BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 01/19/2016

Title: P15RZ00009 Magee Como Development Assoc, LLC – N. La Cholla Boulevard Rezoning

Introduction/Background:

The applicant requests a rezoning from the TR (Transitional) zone to the CB-2 (General Business) zone for office, restaurant, and retail uses.

Discussion:

Current TR zoning allows professional office uses. A comprehensive plan amendment was approved though Pima Prospers in 2015 that allows for a rezoning to the CB-2 zone but limits the uses to office, restaurant and retail.

Conclusion:

Requested rezoning conforms to the Comprehensive Plan; rezoning would allow for a small, compact, mixed use development.

Recommendation:

Staff recommends approval of the rezoning with conditions; Planning & Zoning Commission also recommends approval with conditions.

Fiscal Impact:

0

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning Telephone: 724-9000

Department Director Signature/Date: 12/22/2015

Deputy County Administrator Signature/Date: 12/30/15

County Administrator Signature/Date: 12/31/15

PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District # 1

FROM: Arlan M. Colton, Planning Director AMC

DATE: December 28, 2015

SUBJECT: **P15RZ00009 MAGEE COMO DEVELOPMENT ASSOC, LLC – N. LA CHOLLA BOULEVARD REZONING**

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 19, 2016** hearing.

REQUEST: A rezoning of approximately 0.88 acres at 7791 N. La Cholla Boulevard from the TR (Transitional) zone to the CB-2 (General Business) zone for office, restaurant, and retail uses. The property is Lot 4 of Magee Center (Book 56 and Page 94) located approximately 150 feet north of W. Magee Road and 600 feet west of N. La Cholla Boulevard.

OWNER / AGENT: Magee Como Development Assoc, LLC
Attn: Craig Courtney
5151 N. Oracle Road, #210
Tucson, AZ 85704

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of December 28, 2015, staff has received two written comments in support of the rezoning, one at the Planning and Zoning Commission meeting and one comment since. Staff has also received one written letter of concern at the Planning and Zoning Commission meeting.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECICAL CONDITIONS (6 – 1, Commissioners Peabody, Membrila and Cook were absent; Commissioner Holdridge voted NAY).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECICAL CONDITIONS.

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

CP/TT/ar
Attachments

PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

FOR JANUARY 19, 2016 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: **December 28, 2015**

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P15RZ00009 MAGEE COMO DEVELOPMENT ASSOC, LLC – N. LA CHOLLA BOULEVARD REZONING

Request of **Magee Como Development Assoc, LLC**, represented by **Craig Courtney**, for a rezoning of approximately 0.88 acres at 7791 N. La Cholla Boulevard from the TR (Transitional) zone to the CB-2 (General Business) zone for office, restaurant, and retail uses. The property is Lot 4 of Magee Center (Book 56 and Page 94) located approximately 150 feet north of W. Magee Road and 600 feet west of N. La Cholla Boulevard. 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 - 1 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECICAL CONDITIONS** (Commissioners Peabody, Membrila and Cook were absent; Commissioner Holdridge voted **NAY**). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECICAL CONDITIONS.**
(District 1)

PLANNING AND ZONING COMMISSION HEARING SUMMARY (November 25, 2015)

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

The applicant's representative spoke. She presented additional information for the proposed development and described the location of the privately negotiated ingress/egress easement that exists on the property providing access to the property to the north.

A commissioner asked for clarification of the meaning of a stand-alone bar. Staff replied that it would be a night club, not a restaurant with a bar which provides a more family oriented atmosphere.

A commissioner asked about the private easement agreement and the effect of that agreement if the commission moved forward with the rezoning. Staff clarified that Pima County will enforce the private easement agreement when a development concept permit is submitted to Development Services for review with the easement depicted within that document.

The applicant's representative demonstrated the location of the easement and responded that the easement exists as a private agreement.

The Speaker requested a continuance of the rezoning citing that he is the holder of the easement through the Magee Center that will provide access to his property north of the subject property. He has concerns for the possible traffic generation without the final uses of his property being determined and that the preliminary development plan demonstrates that there are three parking spaces within the easement. Staff clarified that the required parking will be for the entire site which encompasses all of Magee Center and that those parking spaces may be moved without amending the preliminary development plan and will be reviewed with the submittal of a development concept permit.

A commissioner commented that the issue of the easement will be decided by the parties, but does not affect the rezoning request. Staff clarified that the easement will be reviewed by Department of Transportation during the development concept permit.

A commissioner asked why the three parking spaces were located on the preliminary development plan. The applicant's representative stated that this is an existing utility easement and that they did not have the ingress/egress easement in place at the time of the preliminary development plan and that the capacity for the future development exists.

The public hearing was closed.

Commissioner Holdridge made a motion to **CONTINUE** the rezoning request; the motion failed due to no second.

Commissioner Matter made a motion to **APPROVE** the rezoning subject to standard and special conditions.

Commissioner Johns gave second to the motion.

The commission voted to **APPROVE** the rezoning (7 – 0, Commissioners Peabody, Membrila, and Cook were absent) with the following conditions:

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 condition: The property shall be limited to the existing access points on Magee Road.

4. Regional Flood Control District conditions:
   A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. This requirement shall be made a condition of the Site Construction Permit.
   B. On-site retention/detention shall be provided.

5. 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 complete the construction of all necessary public and/or private 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.

6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

7. Cultural Resources condition: 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.

8. Adherence to the preliminary development plan as approved at public hearing.

9. The uses of the property are limited to restaurants with/without a bar and CB-1 zone uses except for automotive related uses, drive-thru restaurants, and stand-alone bars.

