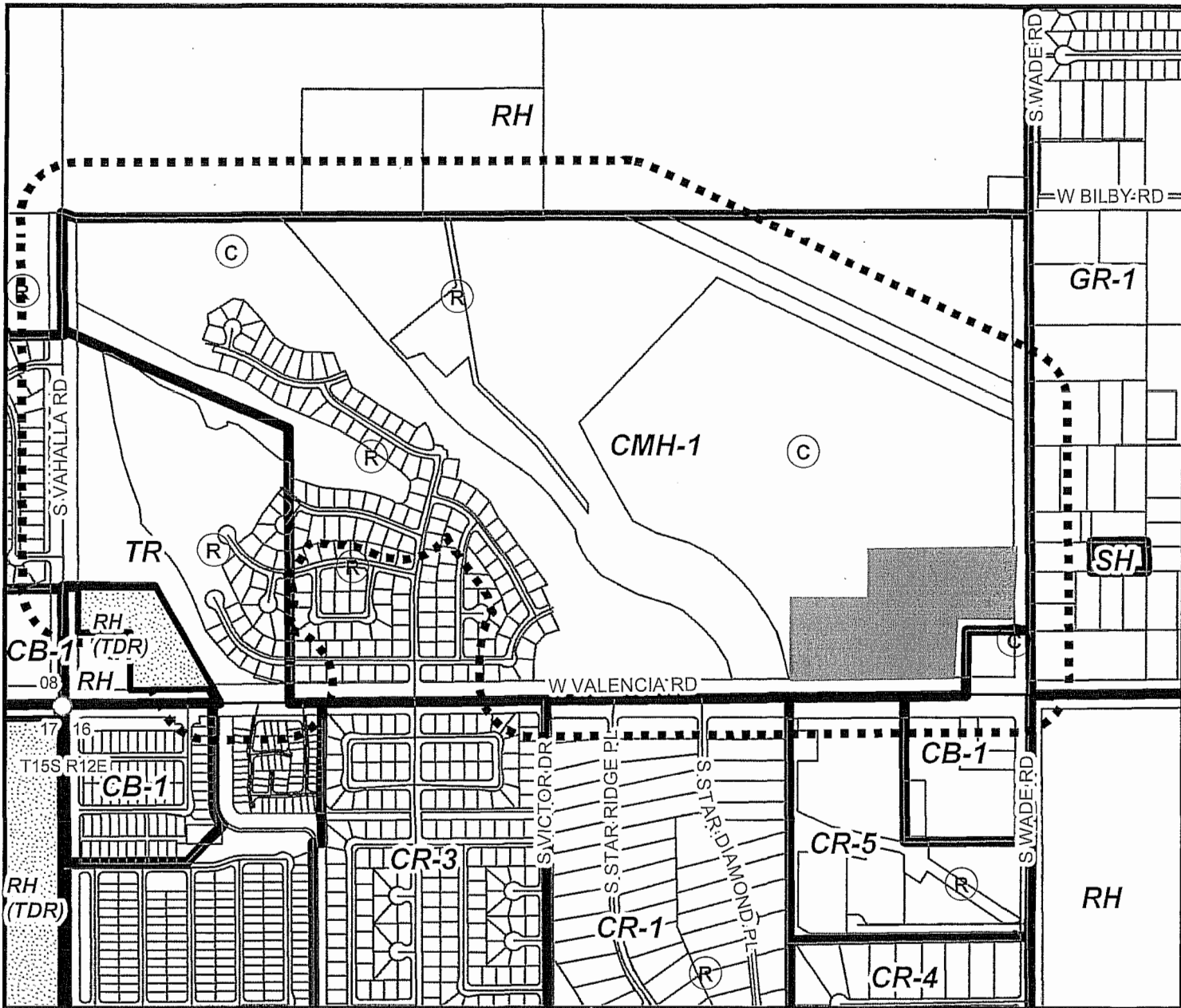
	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Planning & Zoning Hearing: 02/28/18 (scheduled)	Board of Supervisors Hearing: TBA	
	Base Map(s): 37 & 64	Map Scale: 1:10,000	

Case #: P17RZ00011

Case Name: TUCSON MOUNTAIN RANCH LLC - S VALENCIA ROAD REZONING

Tax Code(s): Portion of 210-15-1990

 300' Notification Area  
 Zoning Boundary



Area of proposed rezoning from CMH-1 to CB-1

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING DIVISION**

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 02/28/18 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 37 & 64

Map Scale: 1:10,000

Map Date: 02/01/2018 - ds

