# BOARD OF SUPERVISORS AGENDA ITEM REPORT

**Requested Board Meeting Date:** January 22, 2019

**Title:** P18RZ00009 VENTANA CANYON CARWASH, LLC - N. SABINO CANYON ROAD REZONING

## Introduction/Background:

The applicant requests a rezoning from CB-1 (BZ) (Local Business) (Buffer Overlay Zone) to CB-2 (BZ) (General Business) (Buffer Overlay Zone) on .60 acre.

## Discussion:

The rezoning will allow conversion of a self-serve car wash into an auto repair shop along Sabino Canyon Road, north of Snyder Road. Staff expects there to be similar or possibly less noise and visual impacts to adjacent properties. The applicant indicates that automotive repair services do not exist in the area. The proposed initial retention of part of the car wash will also maintain that service in the area. Despite the site's location within the one-mile Buffer Overlay Zone in the area of Sabino Canyon, there are high density residential and apartment developments in the vicinity that could be served, and there is office and business development along Sabino Canyon Road in the area of the site. Recommended conditions are designed to reduce potential impacts to adjacent residents and travelers along Sabino Canyon Road. The conditions include site screening and landscaping, no visible outdoor storage, and restriction of repair bay openings on the easternmost side. Infrastructure concurrency exists. The site is not within the Conservation Lands System.

## Conclusion:

The use will remain automotive in nature, and similar or lesser impacts to neighboring properties are expected. Recommended conditions are designed to reduce noise and visual impacts to neighboring properties and visual impacts travelers along Sabino Canyon Road, including visitors to Sabino Canyon. The use can serve the area population.

## Recommendation:

Staff recommends approval of the rezoning with conditions. The Planning and Zoning Commission also recommends approval with conditions.

## Fiscal Impact:

N/A

## Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

JAN 09 '19 PM 02:16 PC CLK OF BD

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

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date: 1/4/19

Deputy County Administrator Signature/Date: 1/7/19

County Administrator Signature/Date: C. Dalquest 1/7/19

PIMA COUNTY
DEVELOPMENT SERVICES

**TO:** Honorable Ally Miller, Supervisor, District 1

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

**DATE:** January 4, 2019

**SUBJECT:** **P18RZ00009 VENTANA CANYON CAR WASH, LLC – N. SABINO CANYON ROAD REZONING**

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 22, 2019** hearing.

**REQUEST:** For a **rezoning** of approximately 0.60 acres from the CB-1 (BZ) (Local Business – Buffer Overlay) zone to the CB-2 (BZ) (General Business – Buffer Overlay) zone, on property located on the east side of N. Sabino Canyon Road, approximately 500 feet north of the intersection of N. Sabino Canyon Road and E. Snyder Road.

**OWNERS:** Ventana Canyon Car Wash, LLC
P.O. Box 42051
Tucson, AZ 85733-2051

**AGENT:** The Planning Center
2 E. Congress Street, Ste. 600
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** David Petersen

**PUBLIC COMMENT TO DATE:** As of January 4, 2019, staff has received one written public comment which states no opposition provided it is not a "blanket rezoning" and as long as a specific use is proposed and a public hearing process is required for any use change. No members of the public spoke at the Planning and Zoning Commission public hearing.

**PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (9–0; Commissioner Bain was 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 (CLS).

TD/DP/ar
Attachments

PIMA COUNTY

DEVELOPMENT SERVICES

# BOARD OF SUPERVISORS MEMORANDUM

**Subject: P18RZ00009** 

**FOR JANUARY 22, 2019 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

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

**DATE:** January 4, 2019

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**ADVERTISED ITEM FOR PUBLIC HEARING**

**REZONING**

**P18RZ00009 VENTANA CANYON CAR WASH, LLC – N. SABINO CANYON ROAD REZONING**
Request of Ventana Canyon Car Wash, LLC, represented by The Planning Center, for a **rezoning** of approximately 0.60 acres from the CB-1 (BZ) (Local Business – Buffer Overlay) zone to the CB-2 (BZ) (General Business – Buffer Overlay) zone, on property located on the east side of N. Sabino Canyon Road, approximately 500 feet north of the intersection of N. Sabino Canyon Road and E. Snyder Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center. On motion, the Planning and Zoning Commission voted 9-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioner Bain was absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 1)

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

Staff presented information from the staff report to the commission with a recommendation of approval subject to recommended conditions found on pages 6 and 7 of the staff report, including adding an additional restriction to recommended condition #4 which states, "There shall be no openings to auto repair bays on the eastern-most side of the building."

The applicant, the agent for the owner, indicated that a neighborhood meeting was held and attendance included the owner of the adjacent veterinary clinic, a representative of the management for the adjacent townhome community, and several townhome owners. The concerns expressed mostly involved potential building height increases and the visibility of the use from the townhome recreation area. She indicated that no height increases are proposed and that additional metal screening will be placed on the existing masonry wall to help screen view of the site from the recreation area as mature trees were recently removed from the townhome property which had served as a screen.

Regarding the additional staff condition, the applicant indicated that the option for repair bay openings on the east wall of the westernmost bays was desired. Staff indicated that the condition restricting openings was for the east wall of the easternmost bays and not for the bays she described and referenced on the sketch plan. The applicant then had no objection to the added condition or the other recommended conditions.

A commissioner asked why there would be no transmission work as described in the rezoning application. The applicant indicated that the particular auto repair operation would not perform that work, but that it should not be precluded as an option. The owner indicated that he does not specialize in auto transmission work other than normal maintenance such as flushing transmission fluid.

The hearing was opened to the public. No members of the audience spoke. The public hearing was closed.

Commissioner Maese made a motion to recommend approval of the rezoning subject to the standard and special conditions in the staff report, including the additional restriction pertaining to condition #4 as described by staff.

Commissioner Membrila gave second to the motion. He asked if transmission work would be restricted. Staff indicated that there is no condition for that restriction, so it would be allowed as part of an auto repair operation.

The commission voted to recommend **APPROVAL** of the rezoning (9-0, Commissioner Bain was absent), subject to 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. Adherence to the sketch plan as approved at public hearing.
2. A minimum six-foot-high masonry wall (as measured from the site's interior) shall be maintained on the north, east, and south sides of the site. The wall shall be augmented on top with the existing 2.5-foot metal screen on the east and south sides that shall be extended on the north side approximately 50 feet from the northeast corner of the wall. The minimum 2.5-foot height extension may also be achieved with masonry blocks. A minimum five-foot vegetated landscape buffer shall be maintained outside of the wall along the north, east, and south property boundaries.
3. The entire area between the front property line and the edge of the existing parking lot shall be landscaped consistent with the plant density and structure requirements of either a 15-foot or 20-foot landscape bufferyard "D" depending on the width of this area.
4. Outdoor storage shall not be visible from outside of the site, including used oil containers. The refuse area shall be fully screened to include a gate. Repair of vehicles shall be performed only within indoor service bays. Vehicles kept overnight shall be stored in auto service bays or a gated area between the east and west service bay building areas. <u>There shall be no openings to auto repair bays on the eastern-most side of the building.</u>
5. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery

at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

6. 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.
7. 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.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

TD/DP/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P18RZ00009 File

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

**HEARING** November 28, 2018

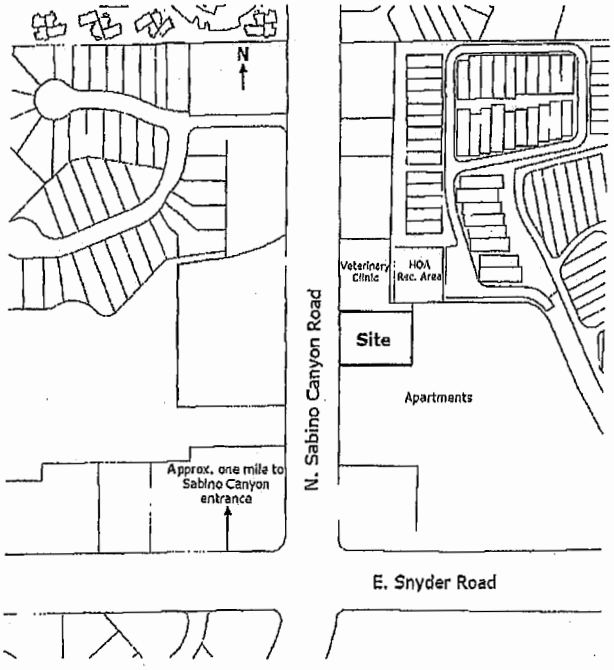
**DISTRICT** 1

**CASE** P18RZ00009 Ventana Canyon Car Wash, LLC – N. Sabino Canyon Road Rezoning

**REQUEST** Rezone from CB-1 (BZ) (Local Business – Buffer Overlay Zone) to CB-2 (BZ) (General Business – Buffer Overlay Zone) (0.60 acre)

**OWNER** Ventana Canyon Car Wash, LLC
P.O. Box 42051
Tucson, AZ 85733-2051

**APPLICANT** The Planning Center
2 E. Congress Street, Ste. 600
Tucson, AZ 85701




## APPLICANT'S PROPOSED USE
"...full-service auto repair shop (minus transmission services)..."

## APPLICANT'S STATED REASON
"...due to the current lack of repair shops in the general vicinity."

## COMPREHENSIVE PLAN DESIGNATION
The Pima County Comprehensive Plan designates the subject property as Community Activity Center (CAC), which designates areas for medium and higher intensity mixed-use districts designed to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses; and other similar uses as described in the Campus Park Industrial (CPI) zoning district (Section 18.49); and compatible medium to higher density housing. Individual rezoning requests do not necessarily have to be a mixed-use project; however, the application must demonstrate how it serves to create or enhance the mixed use character of the designated activity center as a whole. The CAC area in question has mixed commercial and apartment uses.