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.

11. 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)."

CP/TT/ar
Attachments

c: Magee Como Development Assoc, LLC, Attn: Craig Courtney, 5151 N. Oracle Road, #210
Tucson, AZ 85704
Chris Poirier, Assistant Planning Director
P15RZ00009 File

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

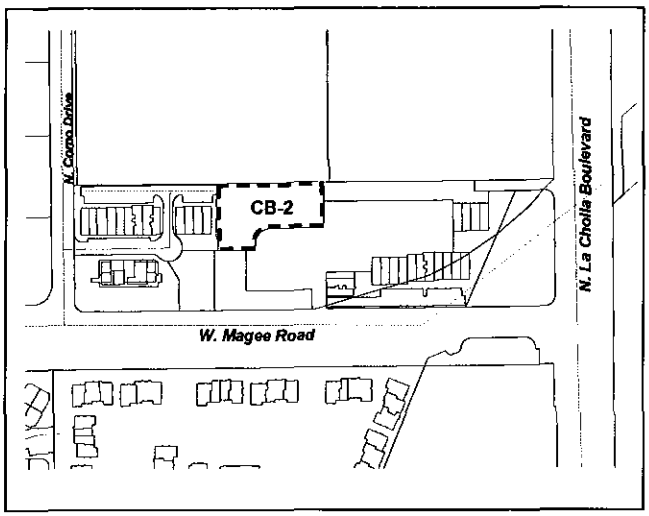
HEARING November 25, 2015

DISTRICT 1

CASE P15RZ00009 Magee Como Development Assoc, LLC – N. La Cholla Boulevard Rezoning

REQUEST Rezone .88 acres from TR (Transitional) to CB-2 (General Business) Zone

OWNER/APPLICANT Magee Como Development Assoc, LLC
Attn: Craig Courtney
5151 N. Oracle Road, #210
Tucson, AZ 85704



APPLICANT'S PROPOSED USE
The proposed use is for a two-story, 25,000 square feet commercial building for a restaurant (with or without a bar) and CB-1 (Local Business) uses except for automotive related uses, drive-through restaurants and stand-alone bars to form a cohesive development within the Magee Center Subdivision.

APPLICANT'S STATED REASON
"The proposed rezoning is Lot 4 (.88 acres) of Magee Center, a part of a master-planned commercial development that will be built in phases. Each lot is designed to have its own building envelope that will accommodate mixed uses where its driveways, sidewalks, and other amenities are extended into the common areas surrounding the building envelopes of the adjoining lots establishing an integrated development."

STAFF REPORT SUMMARY
The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning from the TR (Transitional) to the CB-2 (General Business) zone on approximately .88 acres for a two-story, 25,000 square foot commercial building on Lot 4 of the Magee Center Subdivision (Book 56 and Page 94). A rezoning to CB-2 would provide the opportunity for similarly intense land uses of the subject property as those planned for on the adjacent parcels resulting in a small, compact, mixed use development for the neighborhood.

COMPREHENSIVE PLAN
The Comprehensive Plan Update, Pima Prospers (Co7-15-01), changed the planned land use designation of the site to the Neighborhood Activity Center (NAC) designation. The objective of the NAC land use designation is to provide convenience goods and services within or near suburban residential neighborhoods for day-to-day living needs without attracting vehicle trips from outside the immediate service area. Neighborhood Activity Centers may include a mix of medium density housing types and commercial uses.

Resultant of the approved comprehensive plan amendment, a rezoning policy was established that limits the uses of the property to restaurants with/without a bar and CB-1 zoning uses except for automotive related uses, drive-through restaurants and stand-alone bars. The policy will be implemented through rezoning condition #9.

SURROUNDING LAND USES/GENERAL CHARACTER

North	SR/CR-5	Developed High Density/Developed Low Density Residential
South	TR/CB-1	High Density Residential/Magee Corporate Center/Foothills Mall
East	CB-2/CR-1	Undeveloped Commercial/Low Density Residential
West	TR/CR-1	Medical Office/High-Low Density Residential

The area is characterized by high to low density residential uses and mixed commercial retail and office uses. There are nearby parks, athletic fields, golfing greens, a community center, shopping, and restaurants within walkable distances.

PREVIOUS REZONING CASES ON PROPERTY

The property was originally rezoned from SR (Suburban Ranch) to the TR zone in 1969 (Co9-69-27) with five rezoning conditions that were implemented with the approved subdivision plat.

PREVIOUS REZONING CASES IN GENERAL AREA

The most recent rezoning case in the area was for Lot 3 of the Magee Center Development by which a concurrent comprehensive plan amendment and rezoning were approved in August of 2013 for NAC and CB-2 with the same land use limitation as this request. Lot 5 adjacent to the subject property was rezoned from TR to CB-2 (Co9-07-26), also with the same limited uses of the property as this request.

Many previous rezonings from 1980-2000 have been approved in the area resulting in residential townhouse development and commercial condominiums in the TR zone. Residential properties were rezoned to the dense CR-5 zoning designation in 2005 and rezonings to the larger sized surrounding CR-1 zone properties occurred in the early 1970's.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located outside the Maeveen Marie Behan Conservation Land System (MMBCLS).

