



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 21, 2017

Title: P16RZ00006 SOLAR H2O LEASING, LLC- E. TANQUE VERDE RD. REZONING

Introduction/Background:

The applicant requests a rezoning of approximately 1.68 acres at 11311 E. Tanque Verde Road from CR-1 (Single Residence) zone to the CB-2 (General Business) zone, located on the north side of E. Tanque Verde Road approximately 1300 feet east of N. Tanque Verde Loop Road for a single-story self storage building, office and covered recreational vehicle and boat storage. The property lies outside of the Maeveen Marie Behan Conservation Lands System.

Discussion:

Current CR-1 zoning allows for two single-family residences to be developed. The proposed CB-2 rezoning conforms to the Pima County Comprehensive Plan which designates the property for Neighborhood Activity Center.

Conclusion:

The requested rezoning conforms to the Comprehensive Plan; the rezoning provides a necessary convenience to support the nearby residential uses and is compatible with the commercial and residential uses of the surrounding properties.

Recommendation:

Staff and the Planning & Zoning Commission recommend approval subject to standard and special conditions.

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

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

Department Director Signature/Date: [Signature] 2/27/17

Deputy County Administrator Signature/Date: [Signature] 2/28/17


County Administrator Signature/Date: C. Dubutsky 2/28/17



PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Steve Christy, Supervisor, District 4

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

DATE: February 27, 2017

SUBJECT: P16RZ00006 SOLARH2O LEASING, LLC - E. TANQUE VERDE ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MARCH 21, 2016** hearing.

REQUEST: For a rezoning of approximately 1.68 acres at 11311 E. Tanque Verde Road from CR-1© (Single Residence - Conditional) zone to the CB-2 (General Business) zone, located on the north side of E. Tanque Verde Road approximately 1300 feet east of N. Tanque Verde Loop Road.

OWNER: SolarH2O Leasing, LLC
Attn: Dave Evans & Steve Daly
9121 E. Tanque Verde Rd. #105-233
Tucson, AZ 85749

AGENT: JAS Engineering
Attn: Jeff Stanley, P.E.
PO Box 1888
Tucson, AZ 85702

DISTRICT: 4

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of February 27, 2017, staff has received 14 written protest letters containing 24 party's signatures and a protest petition with 91 signatures.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (6 – 2; Commissioners Matter and Membrilla voted **NAY**; Commissioners Bain and Gungle 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: P16RZ00006

Page 1 of 4

FOR MARCH 21, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official *For Chris P.*
Public Works-Development Services Department-Planning Division

DATE: February 27, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P16RZ00006 SOLARH2O LEASING, LLC - E. TANQUE VERDE ROAD REZONING

Request of **SolarH2O Leasing, LLC** represented by **JAS Engineering**, for a rezoning of approximately 1.68 acres at 11311 E. Tanque Verde Road from CR-1© (Single Residence - Conditional) zone to the CB-2 (General Business) zone, located on the north side of E. Tanque Verde Road approximately 1300 feet east of N. Tanque Verde Loop Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Neighborhood Activity Center. On motion, the Planning and Zoning Commission voted 6-2 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Matter and Membrilla voted **NAY**; Commissioners Bain and Gungle were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**
(District 4)

PLANNING AND ZONING COMMISSION HEARING SUMMARY (August 31, 2016)

Staff presented information from the staff report to the commission with a recommendation of approval with conditions.

The owner presented additional information and discussed the location of the Tucson Electric Power (TEP) overhead electrical transmission lines adjacent to the subject property. He further stated that the property was on the market for 726 days because it is incompatible for residential uses. He is willing to negotiate the colors and height of the walls and will install shrubs and trees to provide a nice buffer between the Circle K and the neighbors to the east.

A commissioner asked for clarification about the neighborhood concerns that would not be met. The applicant replied that they would regulate the lighting according to the Pima County building code being dark sky compliant and not shine on neighboring properties with 24 hour surveillance. The applicant stated he is not willing to compensate the neighbors for the proposed use of the property.