## SURROUNDING LAND USES/GENERAL CHARACTER

| | | |
|---|---|---|
| North: | CB-1 | Veterinary Clinic / Townhomes HOA Recreation Center |
| South: | CB-1 | Apartments |
| East: | CB-1 | Apartments |
| West: | CB-2 | Sabino Canyon Road / Office Building |

## PREVIOUS REZONING CASES ON PROPERTY

Co9-57-113 Miller Rezoning (650 acres)

Location: Both sides of Snyder Road between Sabino Canyon Road and Bear Canyon Road, including the subject property.

Request: SR to CR-1

Action: Approved 12-16-58 with some area to remain SR. On 4-3-63 the Agua Caliente-Sabino Creek Zoning Plan (Co13-61-13) was approved and affirmed the CR-1 development of Co9-57-113 and added TR and CB-1 at the northeast corner of Sabino Canyon Road and Snyder Road, including the subject property. Apartment and townhome development in addition to commercial development along Sabino Canyon Road occupy the TR and CB-1 area which was expanded under Co9-59-89.

## PREVIOUS REZONING CASES IN GENERAL AREA

Co9-60-38 Uffner Petition (Rezoning) (13 acres)

Location: Across Sabino Canyon Road from the site, at the northwest corner of Sabino Canyon Road and Snyder Road.

Request: SR to CB-2

Action: Ordinance adopted 1-2-62. Deed restricted for 20 years for limited recreational uses associated with existing restaurant (Hidden Valley Inn). Restaurant site redeveloped and commercial and office development now occupy this area that includes one vacant parcel.

The CR-5, TR, and CB-1 zoning further north of the subject property along or in near proximity to Sabino Canyon Road and Sunrise Drive occurred under rezoning cases in 1978 and 1979. The TR and CB-1 zoning further south of the property along or in near proximity to Sabino Canyon Road and Snyder Road (south side) occurred under rezoning cases in 1973 and 1978. These rezonings have resulted in higher density residential and apartment development, rather than commercial development with the exception of one office complex.

## STAFF REPORT

Staff recommends **APPROVAL with conditions**. Staff has no objection to the CB-2 (General Business) rezoning request because the proposed use remains automotive related and potential noise and visual impacts to adjacent properties, including apartment dwellers in close proximity, may be the same (or even less) with the proposal to redevelop the existing car wash into an auto repair shop. Staff recommends conditions (discussed below) designed to reduce potential impacts. The site is not located within the Maeveen Marie Behan Conservation Lands System.

The applicant indicates that automotive repair services do not exist in the area. The proposed (initial) retention of part of the existing self-service car wash will maintain that service in the area where none others appear to exist either. Despite the site's location at the outer periphery of the one-mile Buffer Overlay Zone associated with the Coronado Forest boundary in the area of Sabino Canyon, there are high density residential and apartment developments in the vicinity that could be served, and there is intensive office and business development along Sabino Canyon Road in the area of the site.

The existing self-service car wash contains five wash bays and six vacuum bays. While an auto repair shop is considered a use of an intensity that requires CB-2 zoning, the CB-1 car wash is open air and available for use 24 hours per day. Nighttime use of the car wash, when ambient noise levels are lower, could have more impact on residents of the apartment complex than the limited hours that an auto repair shop typically operates. However, two wash and vacuum bays are proposed to be retained, but could be redeveloped for additional auto repair bays at some point in the future under this proposal The auto repair shop will initially have five repair bays with potential for nine repair bays with full conversion from the wash and vacuum service. Awnings are proposed to be constructed for shade and outdoor storage (southeast corner of site) screened from the apartments. The awnings are proposed to match the heights (18 feet and 14 feet) of existing adjacent structures. The conversion of the wash and vacuum bays to auto repair bays will involve slight expansion of the bays and includes expansion for indoor storage.

Impact Mitigation

As noted, there are potential noise and visual impacts to neighboring sites, especially the apartment complex that borders the east and south sides of the site and a townhome complex recreation area bordering the northeast corner of the site. There is also the potential for visual impacts for travelers along Sabino Canyon Road, especially for visitors to Sabino Canyon, a popular natural recreation attraction at the base of the Santa Catalina Mountains in the Coronado National Forest. The subject site is approximately a mile south of the Sabino Canyon parking lot entrance.

The existing car wash development contains impact mitigating measures that are not required by code that include a six-foot-high masonry wall (as measured from the site's interior and not five foot as shown on the site plan) that is augmented on the east and south sides with a 2.5-foot metal screen on top, and a five-foot landscape buffer outside of the wall on the north, east, and south sides. The applicant has worked with neighboring property owners and has agreed to extend the metal screen along the north wall for 50 feet extending from the northeast corner. Regarding these existing and proposed features, staff recommends condition #2 below.

The existing 20-foot landscape bufferyard "D" fronting the site lacks required vegetation. The site plan shows the width of the bufferyard at 18'-11". The approved development plan for the car wash shows a 20-foot width. Staff recommends condition #3 which requires that the entire area between the front property line and the edge of the parking lot be landscaped, consistent with the requirements of either a 15-foot or 20-foot landscape bufferyard depending on the actual width. There is some groundcover extending into the Sabino Canyon Road (scenic route) right-of-way; and it appears that some other businesses along Sabino Canyon Road have landscaped part of the right-of-way along their individual frontages. The site and part of the right-of-way are elevated from the road surface. Additional planting within the elevated portion of the right-of-way (if allowed by the Department of Transportation) would enhance the visual quality of the site and help fulfill the purpose of the Buffer Overlay Zone, part of which is to provide for an aesthetic visual appearance to and from public preserves.

With the site's location along a scenic route that is the main route to Sabino Canyon and with the close location of the two-story apartment building to the east, no outdoor storage should be visible from outside of the site and repair of vehicles should be performed only within service bays as recommended per condition #4. The existing wall, metal screening, and vegetation and proposed awnings may help fulfill this requirement as pertains to outdoor storage. There may be views into the site from the second story of the apartment building directly east.

The development plan for the current self-service car wash use was approved in April 2000. As noted, it operates 24 hours per day, seven days per week. To reduce potential nighttime noise impacts from the operation, the Commission could consider limits on operation hours. However, there is no record of noise related complaints, and staff does not recommend a limit barring opposition to the rezoning on this basis.

Buffer Overlay Zone

With the rezoning request, the Buffer Overlay Zone (BOZO) becomes applicable for the site. Rezonings are required to be evaluated for conformance to the BOZO performance standards as part of the staff report.

The BOZO performance standards address building color and reflective finish of exterior walls and roofs (typically earthtone not exceeding sixty percent light reflectivity), fence and wall height and location (four feet maximum with exceptions) and limits on use of barbed wire, external lighting restrictions, nonresidential parking lots, setback from the public preserve boundary (not applicable), utility location (typically underground), vegetation (approved and prohibited plant list), trails access reserved within subdivisions (not applicable), washes preservation with exceptions (not applicable), functional open space credits toward the natural open space requirement, natural open space requirement (interconnected 50 percent of the land subject to the BOZO), and visual quality standards (for areas of high and medium visual sensitivity according to site analysis procedures that have been rescinded).