PLANNING REPORT

Staff recommends approval of the rezoning from TR to CB-2 zoning. Rezoning condition #9 implements the comprehensive plan policy by limiting the uses of the property to restaurants with/without a bar and CB-1 zone uses except for automotive related uses, drive-thru restaurants, and stand-alone bars. These are the same uses allowed on the adjacent parcels (Lots 3 and 5). This request supports the goals and policy of the proposed NAC land use designation and has minimal impact on the adjacent neighborhood. Concurrency for the subject property has been met within the existing development.

Lots 1, 2, and 3 are part of the existing Magee Center medical office building development. Lots 1 and 2 abut the two-story residential townhouse development to the north. Lot 1 is separated from lots 2 and 3 by a common driveway with a turn-around and fountain feature that serves both the residential townhomes to the north and the medical buildings on Magee Road. Lot 4 is a vacant parcel of land abutting the townhomes to the west and north of the subject property and Lot 5 to the east of the subject property is a remnant parcel created as a result of

the Magee Road alignment. The proposed building on Lot 4 would be better served by becoming part of a cohesive planned use with the adjacent parcels utilizing the existing shared easternmost access onto Magee Road. Staff suggests that the development design give consideration to the existing residential uses and be primarily served by the shared, easternmost access from Magee Road. The rezoning would allow for a development that has the potential to create live/work spaces and provide essential neighborhood retail services.

The property is not located within the Maeveen Marie Behan Conservation Lands System nor is located within a growth area. The request promotes the Growing Smarter acts by the compact, mixed use planning of adjacent residential uses with the proposed limited commercial uses. The recent Magee Road improvements provide an opportunity for the expansion and establishment of a cohesive, compatible, neighborhood-scale development suitable to the surrounding business and residential area. Multi-model forms of transportation include a Sun Tran bus stop adjacent to the subject property and walking paths nearby. The recent Magee Road improvements have provided adequate infrastructure including sidewalk connectivity to nearby residences, businesses, and community services. This is a prime locale and a good infill project for an existing, diverse neighborhood.

Concurrency of Infrastructure
Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
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
WATER	Yes	No objection
SCHOOLS	N/A	None
AIR QUALITY	Yes	None

TRANSPORTATION REPORT
The Pima County Department of Transportation has no objection to the rezoning request. Access to this site is from Magee Road at locations that were determined and constructed at the time of the Magee Road realignment. Because the uses are not precisely specified, it is difficult to determine the exact trip generation rates. Trip generation could vary between 1,000 ADT and over 3,000 ADT based on the uses mentioned in the application. Assuming a split of retail and

restaurant uses, 1,600-1,700 ADT can be estimated. Although the uses are not specified, the main roads serving the site do not pose concurrency concerns. La Cholla and Magee both have enough capacity to absorb potential traffic from this site.

Magee Road is a four-lane divided medium volume arterial with a planned future right-of-way of 150 feet and a posted speed of 45 mph. Adjacent to the rezoning site, the full cross section has been built. Right turn lanes have already been installed as well as a left turn lane into the eastern most access point. The current traffic volume is 19,250 ADT and the capacity is 35,820 ADT.

La Cholla Boulevard is a four-lane divided medium volume arterial with a planned future right-of-way of 150 feet and a posted speed of 45 mph. The full cross section has been build. There is a right turn lane on southbound La Cholla onto westbound Magee adjacent to this rezoning site. The current traffic volume is 20,762 ADT and the capacity is 35,820 ADT.

Other significant roadways in the area include Ina Road (volume: 35,416 ADT; capacity: 35,820 ADT), Mona Lisa (volume 3,552 ADT; capacity: 16,700 ADT), and Shannon Road (volume: 10,924 ADT; capacity: 35,820 ADT).

Transportation recommends the addition of condition #3 which limits the access to the existing access points on Magee Road.

FLOOD CONTROL REPORT

Flood Control District has reviewed the request and have the following comments:

1. The site is not impacted by floodplains or Pima County Regulated Riparian Habitat.
2. No Preliminary Integrated Water Management Plan (PIWMP) is required.
3. The site is within an approved Development Plan which requires detention for each pad per permitting note 5. Furthermore, new standards have been adopted by the Board relating to first flush retention as reflected in the recommended condition. Neither have been shown on the Concept Site Plan submitted with the application.

In conclusion the District finds that the project meets concurrency requirements and has no objection subject to the recommended conditions #4A-B.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed this rezoning request and no objection to the request subject to the addition of rezoning conditions #5A-E.

The rezoning area is located within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. The existing public sewer consists of two 8-inch sewer lines (I-80-215) located on the property. The capacity determination letter has not been issued for this rezoning case.

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
United States Fish and Wildlife Service has no concerns relating to this request.

METRO WATER DISTRICT REPORT
Metro Water District has no comment.

FIRE DISTRICT REPORT
Mountain Vista Fire District has no comment.

PUBLIC COMMENT
As of the writing of this staff report, staff has not received any comments.

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.

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

3. Transportation condition: The property shall be limited to the existing access points on Magee Road.

4. Regional Flood Control District conditions:
   A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. This requirement shall be made a condition of the Site Construction Permit.
   B. On-site retention/detention shall be provided.

5. 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 complete the construction of all necessary public and/or private 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.

6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

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8. Adherence to the preliminary development plan as approved at public hearing.

9. The uses of the property are limited to restaurants with/without a bar and CB-1 zone uses except for automotive related uses, drive-thru restaurants, and stand-alone bars.

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.