A commissioner asked about the height of the wall. The owner stated that the height of the wall will be 15 feet to accommodate RV's (recreational vehicles) to the west and 10 feet high to the top of the storage building on the east. The commissioner stated that he could not see the structures on the post-pictorial presented at public hearing.

A commissioner discussed that the solar panels on the roofs will generate power at this location. The owner stated that the solar panels will be located on the 15-foot high RV storage building and will be flat.

The applicant presented additional information and discussed the drainage that will not be changed. The bufferyards will contain water harvesting.

Speakers 1 through 4 spoke in opposition to the request stating concerns for drainage, light trespass, wall height, safety and crime. Pictures were presented that demonstrate the impact to Speaker #2's property which borders the subject property to the east stated that Bel Aire Ranch Estates allows for RV storage negating the need for more. In addition, there is opposition to the rezoning because of safety issues near the school with RV's and large trucks along Tanque Verde Road, self-storage is not an appropriate use and there are plenty of other commercial zones that the applicant may purchase for the use.

A commissioner asked what the neighbors would be willing to approve with the proposed passive use and whether the home owners in the surrounding area would purchase the property to keep it in its natural condition.

A Speaker replied that a residential use is preferable and that he could poll the neighbors to see if they are interested in a purchase.

A commissioner asked whether there is existing storage in close proximity to which a speaker replied that there is a self-storage facility approximately 4-5 miles away. The owners stated that the market demand is being driven by the distance of the nearest facility but they have not completed a market analysis.

A Speaker commented that the neighbors are interested in the purchase of the property and the owner replied that he heard of the request one week prior to the public hearing and questioned whether the purchase of the property by the neighborhood would result in a future rezoning request for a self-storage facility.

A commissioner asked about the drainage. The applicant stated that the drainage will not affect adjacent properties and that flood control will regulate the drainage by the code at the time of the development plan.

A commissioner asked about the traffic generation. The applicant stated that there will be approximately 60 average daily trips and that Department of Transportation originally requested that the site be accessed by the Rebecca Avenue easement that serves the TEP substation. TEP denied the request because the access would cross under the existing transmission lines.

A commissioner discussed that the average daily trips for the property with a residential use would be approximately 20. Staff replied that the average daily trips for this site may be up to 60 on the weekends but during the week will have minimal impact on Tanque Verde Road which is operating under capacity.

The public hearing was closed.

A commissioner commented that this site is designated as a Neighborhood Activity Center under the comprehensive plan which allows for more intense uses of the property and that this request is compatible with the surrounding neighborhoods.

Commissioner Johns made a motion to recommend **APPROVAL** of the rezoning subject to standard and special conditions.

Commissioner Gavin gave second to the motion.

The commission voted to recommend **APPROVAL** of the rezoning subject to standard and special conditions. (6 – 2; Commissioners Matter and Membrilla voted **NAY**; Commissioners Bain and Gungle were absent)

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

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. The property shall be limited to one access point as shown on the preliminary development plan.
 - B. The driveway shall be located as close to the eastern property boundary as possible.
4. Regional Flood Control District conditions:
 - A. Water conservation measures identified in the Preliminary Integrated Water Management Plan (PIWMP) shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.

- B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
5. Regional Wastewater Reclamation condition: The owner must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal system within the rezoning area at the time a development plan or request for building permit is submitted for review.
 6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
 7. Cultural Resources condition: 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.
 8. Adherence to the preliminary development plan as approved at public hearing.
 9. 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.
 10. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

TD/TT/ar
Attachments

cc: SolarH2O Leasing, LLC, Attn: Dave Evans & Steve Daly, 9121 E. Tanque Verde Rd. #105-233
Tucson, AZ 85749
JAS Engineering, Attn: Jeff Stanley, P.E., PO Box 1888, Tucson, AZ 85702
Tom Drzazgowski, Principal Planner
P16RZ00006 File