Some of these standards are simply not applicable, i.e. there are no washes on the site, the site is not near a public preserve boundary for setback to apply, and the site is not a subdivision for which trails can be reserved. Some of these standards cannot practicably be met or are not otherwise reasonably imposed due to the nature of the site's small size, its existing development, and the surrounding intensive development, i.e. the six-foot wall exists and is necessary to reduce impacts to nearby development, and functional and natural open space cannot reasonably be provided on the .60-acre site that is already fully developed as is its surroundings.

Standards that can be reasonably applied include earthtone and low reflective finishes of buildings and walls, limits on barbed wire use, external lighting limited to that necessary for safety, security, and identification that is code compliant, underground utility location, and use of native landscape plants. It appears that these standards are already met or could otherwise be met. Some of the existing vegetation in the five-foot bufferyard may not be native. In August 2000, there was an outdoor lighting violation complaint received by the Development Services Department. The inspection revealed no violation.

Concurrency of Infrastructure

| CONCURRENCY CONSIDERATIONS | | |
|---|---|---|
| *Department/Agency* | *Concurrency Considerations Met: Yes / No / NA* | *Other Comments* |
| TRANSPORTATION | Yes | |
| FLOOD CONTROL | Yes | |
| WASTEWATER | Yes | |
| PARKS AND RECREATION | N/A | |
| WATER | Yes | |
| SCHOOLS | N/A | |
| AIR QUALITY | Yes | |

**TRANSPORTATION REPORT**

This rezoning request proposes turning a self-service car wash into a full-service auto repair shop on Sabino Canyon Road north of Snyder Road. This portion of Sabino Canyon Road is Pima County maintained rural arterial with a maximum capacity of 14,800 daily trips. Current traffic volume on this segment of Sabino Canyon Road is 7,237 daily trips, which is well below the maximum capacity of 14,800 trips.

A full-service auto repair shop generates less daily traffic than a self-service car wash, which indicates that this proposed rezoning will not have a significant impact on the Pima County roadway network. This project will have minimal impact on the adjacent roadway network and is classified as a minor transportation concurrency concern. Given the minimal impact on the Pima County roadway network, the Department of Transportation has no comments or conditions and recommends this rezoning application be approved.

**FLOOD CONTROL REPORT**

The Regional Flood Control District has reviewed the request and has no objection.

**WASTEWATER RECLAMATION REPORT**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the proposed rezoning and offers the following comments for your use. The applicant proposes a rezoning of a 0.60-acre property containing an existing self-service car wash located approximately 500 feet northeast of the intersection of N.

Sabino Canyon Rd. and E. Snyder Rd. The proposed converted use is an auto repair business.

The existing self-service car wash is currently served by an 8" public sewer located in the Sabino Canyon Road right-of-way via a private sewer line. The proposed conversion into an auto repair shop will not have a significant impact on the system capacity. No capacity letter is required if the owner intends to use the same size water meter previously used for the car wash business.

The PCRWRD has no objection to the proposed rezoning.

**CULTURAL RESOURCES REPORT**

The Office of Sustainability and Conservation – Cultural Resources has reviewed the request and recommends a condition (#5 below) regarding action necessary if cultural resources are discovered.

**UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

USFWS did not responded to a request for comments.

**TUCSON WATER REPORT**

Tucson Water does not take exception to nor has any comments pertaining to the proposed rezoning of the subject property located at 4888 N. Sabino Canyon Rd (Parcel 114-11-003M).

**FIRE DISTRICT REPORT**

Rural/Metro Fire Department reports "no objection" to the rezoning. Additional comments are in the attached letter dated October 26, 2018.

**PUBLIC COMMENT**

As of the writing of this report, staff has not received any written public 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. Adherence to the sketch plan as approved at public hearing.
2. A minimum six-foot-high masonry wall (as measured from the site's interior) shall be maintained on the north, east, and south sides of the site. The wall shall be augmented on top with the existing 2.5-foot metal screen on the east and south sides that shall be extended on the north side approximately 50 feet from the northeast corner of the wall. The minimum 2.5-foot height extension may also be achieved with masonry blocks. A minimum five-foot vegetated landscape buffer shall be maintained outside of the wall along the north, east, and south property boundaries.

3. The entire area between the front property line and the edge of the existing parking lot shall be landscaped consistent with the plant density and structure requirements of either a 15-foot or 20-foot landscape bufferyard "D" depending on the width of this area.
4. Outdoor storage shall not be visible from outside of the site, including used oil containers. The refuse area shall be fully screened to include a gate. Repair of vehicles shall be performed only within indoor service bays. Vehicles kept overnight shall be stored in auto service bays or a gated area between the east and west service bay building areas.
5. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
6. 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.
7. 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.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Respectfully Submitted,

David Petersen, AICP
Senior Planner

c: The Planning Center, Attn: Lexy Wellott, 2 E. Congress St., Ste. 600, Tucson, AZ 85701

Case #: P18RZ00009

Case Name: VENTANA CANYON CARWASH LLC - N. SABINO CANYON ROAD REZONING

Tax Code(s): 114-11-003M

0 145 290 580 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Map Scale: 1:4,000

Map Date: 11/7/2018 - ds

N
W E
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04/16/2018
1 of 5
Select Date
Site
N. Sabino Canyon Road

Case #: P18RZ00009

Case Name: VENTANA CANYON CARWASH LLC - N. SABINO CANYON ROAD REZONING

Tax Code(s): 114-11-003M

300' Notificaition Area

Subject Property

Zoning Boundary

0 145 290 580 Feet

Area of proposed rezoning from CB-1 (BZ) to CB-2 (BZ)

## PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
## PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes: Ref: Co9-57-113

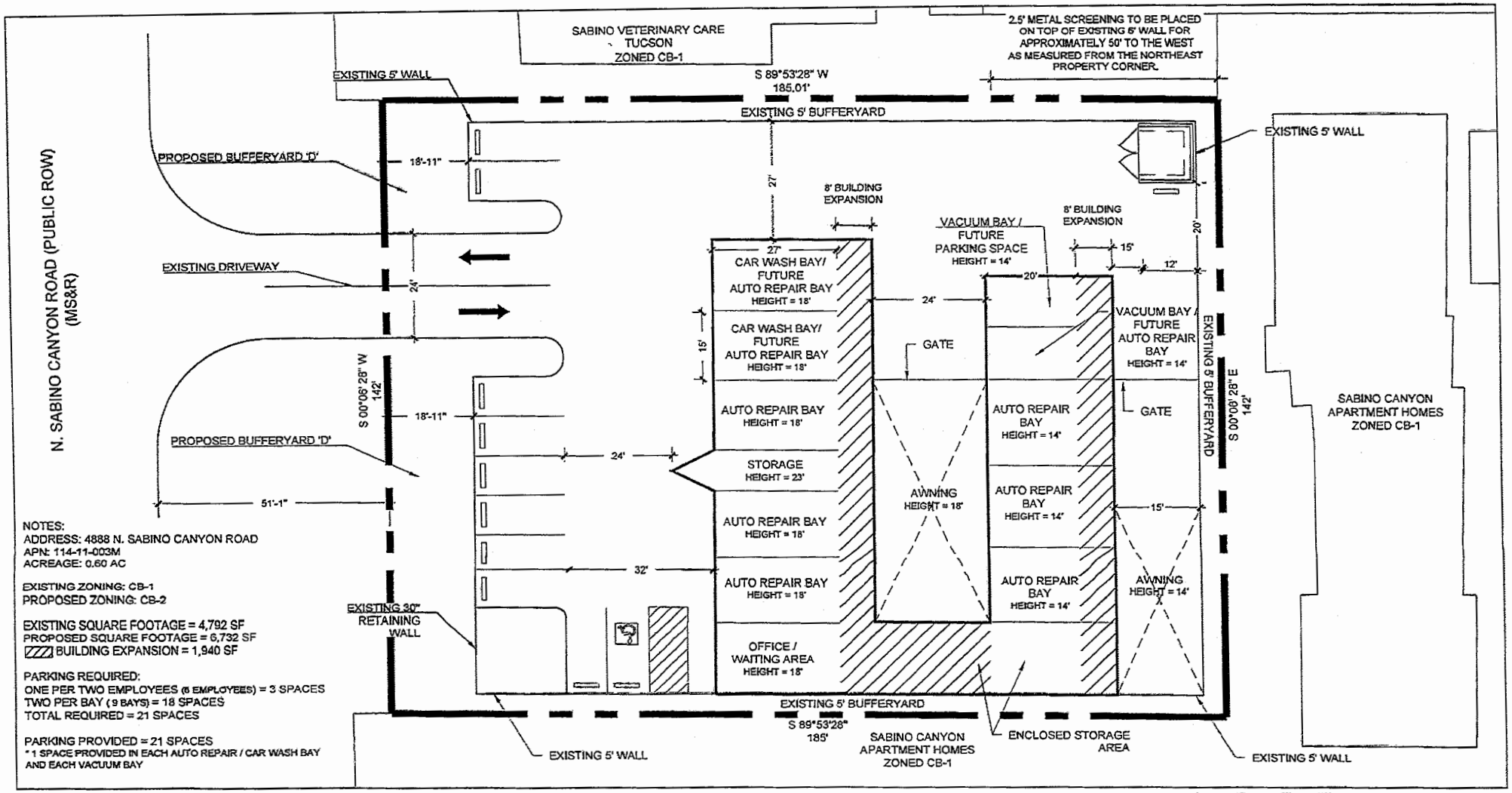
PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 11/28/18 (scheduled) | Board of Supervisors Hearing: TBA