11. 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

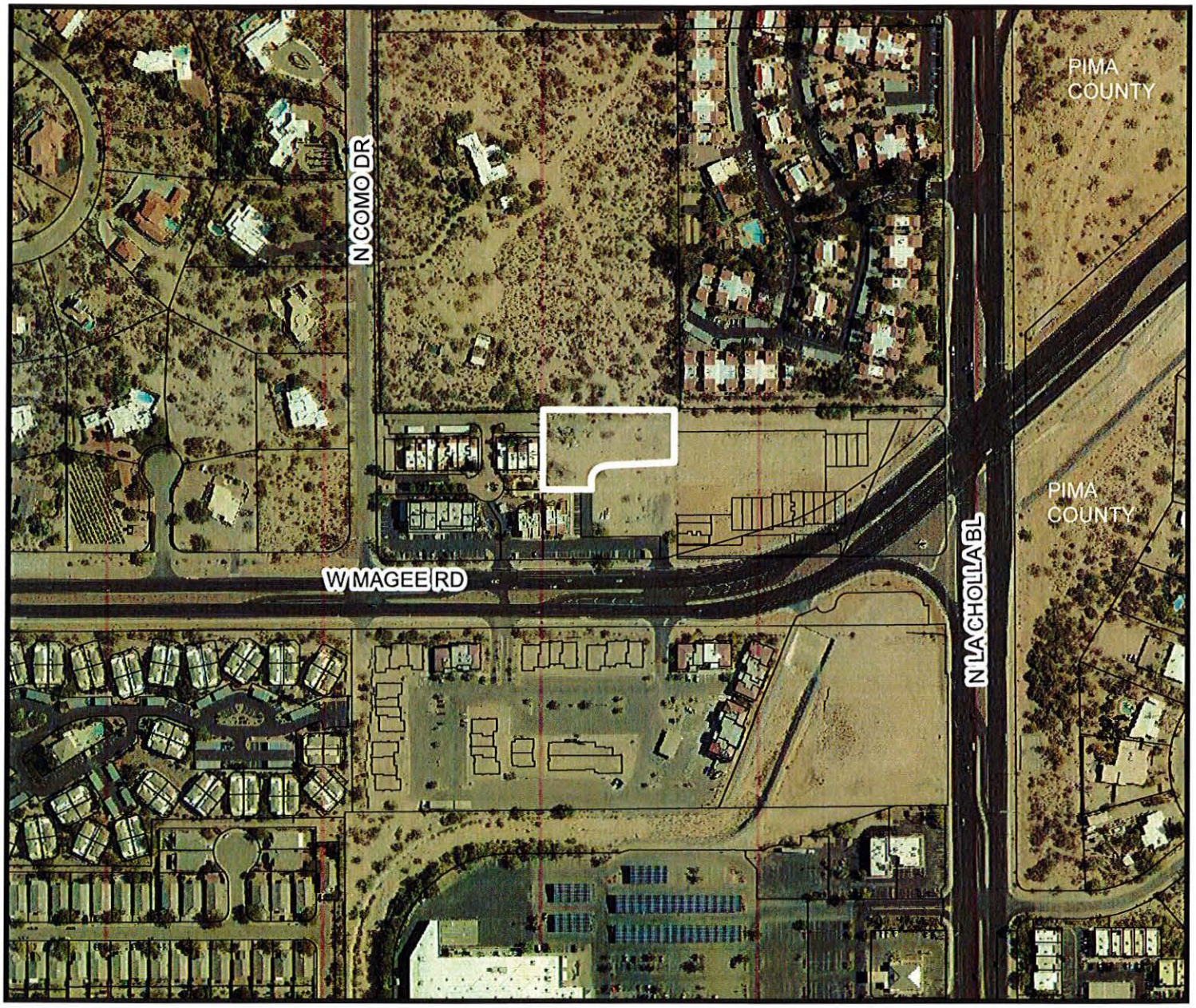
Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,

Terrill Tillman
Senior Planner

c: Magee Como Development Assn., LLC, Craig Courtney, Tucson, AZ 85704

Case #: P15RZ00009
Case Name: MAGEE COMO DEVELOPMENT ASSOC LLC - N. LA CHOLLA BOULEVARD REZONING
Tax Code(s): 225-44-5470



0 145 290 580 Feet

Proposed rezoning from TR to CB-2

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes: Ref: CO7-15-01, CO9-69-27