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

HEARING August 31, 2016

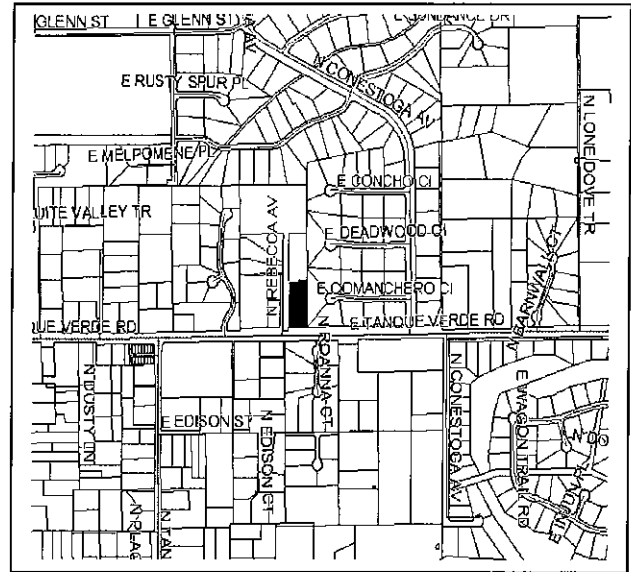
DISTRICT 4

CASE P16RZ00006 SolarH2O Leasing, LLC- E. Tanque Verde Rd. Rezoning

REQUEST Rezone 1.68 acres from CR-1© (Single Residence-Conditional) to CB-2 (General Business) zone

OWNER SolarH2O Leasing, LLC
Attn: Dave Evans & Steve Daly
9121 W. Tanque Verde Rd. #105-233
Tucson, AZ 85749

APPLICANT JAS Engineering
Attn: Jeff Stanley, P.E.
PO Box 1888
Tucson, AZ 85702



APPLICANT'S PROPOSED USE

The applicant proposes a single-story self-storage building, office and covered recreational vehicle (RV) and boat storage with solar canopies on 1.68 acres.

APPLICANT'S STATED REASON

The proposed rezoning is an infill development that will fit well within its surrounding commercial and residential uses and will make efficient use of the existing public and utility infrastructure that is already in-place.

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CB-2 (General Business) zone for self-storage, office and RV/boat storage on 1.68 acres which provides a necessary convenience to support the nearby residential uses and is compatible with the commercial and residential uses of the surrounding properties.

PUBLIC COMMENT

As of August 17, 2016, staff has not received any written comments.

COMPREHENSIVE PLAN

The comprehensive plan land use designates the property as Neighborhood Activity Center (NAC) which allows the proposed use and CB-2 zone. NAC designates areas for lower intensity mixed-uses designed to provide goods and services within or near residential neighborhoods for day-to-day or weekly living needs such as a grocery market, drugstore, laundry and bank. NAC centers should contain direct pedestrian and bicycle access to the surrounding neighborhoods.

Individual rezoning requests do not have to be a mixed-use project, but should enhance the mixed-use character of the designated activity center.

The proposed low-intensity self-storage and RV/boat storage of the subject property is a compatible and suitable use to support the surrounding neighborhoods. Other retail and activity uses of the subject property seem incompatible given the proximity of the adjacent electrical substation and overhead power transmission lines. Pedestrian and bicycle connectivity across the site with the adjacent Circle K and church will further conform and enhance the land use within the neighborhood activity center designation of the site. There are no Special Area or Rezoning Policies pertaining to the property.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-1 ©/SR	Vacant Residential/TEP Power Substation
South:	CR-1	Developed Residential Subdivision
East:	CR-1	Developed Residential Subdivision
West:	RVC	Circle K convenience store & gas station/Jehovah's Witnesses Church

The subject property lies along a major, scenic corridor, Tanque Verde Road, which is characterized with a mix of residential and commercial uses. Nearby commercial uses include a treatment center, Emily Gray Elementary and Junior High School, churches, hay and feed store, nursery, convenience store and electrical substation. Equestrian and pedestrian uses within the area are prominent along the Tanque Verde Creek and Agua Caliente washes.