Base Map(s): 49 | Map Scale: 1:4,000 | Map Date: 11/7/2018 - ds

N W E S

# CONCEPTUAL SKETCH PLAN




NOTES:
ADDRESS: 4888 N. SABINO CANYON ROAD
APN: 114-11-003M
ACREAGE: 0.60 AC

EXISTING ZONING: CB-1
PROPOSED ZONING: CB-2

EXISTING SQUARE FOOTAGE = 4,792 SF
PROPOSED SQUARE FOOTAGE = 6,732 SF
BUILDING EXPANSION = 1,940 SF

PARKING REQUIRED:
ONE PER TWO EMPLOYEES (6 EMPLOYEES) = 3 SPACES
TWO PER BAY (9 BAYS) = 18 SPACES
TOTAL REQUIRED = 21 SPACES

PARKING PROVIDED = 21 SPACES
* 1 SPACE PROVIDED IN EACH AUTO REPAIR / CAR WASH BAY AND EACH VACUUM BAY

# EDGAR'S PIT STOP

SCALE: 1"=20'-0"
PROJECT: 1CS-01 DATE: 10/11/16
FILE NAME: 1CS-01_CONCEPT PLAN _101116.DWG

THE PLANNING CENTER

**From:** noreply@server.mailjol.net [mailto:noreply@server.mailjol.net]
**Sent:** Friday, September 28, 2018 9:21 AM
**To:** DSD Planning <DSDPlanning@pima.gov>
**Subject:** Application For Rezoning or Specific Plan

*******
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
*******

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|---|---|
| Disregard | ***>>> DISREGARD The message above the Form Results ROW <<<*** |
| Note about attachments | ***>>> Pima County virus software CYLANCE automatically scans files. There IS NOT a right mouse scan this file option. Attachments are scanned by our email appliance when received, then again by Cylance when saved or opened. <<<*** |
| Owner Name | VENTANA CANYON CARWASH LLC C/O MARK HOLGUIN |
| Owner Address | PO BOX 42051 |
| Owner City | TUCSON |
| Owner State | AZ |
| Owner Zipcode | 85733 |
| Owner Phone | 619-501-8504 |
| Owner_Email | numberonemortgage@gmail.com |
| Applicant Name | LEXY WELLOTT |
| Applicant Address | 2 E Congress Suite 600 |
| Applicant City | Tucson |
| Applicant State | AZ |
| Applicant Zipcode | 85701 |

| | |
|---|---|
| Applicant Phone | 520-623-6146 |
| Applicant_Email | lwellott@azplanningcenter.com |
| Property Address | 4888 NORTH SABINO CANYON ROAD |
| Property Parcel Number | 114-11-003M |
| Property Acreage | 0.59 |
| Property Present Zone | CB-1 |
| Property Proposed Zone | CB-2 |
| Policies | NONE. |
| FTP-Link | |
| Signature | I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.) |
| Application Date | 28-Sep-2018 |
| More Information about this submission and submitter | |
| Submission ID | 10981527 |
| Date & Time | 28th Sep 2018 9:21 AM |
| Form Location | http://web1.pima.gov/applications/rezoning/ |
| IP Address | 68.14.243.58 |
| Browser Info | Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/69.0.3497.100 Safari/537.36 |
| Predicted Country | United States |

THE PLANNING CENTER
a division of TPC Group, Inc.

October 11, 2018

Mr. Chris Poirier, Planning Official
Pima County Development Services
201 N. Stone Avenue
Tucson, AZ 85701

Subject: **Non-Site Analysis Rezoning for 0.60 Acres Located at 4888 N. Sabino Canyon Road**
TPC Project No: TCS-01

Dear Mr. Poirier:

On behalf of Ventana Canyon Car Wash LLC (P.O Box 42051 Tucson, AZ 85733-2051), this letter is to respectfully request the rezoning of approximately 0.60 acres located at 4888 North Sabino Canyon Road (APN: 114-11-003M). The subject request is to rezone the above-mentioned parcel from CB-1 (Local Business Zone) to CB-2 (General Business Zone) for Edgar's Pit Stop, an automotive repair shop, due to the current lack of full-service auto repair shops in the general vicinity. The project envisions converting majority of the existing car wash bays and associated vacuum bays into an auto repair shop with some expansion to the existing structures.

*Existing Onsite Uses*

The subject property currently contains a self-serve car wash with five (5) car wash bays, six (6) vacuum bays, three (3) enclosed storage areas, and associated parking and refuse areas. However, the approved development plan allows up to six (6) car wash bays and eight (8) vacuum bays. The existing structures total to 4,792 SF. Per the Development Plan previously approved in 2000 (refer to case number P1299-121 or Co9-57-113), the property is surrounded on the north, south and east by a six (6)-foot wall and a five (5)-foot landscape bufferyard, which is external to the wall. Additional metal screening (approximately 2.5 feet in height) has been provided on top of the eastern and southern walls abutting the Sabino Canyon Apartments property.

*Proposed Land Uses*

The subject rezoning for consideration entails converting and expanding the existing Ventana Car Wash into Edgar's Pit Stop, a full-service auto-repair shop (minus transmission services) consisting of up to nine (9) auto repair bays, an office / customer waiting area, and two (2) enclosed storage areas. The structures will largely remain the same with the exception of alterations required to enclose the existing car wash and vacuum bays to be utilized as auto repair bays, and to provide an internal corridor between each of the bays and an enclosed storage area to house materials, supplies, equipment and machinery. It is envisioned that each of the existing structures will be expanded by eight (8) feet to the east with the enclosed storage area connecting the two structures together along the southern property boundary. The proposed building expansion equates to 1,940 square feet for a total building square footage of 6,732 (see attached *Sketch Plan)*. Entrance/exit to each bay will be provided on the west sides of the structure, while the remaining three sides (north, east and south) will be enclosed.

The conversion of the existing car wash is intended to be a phased process in which five (5) of the existing car wash/vacuum bays will be converted immediately into auto repair bays while the remaining two (2)

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o 520.623.6146
f 520.622.1950
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northernmost car wash bays and two (2) northernmost vacuum bays will continue to operate as they currently do. In the instance that customer demand increases, and the automotive repair business is in need of expansion, these four (4) bays may be enclosed and converted into auto repair bays and/or necessary parking spaces, which results in a total of nine (9) auto repair bays. Two (2) awnings may be provided on-site: one to provide additional onsite shading that tapers between the two existing structures and the other along the easternmost structure to provide additional outdoor storage that is screened from the Sabino Canyon Apartments.

Colors and materials used for building alterations and improvements will mimic the existing structures and will be complementary to the surrounding area. Any improvements to the structures will not result in an increased building height that exceeds the current conditions.

*Water Service*
The site is currently served and will continue to be served by Tucson Water.

*Sewer Service*
The site is currently served and will continued to be served by Pima County Regional Wastewater Reclamation Department. Wastewater discharges from the site into an eight (8)-inch public sewer line (G-87-067) located in the Sabino Canyon Road right-of-way at manhole 4754-01 via a private sewer line.

*Onsite Vegetation*
The site currently contains a five (5)-foot landscape bufferyard outside of the existing six (6)-foot wall on the northern, eastern and southern property boundary. The site also contains an approximately eighteen (18)-foot landscape bufferyard along Sabino Canyon Road. Additional vegetation will be provided in the proposed bufferyard 'D' adjacent to Sabino Canyon Road and parking area.

*Proposed Square Footage and Height*
As demonstrated on the proposed *Sketch Plan*, the proposal includes nine (9) auto repair bays (four (4) of which are to remain as car wash and vacuum bays until customer demand requires business expansion), an office / customer waiting area, and two (2) enclosed storage areas; all of which totals to approximately 6,732 square feet. The total building expansion, as previously described, is approximately 1, 940 square feet. All building heights will remain the same and any improvements shall not exceed the existing building heights as described on the attached *Sketch Plan.*

*Number of Employees*
The proposed auto repair shop and car wash will employ six (6) employees.