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

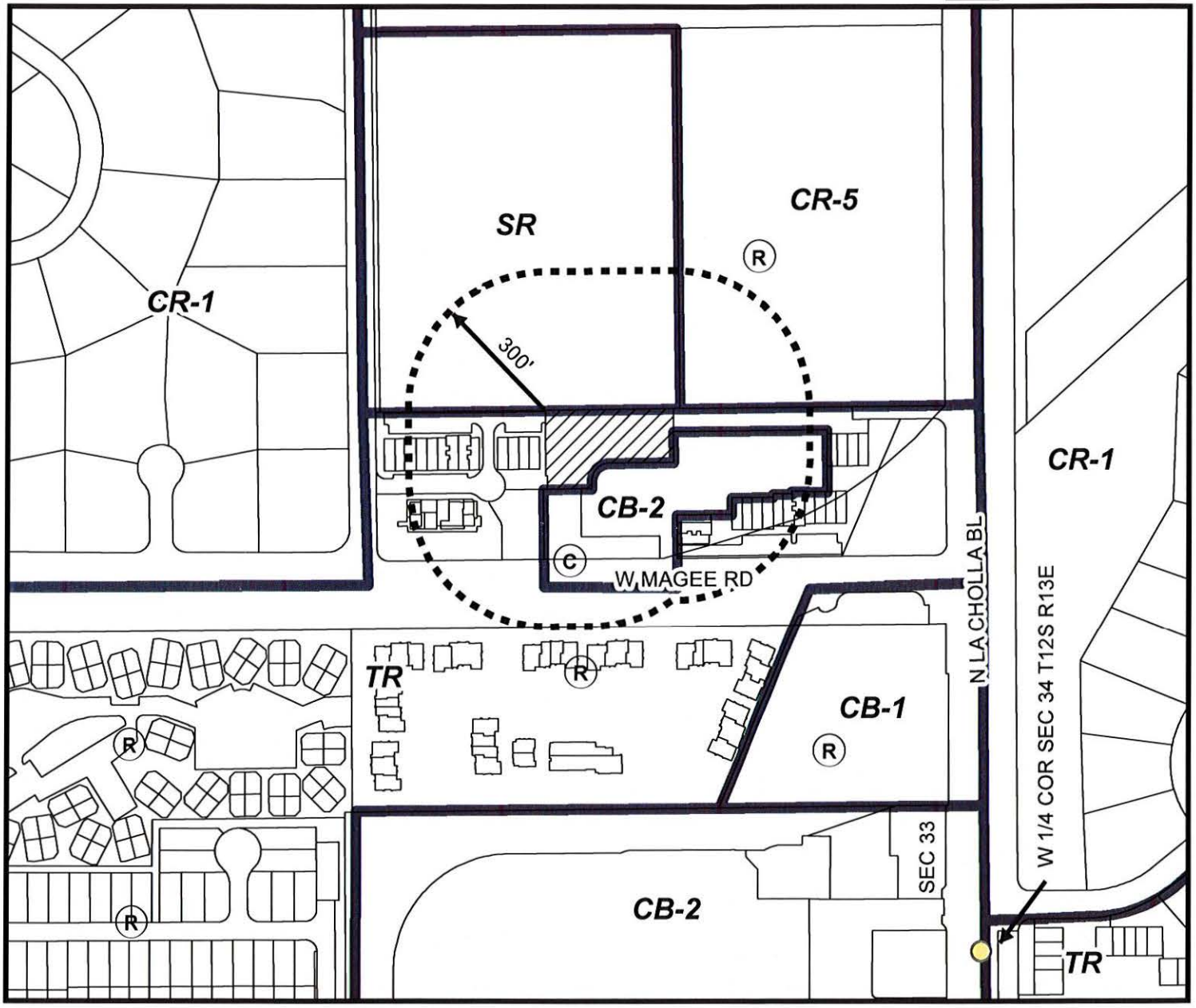
Base Map(s): 115	Map Scale: 1:4,000	Map Date: 11/03/2015

N W E S

Case #: P15RZ00009
Case Name: MAGEE COMO DEVELOPMENT ASSOC LLC - N. LA CHOLLA BOULEVARD REZONING
Tax Code(s): 225-44-5470