PREVIOUS REZONING CASES ON PROPERTY

The subject property (1.68 acres) was rezoned with the adjacent property to the north (1.62 acres) for a 3.38 acre site from the SR (Suburban Ranch) zone to the CR-1 © (Single Residence - Conditional) zone for increased residential density by case Co9-85-13 under the Agua Caliente – Sabino Creek Zoning Plan. Ordinance 2012-44 memorialized the rezoning. Conditional zoning indicates that a certificate of compliance demonstrating that all rezoning conditions have been met is outstanding. Once a certificate of compliance is issued, the property becomes CR-1 ® (Single Residence – Restricted) zoning. This rezoning submittal will replace the southern parcel (subject property) of the previous rezoning with the northern parcel remaining CR-1 ©.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Rezoning case Co9-13-009 – E. Tanque Verde Road Rezoning from SR to CR-1 and SR ® for 122.5 acres. The Board of Supervisors approved 81.5 acres for SR ® zoning as dedicated open space and 41 acres for CR-1 zoning on February 18, 2014 located approximately one-half mile west of the subject property on the north side of Tanque Verde Road. The rezoning was subsequently annexed into the City of Tucson.

Rezoning case Co9-13-014 – E. Tanque Verde Road Rezoning from CB-1 (Local Business) to CB-2 (General Business) for .85 acre for a hay and feed supply store. The Board of Supervisors approved the rezoning request April 1, 2014 located approximately one-third of a mile west of the subject property on the south side of Tanque Verde Road.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR zone to the CR-1 zone under the Agua Caliente – Sabino Creek Zoning Plan beginning

in the 60's up to 2006 when the Agua Caliente – Sabino Creek Zoning Plan became inactive. The zoning plan allowed a zoning change to CR-1 with an approved subdivision plat. An attached map shows properties (in blue) within approximately one-half mile of the site for which rezoning requests have been made.

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 proposed development is compatible with the surrounding existing residential and commercial uses. Concurrency of infrastructure exists employing the efficient use of existing infrastructure needed to support the use. The proposed storage uses are a less intense commercial use generating little traffic and noise that could potentially adversely impact adjacent residential neighborhoods and given the proximity of the subject property to the Tucson Electric Power substation and adjacency of the overhead transmission lines, this is a suitable use.

The self-storage uses of the property is planned for a single storage building of 5,540 square feet, a 1,228-square-foot office, and two shade structures comprising 17,830 square feet of recreational vehicle and boat storage with solar canopies. All building and covered canopies are planned for a maximum height of 15 feet. The property will be served by septic and accessed by a single driveway off of Tanque Verde Road which is classified as a Major Street and Scenic Route (MSSR). Structures located within 200 feet of a MSSR will be required to be earth tone in color.

The property is relatively flat and at a lower elevation than the residential properties to the east. The vegetative qualities of the site are unremarkable and composed of Sonoran Desertscrub with one saguaro. A 10-foot Bufferyard "D" will be installed along the sides and rear of the property with a 20-foot front bufferyard adjacent to Tanque Verde Road which will contain a pedestrian/bike path providing an additional connection from the adjacent residential neighborhood to the Circle K convenience store and the church.

Concurrency of Infrastructure

CONCURRENCY CONSIDERATIONS		
<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 objection

CONCURRENCY CONSIDERATIONS		
WATER	Yes	COT "will serve" letter in the site analysis

TRANSPORTATION REPORT

The Pima County Department of Transportation has no objection to this request, as all roadways in the area are functioning under capacity. The development will generate approximately 60 average daily trips (ADT). Concurrency considerations have been met, as roadways in the area are functioning below capacity and this development will generate a very minimal amount of traffic. Future users of the site will likely be from the surrounding established residential neighborhoods.

Tanque Verde Road is listed as a low volume arterial road on the Major Streets and Routes Plan with a future right-of-way of 90 feet. There is 120 feet of existing right-of-way; therefore a right-of-way dedication will not be requested. The current traffic volume for Tanque Verde Road is 10,438 ADT. The capacity is approximately 14,000 ADT.