*Number of Parking Spaces*
Parking for the subject proposal was determined and provided based on the following calculation.

- One (1) parking space per two (2) employees (six (6) employees) = three (3) parking spaces
- Two (2) parking spaces per bay (nine (9) bays) = eighteen (18) parking spaces
- Total number of required parking spaces = twenty (21) parking spaces

As demonstrated on the *Sketch Plan*, there are twenty-one (21) parking spaces provided onsite; eleven (11) of which are surface parking spaces and ten (10) of which are provided in the respective bays.

*Hours of Operation*

The two (2) remaining car wash/vacuum bays will continue to operate as they currently do, which is Sunday through Saturday, 24-hours a day. The auto repair shop will operate similar to other day time-uses with proposed operating hours of Monday through Saturday from 7:00 AM to 7:00 PM. In the instance that the automotive repair business expands, and the car wash component is removed, the hours of operation will for the entire site will be Monday through Saturday from 7:00 AM to 7:00 PM.

*Neighborhood Outreach*

A neighborhood meeting was held on July 12, 2018 to discuss the proposed rezoning. All property owners within 300 feet of the subject property were notified. Refer to the attached material which includes the notice, a copy of the presentation, and the meeting minutes. There were six (6) neighbors in attendance. The neighbors in attendance expressed overall support for the project with minor concerns related to building heights, material and colors used for alterations, overall business operations and screening. At the request of the neighbors to the north in the Valle Townhomes who were in attendance at the July 12th neighborhood meeting, the applicant is amenable to providing an additional 2.5-foot metal screen on top of the existing six (6)-foot wall, similar to that provided on eastern and southern walls abutting the Sabino Canyon Apartment property, for the duration indicated on the *Sketch Plan*.

Shortly after holding the July 12th neighborhood meeting, the architectural building design process for the conversion of car wash was initiated, which brought forth some critical issues with the existing structures that were found to be detrimental to the business operation and to the neighbors. Primarily, the existing car wash and vacuum bays were not long enough to comfortably house toolboxes and equipment necessary to work on vehicles and there was no space to provide an internal corridor that allows employees to move between bays. Without expanding the building, more activity would need to occur outside of the building which was in direct conflict with what was told to the neighbors in July. Due to the unforeseen changes to the site plan and per the direction of County staff, a letter was sent out on August 29th to those property owners who attended the July neighborhood meeting outlining the changes to the site plan and providing justification for the modifications. To date, we have received one phone call from the owner of Sabino Canyon Apartment with general inquiries. No concerns were expressed during that time. We also met with the owners of the Sabino Veterinary Care at their office to discuss the building expansion, overall business operations and noise. It was evident at the end of our meeting that their apprehensions were alleviated. All in all, our neighborhood outreach can be summarized as generally positive.

We thank you for the opportunity to submit this rezoning application. Should you have any questions, please do not hesitate to contact myself or Linda Morales (lmorales@azplanningcenter.com).

Sincerely,

The Planning Center

Lexy Wellott
Project Manager
lwellott@azplanningcenter.com

# Rural/Metro Fire Department

www.rmfire.com

October 26, 2018

Pima County Development Services Department
Planning Division
201 N. Stone Avenue, Second Floor
Tucson, AZ 85701
Attn.: David Petersen, Senior Planner

RE: Case# P18RZ00009, Ventana Canyon Car Wash, N. Sabino Canyon Road Rezoning

Dear David,

The Rural/Metro Fire Department has reviewed the submittal for the above referenced case and has no objections to the rezoning. As the development continues into the plan stage, the applicant will need 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 3, 2016, the 2012 edition of the International Fire Code shall be the applicable fire code for this project.

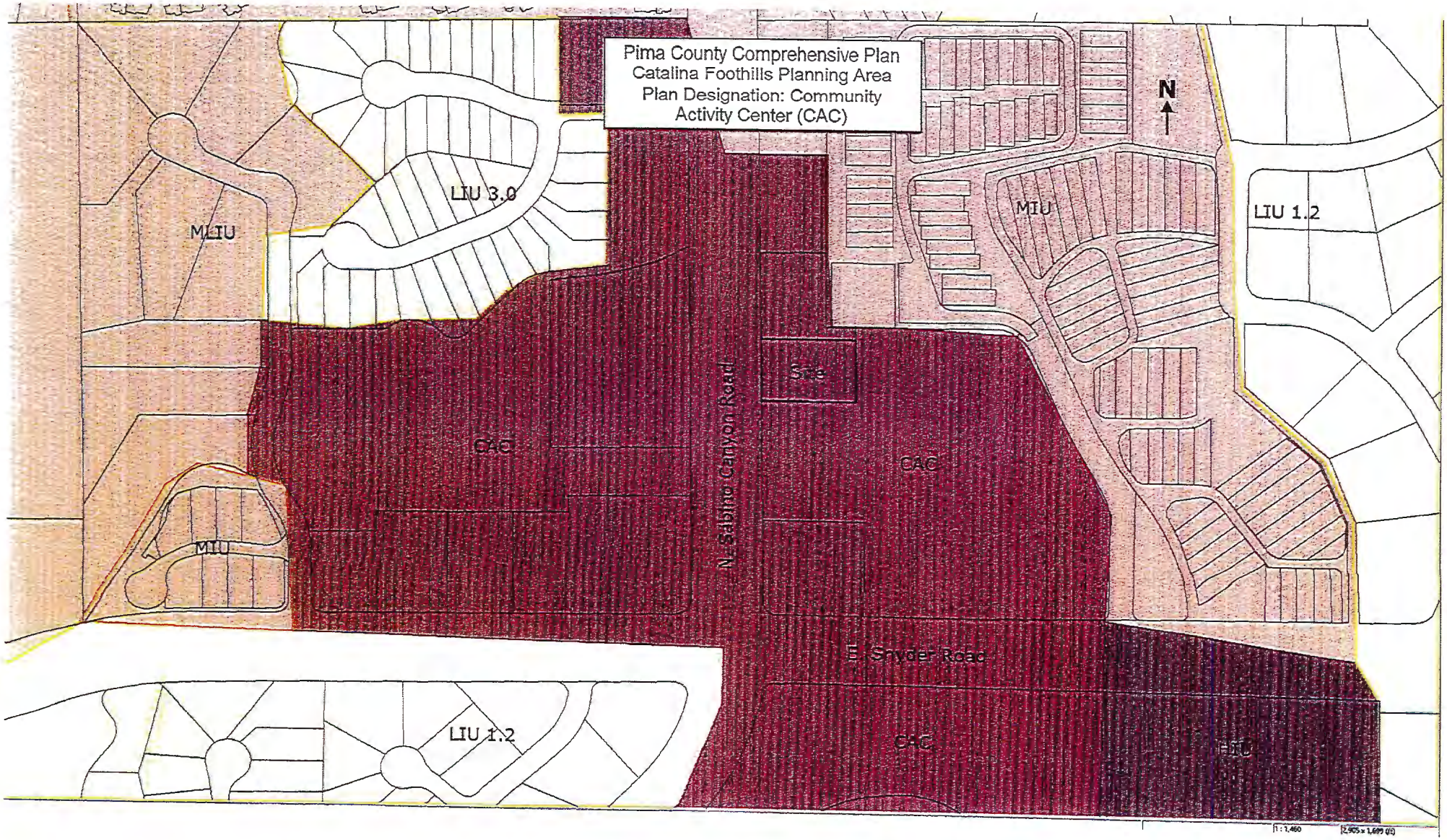
If I can be of any further assistance on this matter you may contact me at any time.

Sincerely,

William F. Treatch

William F. Treatch
Fire Marshal/Battalion Chief
Rural/Metro Fire Department

3759 N. Commerce Drive Tucson, Arizona 85705
Phone (520) 297-1242 Cell (520)981-0280


Pima County Comprehensive Plan
Catalina Foothills Planning Area
Plan Designation: Community
Activity Center (CAC)
N
LIU 3.0
MLIU
MIU
LIU 1.2
CAC
N. Sabino Canyon Road
CAC
MIU
E. Snyder Road
LIU 1.2
CAC
MIU

## Excerpt from Pima Prospers FINAL (as adopted 2015)

## Land Use Legend

The Land Use Intensity Legend is composed of a number of "urban/suburban", "rural" land use, and general categories. Urban/suburban designations are usually used in the metropolitan areas of Tucson, Green Valley and certain unincorporated communities. Rural land uses are generally used in exurban and rural locales. General categories can be found throughout the unincorporated county. Each category includes a description of the objectives and the types of uses intended for that category. In addition, most categories that allow residential uses include a minimum and maximum gross density, defined as residences per acre (RAC). Only land area zoned and planned for residential use or open space areas not including golf courses, shall be included in gross density calculations.