300' Notification Area

Zoning Boundary



0 145 290 580 Feet

Area of proposed rezoning from TR to CB-2

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY DEVELOPMENT SERVICES

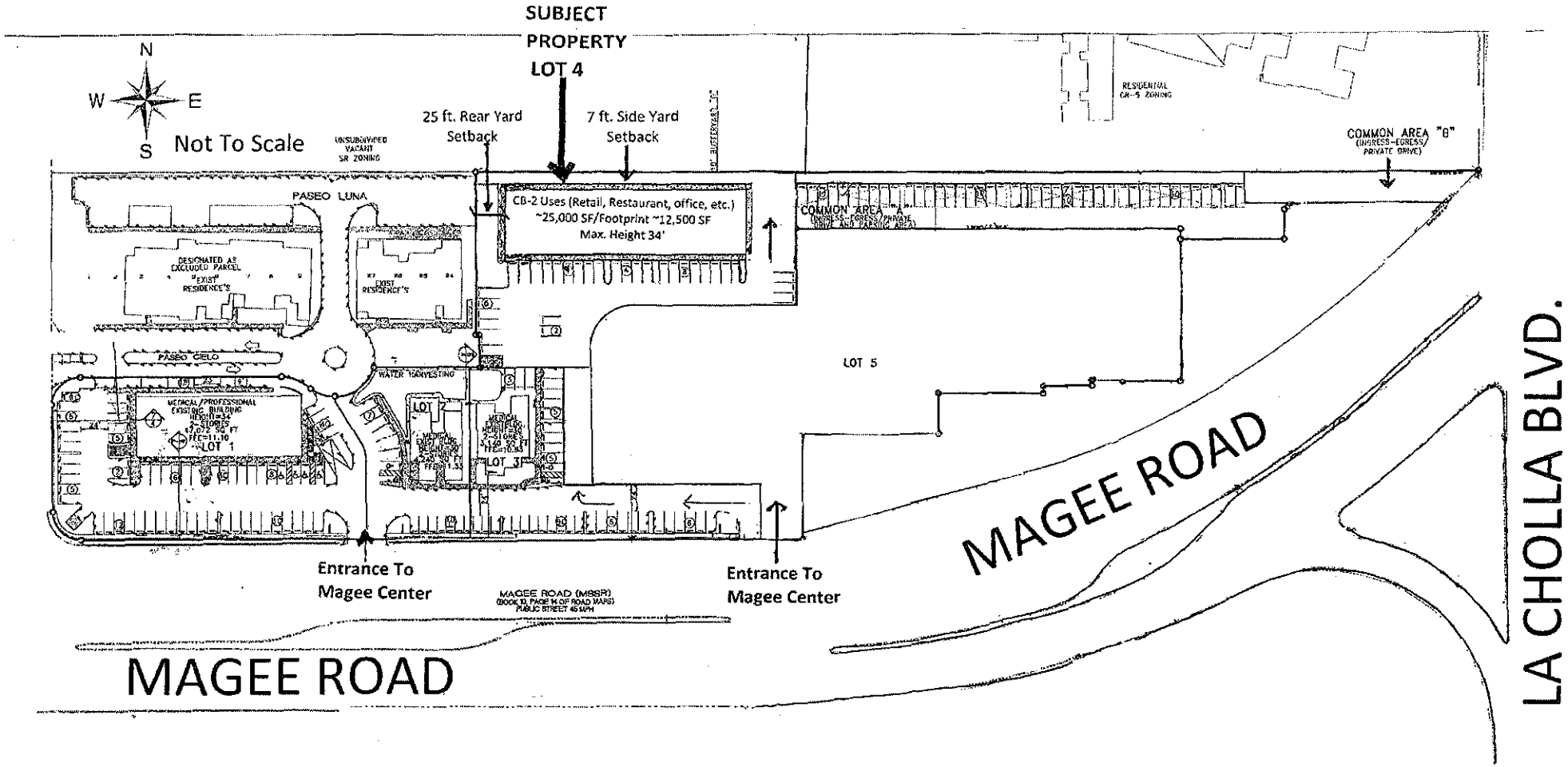
Notes: Ref: CO7-15-01, CO9-69-27

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 11/25/15 (scheduled)

Base Map(s): 115 | Map Scale: 1:4,000 | Map Date: 11/03/2015

N W E S



REZONING CONCEPT SITE PLAN

P1202-015

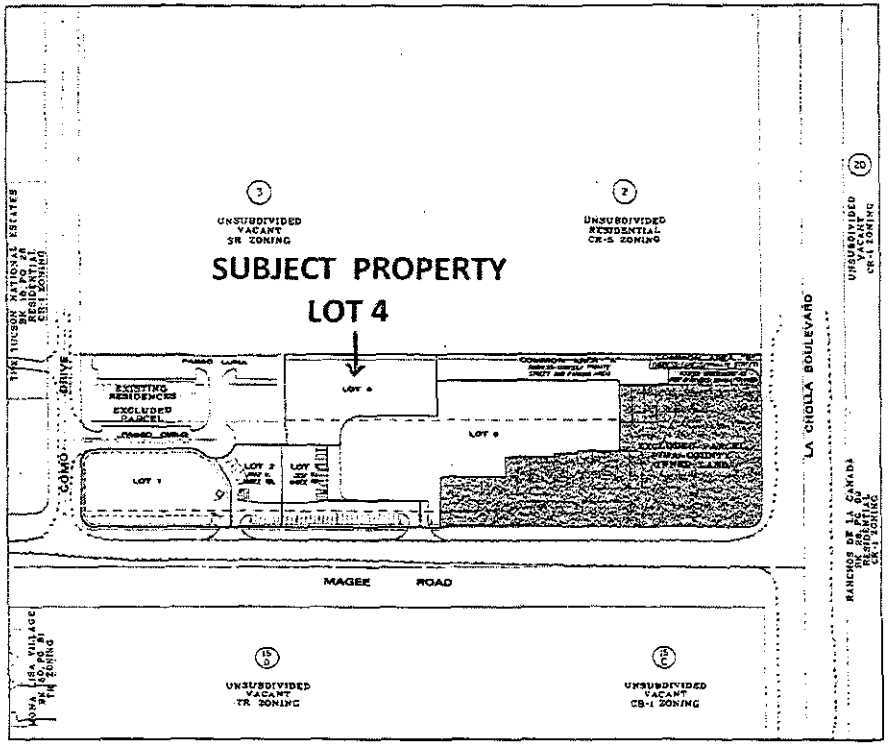
DEVELOPMENT PLAN for MAGEE CENTER

GENERAL NOTES:

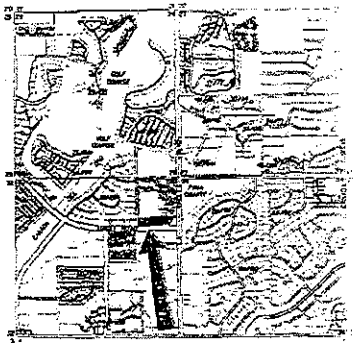
1. THE WATER PROVIDER FOR THIS DEVELOPMENT IS THE METROPOLITAN DOMESTIC WATER IMPROVEMENT DISTRICT (MDWID).
2. GROSS AREA OF MAGEE CENTER, LOTS 1-5 IS 5.14 ACRES.
3. ASSESSORS TAX PARCEL NUMBERS ARE: 225-44-0910 THRU 225-44-0990, 225-44-1000 THRU 225-44-1040, 225-44-1090 THRU 225-44-1280, 225-44-131A, 225-44-1320 THRU 225-44-1490, 225-44-165A, AND 225-44-166A.
4. THIS DEVELOPMENT PLAN, WHEN APPROVED, WILL SERVE AS THE TYPE 2 GRADING PERMIT FOR THIS PROJECT.
5. ANY RELOCATION, MODIFICATION, ETC., OF THE EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
6. ANY WASTEWATER DISCHARGED INTO THE PUBLIC SANITARY SEWERAGE SYSTEM SHALL MEET THE REQUIREMENTS OF THE INDUSTRIAL WASTE ORDINANCE (PIMA COUNTY ORDINANCE NO. 1991-140, AS AMENDED).
7. ON-SITE SANITARY SEWERS, EXCEPT PUBLIC SEWERS WITHIN PUBLIC SEWER EASEMENTS OR RIGHTS-OF-WAY, WILL BE PRIVATE AND WILL BE CONSTRUCTED, OPERATED AND MAINTAINED ON A PRIVATE BASIS. THE LOCATION AND METHOD OF CONNECTION TO AN EXISTING PUBLIC SANITARY SEWER IS SUBJECT TO REVIEW AND APPROVAL BY THE PIMA COUNTY WASTEWATER MANAGEMENT DEPARTMENT AT THE TIME OF SUBMITTAL OF PLUMBING OR BUILDING PLANS.
8. THE NUMBER OF WASTEWATER FIXTURE UNITS IS 32.