Tanque Verde Loop is not listed on the Major Streets and Routes Plan; however, there is 60 feet of existing right-of-way. The current traffic volume is 3,007 ADT. The capacity is approximately 13,122 ADT. Soldier Trail is shown on the Major Streets and Routes Plan as a low volume arterial roadway with a planned future right-of-way of 90 feet. There is 100 feet of existing right-of-way. The current traffic count is 3,260 ADT, and the capacity is approximately 13,122 ADT. Conestoga Avenue is a local collector road that is not listed on the Major Streets and Scenic Routes Plan. There is 100 feet of existing right-of-way. The current traffic count is 1,714 ADT and the capacity is approximately 13,122 ADT.

The Department of Transportation has no objection to this request subject to the addition of rezoning conditions #3A-B.

FLOOD CONTROL REPORT

Regional Flood Control District has the following comments:

1. The site does not include regulatory floodplains or riparian habitat.
2. No drainage complaints are on file regarding these parcels.
3. A Preliminary Integrated Water Management Plan has been submitted. One shortcoming is that the outdoor option for no pools selected is not one that would normally be associated with a storage facility. Therefore we require that the applicant select an alternative option.
4. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is to be served by Tucson Water which delivers renewable supplies.
 - b. Per the ADWR Well Inventory the closest wells, including those owned by Tucson Water, residential and Conoco gas leak monitoring at the adjacent station all had depths to groundwater less than 50 feet and as little as 19 in 1982.
 - c. The site is not located within a covered subsidence zone.
 - d. The site is entirely within the Agua Caliente Canyon Shallow Groundwater Area and the intermittent section of Tanque Verde Wash is half a mile away.
 - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 800-1600 feet.

The project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to recommended conditions #4A-B.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced rezoning request and has no objection to the request subject to the addition of rezoning condition #5.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection to this request subject to the addition of condition #6.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of condition #7.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service has no objection.

METRO WATER DISTRICT REPORT

Metro Water District has no comment. A will-serve letter is contained within the site analysis.

FIRE DISTRICT REPORT

Rural Metro Fire District has the following comment: As the development continues into the plan stage, the applicant will be required to submit plans to our fire prevention department for review of fire code compliance. This review will cover fire flow and fire hydrant requirements, fire department access, fire sprinklers, fire alarm systems and all other applicable fire code requirements. As of January 1, 2016 the 2012 edition of the International Fire Code shall be the applicable fire code for this project.

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. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
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 - B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
5. Regional Wastewater Reclamation condition: The owner must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal system within the rezoning area at the time a development plan or request for building permit is submitted for review.
6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
7. Cultural Resources condition: 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.
8. Adherence to the preliminary development plan as approved at public hearing.
9. 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.
10. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may

be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,



Terrill Tillman
Senior Planner

c: Jeff Stanley, P.E., PO Box 1888, Tucson, AZ 85702
Dave Evans & Steve Daly, 9121 W. Tanque Verde Rd. #105-233, Tucson, AZ 85749