Effective densities throughout the rezoning process may be constrained by hydrology, open space requirements, overlay zones, cultural resources, and many other factors.

. . . . . .

### A. Urban/Suburban Intensity Categories

The following land use intensity categories shall be applied to designate planned land use within urban and suburban areas only:

1. **Community Activity Center (CAC)**
   a. Objective: To designate medium and higher intensity mixed-use districts designed to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses; and other similar uses as described in the Campus Park Industrial (CPI) zoning district (Section 18.49); and compatible medium to higher density housing. Individual rezoning requests do not necessarily have to be a mixed-use project; however, the application must demonstrate how it serves to create or enhance the mixed use character of the designated activity center as a whole.

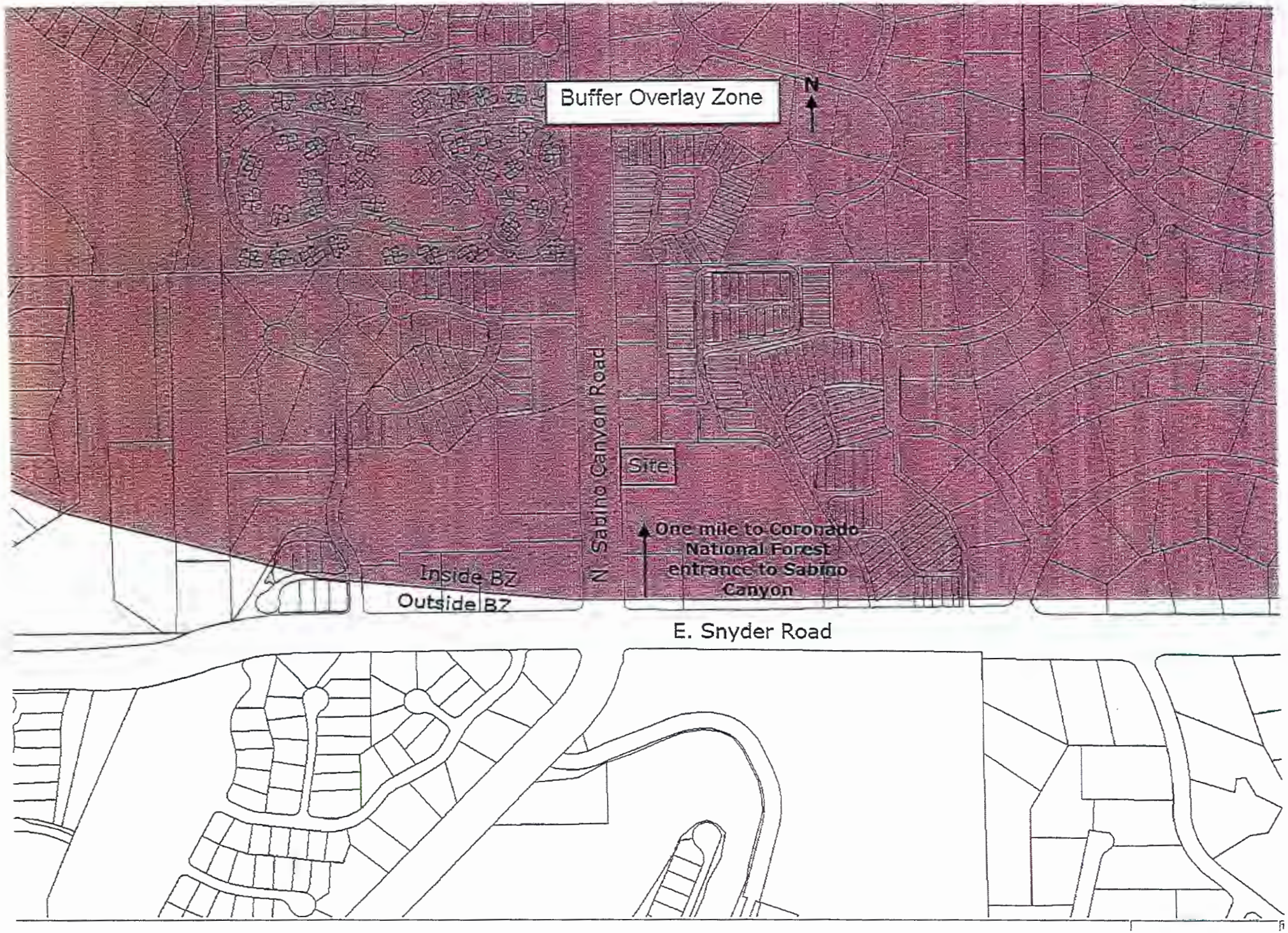
      Larger centers may include a regional mall. Smaller centers may provide goods and services needed on a more frequent basis. These may include a major supermarket, discount department stores, large variety stores, or specialty stores such as hardware/building/home improvement stores. Community Activity Centers may be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods. Community Activity Centers may range from 25 acres to up to 100 acres or more in size depending on the area served and services provided.

   b. Residential Gross Density: Residential gross density, if any, shall conform to the following:

1) Minimum – 6 RAC.
2) Maximum - As allowed by the requested conforming zoning district.

c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
   1) Minimum – 6 RAC
   2) Maximum – 18 RAC.

. . . . . .


Buffer Overlay Zone
N
N. Sabino Canyon Road
Site
One mile to Coronado National Forest entrance to Sabino Canyon
Inside BZ
Outside BZ
E. Snyder Road

May 24, 2018

Pima County
Development Services Department
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701

Subject: **Rezoning for 4888 N. Sabino Canyon Road**
**On Tax Parcels: 114-11-003M**
TPC Job no.: TCS-01

Pima County Development Services Department:

As owner of the above referenced tax parcel, I hereby authorize The Planning Center to act as my agent throughout the rezoning application process.

Very Truly Yours,

Ventana Canyon Carwash LLC

By: Lance Jones
Lance Jones, Managing Member

114-11-003M
VENTANA CANYON CARWASH LLC
PO BOX 42051
TUCSON AZ 85733-2051

JUN-05-2014 12:34 PM

AZ Corp. Commission

04683253

RECEIVED

JUN 0 5 2014

ARIZONA CORP. COMMISSION
CORPORATIONS DIVISION

DO NOT WRITE ABOVE THIS LINE; RESERVED FOR ACC USE ONLY.

# CORPORATION STATEMENT OF CHANGE OF KNOWN PLACE OF BUSINESS ADDRESS, PRINCIPAL OFFICE ADDRESS, OR STATUTORY AGENT

*Read the Instructions C016i*

***NOTE*** *– no matter what is being changed, numbers 1, 2, 3.1, 5.1, and 5.2 must be completed. The form will be rejected if those sections are not completed.*

1. **ENTITY NAME** – give the exact name of the corporation as currently shown in A.C.C. records: Ventana Canyon Carwash L.L.C.

2. **A.C.C. FILE NUMBER:** L-0886513-0
   Find A.C.C. file number on the upper corner of filed documents OR on our website at: http://www.azcc.gov/Divisions/Corporations

**3. ARIZONA KNOWN PLACE OF BUSINESS ADDRESS:**

| **3.1** *REQUIRED* – list the known place of business address currently shown in A.C.C. records (before any changes): | | | **3.2** *Optional* – List the NEW known place of business address in Arizona (must be a street or physical address): | | |
|---|---|---|---|---|---|
| Lance Jones | | | Owner | | |
| Attention (optional) | | | Attention (optional) | | |
| 3984 Corte De Eucalipto | | | 4888 N. Sabino Canyon Rd. | | |
| Address 1 | | | Address 1 | | |
| Address 2 (optional) | | | Address 2 (optional) | | |
| City Tucson | Az State | 85716 Zip | City Tucson | Az State | 85750 Zip |

**3.3 If you completed 3.2,** is the NEW known place of business address in Arizona the same as the street address of the statutory agent? ☑ Yes ☐ No