PERMITTING NOTES:

1. EXISTING ZONING IS TR.
2. THE USES OF THIS PROJECT (LOTS 2 AND 3) WILL BE ALL OF THOSE OFFICE AND MEDICAL USES ALLOWED IN THE TR ZONE AS PERMITTED IN ACCORDANCE WITH SECTION 18.07.010 OF THE PIMA COUNTY ZONING CODE.
3. AREAS AND SPACES DESIGNATED FOR REQUIRED PARKING SHALL NOT BE CONVERTED TO OTHER USES UNLESS IT CAN BE DEMONSTRATED THAT SUFFICIENT ON SITE PARKING EXISTS.
4. MATERIALS WITHIN SIGHT VISIBILITY TRIANGLES SHALL BE PLACED SO AS NOT TO INTERFERE WITH A VISIBILITY PLANE DESCRIBED BY TWO HORIZONTAL LINES LOCATED 30 INCHES AND 72 INCHES ABOVE FINISHED GRADE OF THE ROADWAY SURFACE.
5. PRIOR TO THE REQUEST FOR FINAL INSPECTION, A LETTER CERTIFYING COMPLETION IN CONFORMANCE WITH THE APPROVED PLANS, SEALED BY A REGISTERED PROFESSIONAL ENGINEER (OR ARCHITECT) MUST BE SUBMITTED TO THE DEVELOPMENT REVIEW DIVISION.
6. MAGEE CENTER IS SUBJECT TO BOARD OF SUPERVISORS REZONING CONDITIONS AS FOUND IN CASE NUMBER Co9-69-27 AS APPROVED ON JULY 22, 1969.
7. THIS PROJECT IS SUBJECT TO DESIGN REVIEW COMMITTEE REQUIREMENTS AS FOUND IN CASE NUMBER Co20-02-004 AS APPROVED ON 4-18-02. PERMIT # P03RW00155 FOR INSTALLATION OF LANDSCAPING IN MAGEE ROAD RIGHT OF WAY. THE REQUIREMENTS OF Co20-02-004 ARE:
   a. AN APPROVED LANDSCAPE PLAN
   b. ALL TREES ON THE SUBJECT PROPERTY SIDE OF THE EXISTING WALL WILL BE A MINIMUM OF TWENTY-FOUR INCH (24") BOX.
   c. THE DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL DISTRICT (DOT/FCD) STANDARDS.
   d. THE PLANTING WIDTH OF THE ON-SITE BUFFERYARD SHALL BE A MINIMUM OF FIVE FEET (5').
   e. BEFORE THE PROJECT LANDSCAPE PLAN AND DEVELOPMENT PLAN IS APPROVED, THE APPLICANT SHALL SUBMIT A REPRODUCIBLE 1" = 20' SCALE SEPIA AND TWO (2) BLACK OR BLUE LINE COPIES OF A REVISED LANDSCAPE PLAN EXHIBIT TO THE DRC CASE PLANNER FOR HIS/HER REVIEW AND APPROVAL/CERTIFICATION WITHIN FIVE (5) WORKING DAYS TO CONFIRM THAT THE REVISED LANDSCAPE PLAN EXHIBIT CONFORMS WITH THE DRC'S APPROVAL, AND THAT THE LANDSCAPE PLAN EXHIBIT INCLUDES THE LANGUAGE OF THE DRC'S MOTION AND ALL CONDITIONS. THE MAGEE ROAD BUFFERYARD ON THE PROJECT DEVELOPMENT PLAN AND THE PROJECT LANDSCAPE PLAN SHALL BE REVISED IN CONFORMANCE WITH THE CASE PLANNERS CERTIFICATION.
   f. COMPLIANCE WITH THE SIX FOOT (6') HEIGHT REQUIREMENT FOR A BUFFERYARD WALL IN A BUFFERYARD. NOTE: THE EXISTING WALL DOES NOT MEET THE MINIMUM HEIGHT REQUIREMENT OF 6 FEET (6') IN CHAPTER 18.73 LANDSCAPE AND BUFFERYARD ORDINANCE. (REVISED PER NOTE #11).
8. THIS PROJECT IS SUBJECT TO CHAPTER 18.77 "SCENIC ROUTES".
9. THERE SHALL BE NO FURTHER SUBDIVIDING OR LOT SPLITTING OF THIS PARCEL WITHOUT A REVISED DEVELOPMENT PLAN AND APPROVAL BY THE SUBDIVISION REVIEW COMMITTEE (SDRC).
10. THIS PROJECT LIES WITHIN THE LA CHOLLA FIRE FLOW IMPACT CORRIDOR AND IS SUBJECT TO FEES PER MDWID RESOLUTION 1994-6.
11. THIS PROJECT IS SUBJECT TO THE CONDITIONS OF A VARIANCE APPROVED BY BOARD OF ADJUSTMENTS AS FOUND IN CASE NUMBER Co-10(X)02-51 AS APPROVED ON DECEMBER 6, 2002.
   a. REDUCE THE HEIGHT OF OF THE WALL REQUIRED IN BUFFERYARDS "C" & "D" UP TO 3'-6" (3 FEET, 6 INCHES) FOR LOT 1, 2 AND 3 AT MAGEE CENTER.