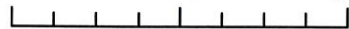
Case #: P16RZ00006

Case Name: SOLAR H2O LEASING LLC - E. TANQUE VERDE ROAD REZONING

Tax Code(s): 205-37-017W



0 220 440 880 Feet



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Ref: Co9-85-13

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Base Map(s): 85

Map Scale: 1:6,000




Map Date: 08/10/2016 - ds

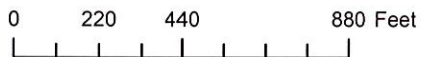
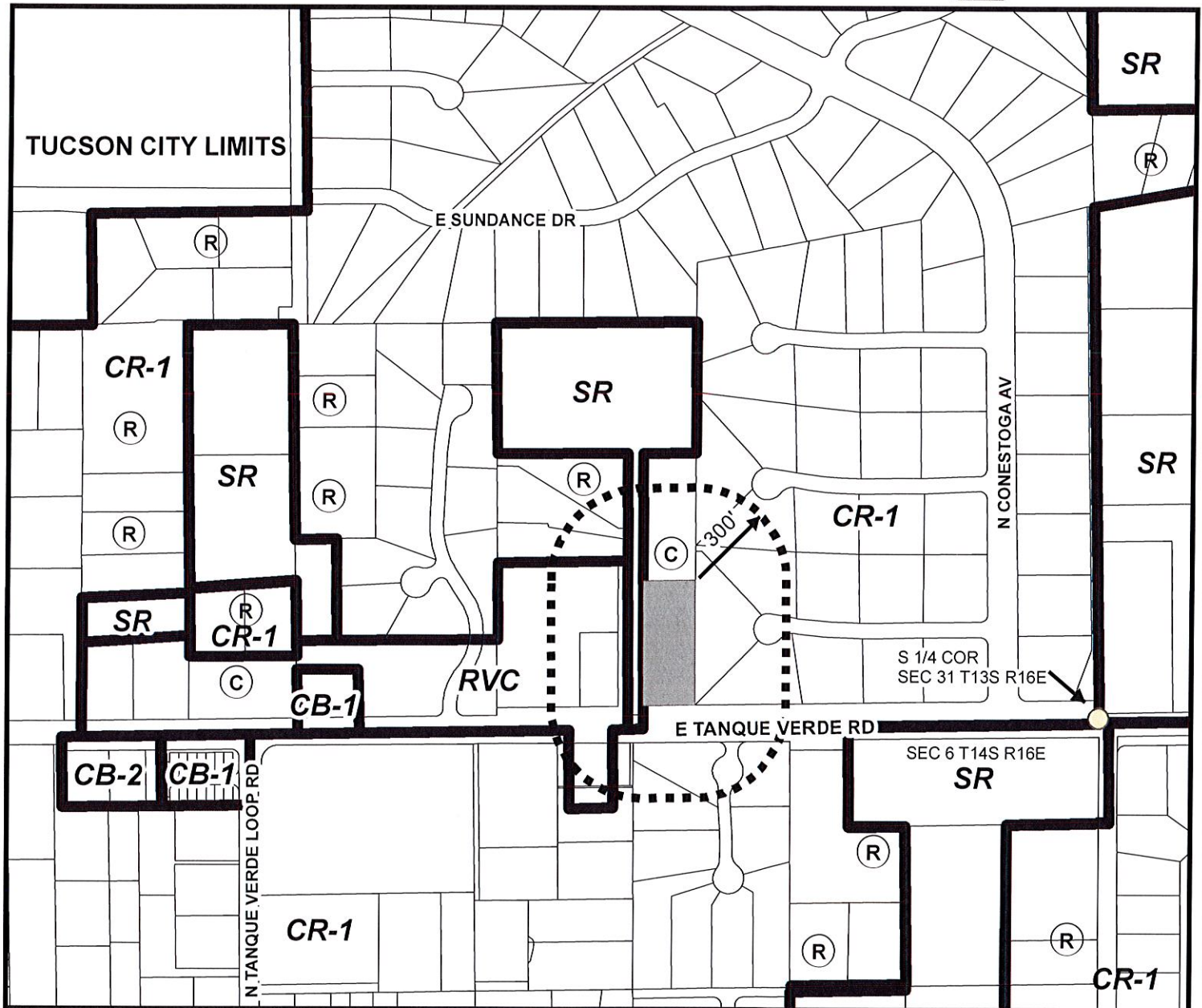