**4. PRINCIPAL OFFICE ADDRESS:**

| **4.1** *Required if changing* – list the principal office address currently shown in A.C.C. records (before any changes): | | | **4.2** *Optional* – List the NEW principal office address (must be a street or physical address): | | |
|---|---|---|---|---|---|
| | | | | | |
| Attention (optional) | | | Attention (optional) | | |
| Address 1 | | | Address 1 | | |
| Address 2 (optional) | | | Address 2 (optional) | | |
| City | State | Zip | City | State | Zip |
| Country | | | Country UNITED STATES | | |

**5. CURRENT OR EXISTING STATUTORY AGENT** – list the name and addresses of the statutory agent as shown in the records of the Arizona Corporation Commission *before any changes* (this is the existing statutory agent):

| **5.1** *REQUIRED* – list the ***name*** and ***physical or street address*** (not a P.O. Box) in Arizona of the existing statutory agent: | | | **5.2** *REQUIRED* – list the **mailing address** (if one exists in A.C.C. records) in Arizona of the existing Statutory Agent: | | |
|---|---|---|---|---|---|
| Lance Jones<br>Statutory Agent Name | | | Lance Jones | | |
| Attention (optional)<br>3984 Corte De Eucalipto1 | | | Attention (optional)<br>3984 Corte De Eucalipto | | |
| Address 1 | | | Address 1 | | |
| Address 2 (optional)<br>City Tucson | Az<br>State | 85716<br>Zip | Address 2 (optional)<br>City Tucson | Az<br>State | 85716<br>Zip |

5. **CURRENT OR EXISTING STATUTORY AGENT** – list the name and addresses of the statutory agent as shown in the records of the Arizona Corporation Commission *before any changes* (this is the existing statutory agent):

| 5.1 *REQUIRED* - list the ***name*** and ***physical or street address*** (not a P.O. Box) in Arizona of the existing statutory agent: | | | 5.2 *REQUIRED* - list the **mailing address** (if one exists in A.C.C. records) in Arizona of the existing Statutory Agent: | | |
|---|---|---|---|---|---|
| Lance Jones<br>Statutory Agent Name | | | Lance Jones<br>Attention (optional) | | |
| Attention (optional)<br>3984 Corte De Eucalipto1<br>Address 1 | | | 3984 Corte De Eucalipto<br>Address 1 | | |
| Address 2 (optional)<br>City Tucson | Az<br>State | 85716<br>Zip | Address 2 (optional)<br>City Tucson | Az<br>State | 85716<br>Zip |

5.3 ☐ **CHANGE IN EXISTING STATUTORY AGENT NAME ONLY** – If the *name only* of the existing statutory agent listed in number 5.1 above has changed, but a new agent has not been appointed, check the box and give the new name of the existing statutory agent below:

5.4 **CHANGE IN EXISTING STATUTORY AGENT ADDRESS** – check all that apply and follow instructions:

☑ **STREET ADDRESS CHANGED** – complete number 5.5.

☑ **MAILING ADDRESS CHANGED** – complete number 5.6.

| 5.5 **NEW STREET ADDRESS** – give the NEW physical or street address (not a P.O. Box) in Arizona of the existing statutory agent: | | | 5.6 **NEW MAILING ADDRESS** – give the NEW mailing address in Arizona of the existing statutory agent (can be a P.O. Box): | | |
|---|---|---|---|---|---|
| Lance Jones<br>Attention (optional) | | | Lance Jones<br>Attention (optional) | | |
| 4888 N. Sabino Canyon Rd.<br>Address 1 | | | P.O. Box 42051<br>Address 1 | | |
| Address 2 (optional)<br>City Tucson | Az<br>State | 85750<br>Zip | Address 2 (optional)<br>City Tucson | Az<br>State | 85733<br>Zip |

**6.** ☐ **NEW STATUTORY AGENT** – if a new statutory agent is being appointed, check the box and complete the following for the **NEW statutory agent:**

| **6.1** *REQUIRED* – give the name (can be an individual or an entity) and physical or street address (not a P.O. Box) in Arizona of the NEW statutory agent: | **6.2** *OPTIONAL* - mailing address in Arizona of NEW Statutory Agent (can be a P.O. Box): |
|---|---|
| Statutory Agent Name | |
| Attention (optional) | Attention (optional) |
| Address 1 | Address 1 |
| Address 2 (optional) | Address 2 (optional) |
| City / State / Zip | City / State / Zip |

**6.3** *REQUIRED* – If you are appointing a new statutory agent, the Statutory Agent Acceptance form M002 must be submitted along with this Statement of Change form.

**SIGNATURE** – *see Instructions C016i for who is authorized to make changes:*

If the person signing this form is the existing statutory agent changing its own address, then by the signature appearing below, the existing statutory agent certifies *under penalty of perjury* that he or she has given the corporation named in number 1 above written notice of the address change.

By checking the box marked "I accept" below, I acknowledge *under penalty of perjury* that this document together with any attachments is submitted in compliance with Arizona law.

☑ I ACCEPT

| Signature | Lance Jones<br>Printed Name | 06/05/2014<br>Date (mm/dd/yyyy) |
|---|---|---|

**REQUIRED** – check only one:

| ☐ I am the **Chairman of the Board of Directors** of the corporation filing this document. | ☐ I am a duly-authorized **Officer** of the corporation filing this document. | ☒ I am a **Statutory Agent** changing only my own address and/or my own name. |
|---|---|---|

| Filing Fee: None (regular processing)<br>Expedited processing – add $35.00 to filing fee.<br>All fees are nonrefundable - see Instructions. | Mail: Arizona Corporation Commission Corporate Filings Section<br>1300 W. Washington St., Phoenix, Arizona 85007<br>Fax: 602-542-4100 |
|---|---|

Please be advised that A.C.C. forms reflect only the minimum provisions required by statute. You should seek private legal counsel for those matters that may pertain to the individual needs of your business.
All documents filed with the Arizona Corporation Commission are public record and are open for public inspection.
If you have questions after reading the Instructions, please call 602-542-3026 or (within Arizona only) 800-345-5819.

THE PLANNING CENTER
a division of TPC Group, Inc.

# EDGAR'S PIT STOP

# REZONING

# NEIGHBORHOOD MEETING

JULY 12, 2018

THE PLANNING CENTER
a division of TPC Group, Inc

June 22, 2018

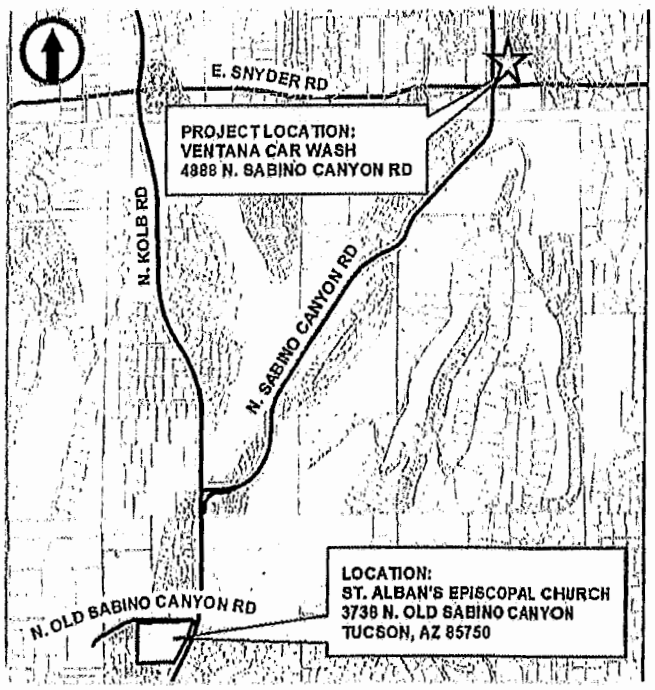
Dear Neighbor:

The Planning Center would like to invite you to attend a neighborhood meeting regarding a rezoning proposal for a 0.59-acre property located at 4888 North Sabino Canyon Road, which is less than 600 feet north of the intersection of Sabino Canyon Road and Snyder Road (see below map).

The property currently contains the Ventana Car Wash, self-serve car wash with vacuum bays, and associated parking. The subject property is currently zoned as CB-1 (Local Business Zone). This proposal is to rezone the subject property from CB-1 (Local Business Zone) to CB-2 (General Business Zone) to allow for the conversion of some of the existing car wash bays to an automotive repair shop.

The intent of the proposed site plan is to preserve the existing site configuration with minimal alterations to the existing structures. Access to the site will continue to be provided from Sabino Canyon Road. Impact tools will be equipped with mufflers which dramatically reduce the noise generally associated with auto shops.