PROJECT LAYOUT
SCALE: 1"=100'



LOCATION PLAN
SECTION 33, T-12-S, R-13-E GASRGAM
PIMA COUNTY ARIZONA
SCALE: 1"=1 MILE

LEGEND:

- STRIPING (4")
- NEW ASPHALT PAVEMENT SURFACE
- EXISTING SURFACE TO BE REMOVED
- NEW CONCRETE
- EXISTING CONCRETE
- FLOW ARROW
- HIGH POINT
- EXISTING EDGE OF PAVEMENT
- HANDICAPPED PARKING SPACE
- EXISTING CONTOUR
- EXISTING CMU SCREEN WALL
- NEW CMU SCREEN WALL
- EXISTING CHAIN LINK FENCE TO BE REMOVED
- DEVELOPMENT BOUNDARY
- EXISTING SEWER LINE WITH DIRECTION OF FLOW
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING UNDERGROUND CABLE TELEVISION
- EXISTING UNDERGROUND ELECTRIC
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND TELEPHONE
- 100 YEAR FLOOD PRONE LINE
- 20' EROSION SETBACK LIMIT
- NUMBER OF PARKING SPACES
- NUMBER OF COMPACT PARKING SPACES
- TRAFFIC FLOW DIRECTION
- PROPOSED GRADE
- EXISTING GRADE

PARKING CALCULATIONS:

REQUIRED:
PER ZONING CODE, TABLE 18.75-1
TOTAL BUILDING AREA = 7,380 S.F.
OFFICE = 2,952 S.F. (40%)
MEDICAL = 4,428 S.F. (60%)

OFFICE:
.5 - SPACE PER EMPLOYEE = 6 x .5 = 3 SPACES
1 - SPACE PER 200 GSF = 2,952 S.F. DIVIDED BY 200 = 10 SPACES
TOTAL OFFICE SPACES REQUIRED = 13 SPACES

MEDICAL:
1 - SPACE PER EMPLOYEE = 7 x 1 = 7 SPACES
1 - SPACE PER 200 GSF = 4,428 S.F. DIVIDED BY 200 = 22 SPACES
TOTAL MEDICAL SPACES REQUIRED = 29 SPACES

REDUCTION IN REQUIRED PARKING:
PARKING REDUCTION FOR 8 TENANTS = 8%
TOTAL SPACES REQUIRED = 42 SPACES (OFFICE AND MEDICAL) WITH 8% REDUCTION REQUIRED SPACES = 39 SPACES

PROVIDED:
TOTAL SPACES PROVIDED = 46 SPACES
TOTAL SPACES FOR HANDICAPPED = 1 + 1 PER 50 SPACES = 2 REQUIRED HANDICAP SPACES
TOTAL HANDICAP PROVIDED = 2 SPACES

COMPACT PARKING PROVIDED:
TOTAL SPACES PROVIDED = 19 SPACES
PERCENT OF COMPACT = 33.6%

OFF STREET LOADING SPACE:
NONE REQUIRED

BICYCLE PARKING:
1 - SPACE REQUIRED PER PER 15 SPACES
46 DIVIDED BY 15 = 4 SPACES
SPACES PROVIDE = 6

LEGAL DESCRIPTION:

A DEVELOPMENT OF MAGEE CENTER, LOTS 1-5 AS RECORDED IN BOOK 56, PAGE 94, MAPS AND PLATS.

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	DEVELOPMENT PLAN
SHEET 3	DEVELOPMENT PLAN
SHEET 4	PAVING AND GRADING PLAN
SHEET 5	DETAIL SHEET

OWNER /DEVELOPER:

MAGEE COMO DEVELOPMENT ASSOCIATION, LLC
5151 N. ORACLE ROAD, SUITE 210
TUCSON, AZ 85704
PHONE: (520) 293-8280
FAX: (520) 293-7726

APPROVED BY THE SUBDIVISION AND DEVELOPMENT REVIEW COMMITTEE:

SUBDIVISION COORDINATOR — DATE: 6/10/03

1-800-782-5348

P1202-015 P1202-049 Co9-69-27

DEVELOPMENT PLAN
MAGEE CENTER
LOTS 1-5 AND COMMON AREA "A" (INGRESS-EGRESS / PRIVATE STREET AND PARKING AREA) AND COMMON AREA "B" (INGRESS-EGRESS / PRIVATE STREET)
AS RECORDED IN BOOK 56, PAGE 94 OF MAPS AND PLATS

SHEET 1 OF 5

JEFFREY A. STANLEY, Engineering

SCALE: H 1"=100' V 1"=5' | DESIGNED BY: JAS | REVIEWED BY: | DRAWING #
DRAWN BY: HCR | REVISED | REVISED
DATE: 10-24-2002 | REVISED | REVISED