Case #: P16RZ00006

Case Name: SOLAR H2O LEASING LLC - E. TANQUE VERDE ROAD REZONING

Tax Code(s): 205-37-017W

-  300' Notification Area
-  Subject Property
-  Zoning Boundary



Area of proposed rezoning from CR-1^(C) to CB-2



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Ref: Co9-85-13

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

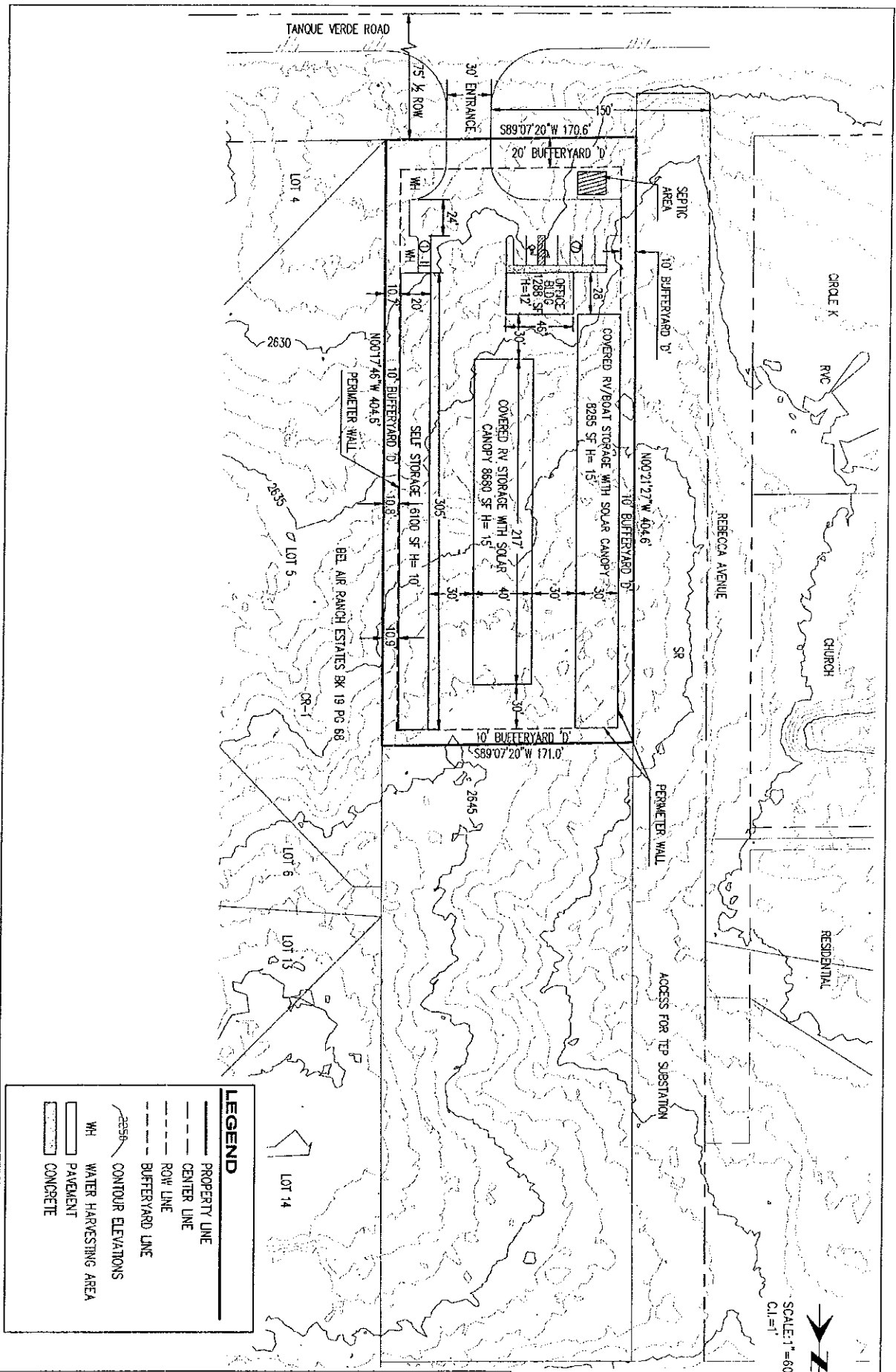
Planning & Zoning Hearing: 08/31/16 (scheduled)

Base Map(s): 85

Map Scale: 1:6,000

Map Date: 08/10/2016 - ds





SCALE: 1"=60'
 CL=1'

LEGEND	
	PROPERTY LINE
	CENTER LINE
	ROW LINE
	BUFFERYARD LINE
	CONTOUR ELEVATIONS
	WATER HARVESTING AREA
	PAVEMENT
	CONCRETE

TANQUE VERDE ROAD 205-37-017W
 S404.61 E180.74' LOT 2
 SEC 31 T13 R16

**EXHIBIT II-B.1
 PRELIMINARY
 DEVELOPMENT
 PLAN**

ENGINEERING
 608 N. 18th
 TUCSON, ARIZONA 85702
 (520) 390-7920
 stanley19263@msn.com