Please join us at a meeting on **July 12, 2018 at 5:30 PM** to discuss the rezoning process and project details, and to provide feedback on the proposal. The meeting will be held **in the Parish Hall at St. Alban's Episcopal Church** located at **3738 North Old Sabino Canyon Road.** In the meantime, if you have any questions or are unable to attend the meeting and would like more information, please contact Lexy Wellott or Linda Morales at (520) 623-6146 or lwellott@azplanningcenter.com / lmorales@azplanningcenter.com.

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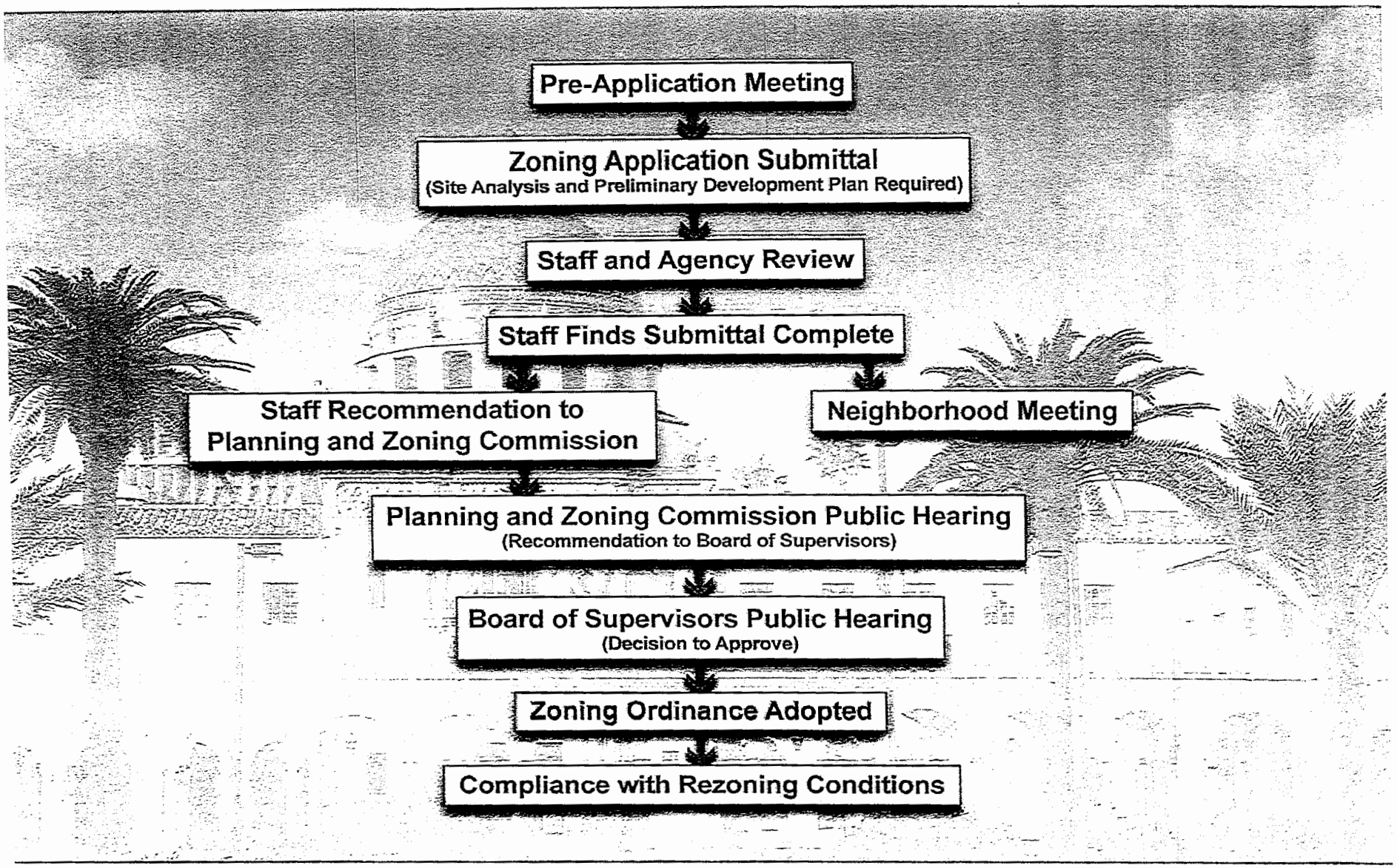
o 520.623.6146
f 520.622.1950
w azplanningcenter.com




# PIMA COUNTY REZONING PROCESS

THE PLANNING CENTER
a division of TPC Group Inc.

# QUESTIONS?

THE PLANNING CENTER
a division of TPC Group, Inc.

**Edgar's Pit Stop Rezoning**
**Neighborhood Meeting**
**July 12, 2018**
**5:35 PM Start Time**

**In attendance:**

| | |
|---|---|
| Linda Morales, The Planning Center | Jim Stofft |
| Lexy Wellott, The Planning Center | Bob Stofft |
| Mark Holguin, Development Team | Linda Morales |
| Edgar Salcedo, Development Team | Mike Depalma |
| Rebecca Salcedo, Development Team | Barbara Depalma |
| Lance Jones, Property Owner | Kristen Spinning |

**Meeting Notes:**

A PowerPoint presentation was presented and included the following slides:

- A regional location map
- An aerial display showing surrounding properties and uses
- An aerial display showing the site
- A comprehensive plan designation display showing the existing land use designations for the property and the surrounding area
- An existing zoning display showing the existing zoning on the subject property zoning and surrounding properties.
- A conceptual land use plan
- A slide displaying the Pima County rezoning process

*The following is a list of questions and comments from the neighbors in attendance and responses from The Planning Center and/or the Development Team.*

1. ***Neighbor Question: Are you all willing to extend the screening that sits on top of the wall adjacent to the apartments to the northern wall to screen the building from our [Valle Townhomes] pool?***

    - *Response: Certainly, we can add some metal screening to the top of the northern wall to help screen the view of the car wash and auto repair shop from your pool.*

2. ***Neighbor Comment: What are the proposed hours of operation?***

    - *Response: The two remaining car wash vacuum bays will continue to operate as they do now, which is Sunday through Saturday, 24-hours a day. The auto repair shop will operate similar to other day time-uses and will be open Monday through Saturday from 7:00 AM to 7:00 PM.*

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o 520.623.6146
f 520.622.1950
w azplanningcenter.com

3. ***Neighbor Comment: What about the lights?***

   - *Response: Majority of the lights that are currently serving the car wash will be eliminated since the auto repair bays will be completely enclosed. Any additional security lighting on-site will be in compliance with Pima County's Dark Skies Ordinance and will be downward-directed.*

4. ***Neighbor Comment: What kind of automotive work will be performed here?***

   - *Response: We will perform most automotive services except for transmission services.*

5. ***Neighbor Comment: Where is the used oil stored?***

   - *Response: The used oil is stored in special containers that are tightly sealed. A truck service will come every couple of weeks to empty the containers and properly dispose of the used oil. The County will require proper disposable of any hazardous materials.*

6. ***Neighbor Comment: Does this rezoning set precedent for more CB-2 zoning to occur in the area?***

   - *Response: All rezoning cases are looked at on a case-by-case basis and are required to go through this process, so while this may establish precedent, the weight this rezoning has on others is likely to be negligible.*

7. ***Neighbor Comment: Will the car wash close like the auto repair shop?***

   - *Response: No, the two remaining car wash bays and vacuum bays will continue to operate as they do now, which is from Sunday through Saturday, 24 hours a day.*

8. ***Neighbor Comment: Will there be security cameras on the property?***

   - *Response: Yes, there will be security cameras installed on the property.*

9. ***Neighbor Comment: Will the building increase in height? Will there be A/C units installed on top of the roof?***

   - *Response: No, the building will remain the same. We have no intentions of modifying the roof line or the building profile. Cooling systems will be installed internally to each of the bays and no A/C units will be installed on the roofs.*

10. ***Neighbor Comment: Will the cars that are left overnight be locked in a secure place?***

    - *Response: Yes, most of the cars will be kept in the auto repair bays should they need to be parked overnight. In the instance that a car needs to be parked outside*

*overnight, it will be parked and locked into the gated area located between each of the existing structures.*

**Meeting End Time: 6:30 PM**
**Author: Lexy Wellott, The Planning Center**

THE PLANNING CENTER
a division of TPC Group, Inc.

August 24, 2018

Dear Neighbor:

First and foremost, thank you again for coming out to the neighborhood meeting we held back in July to discuss our rezoning proposal. We appreciate your feedback. We are getting close to submitting our application to the County and have begun more detailed construction plans for the conversion of the Ventana Car Wash into Edgar's Pit Stop.

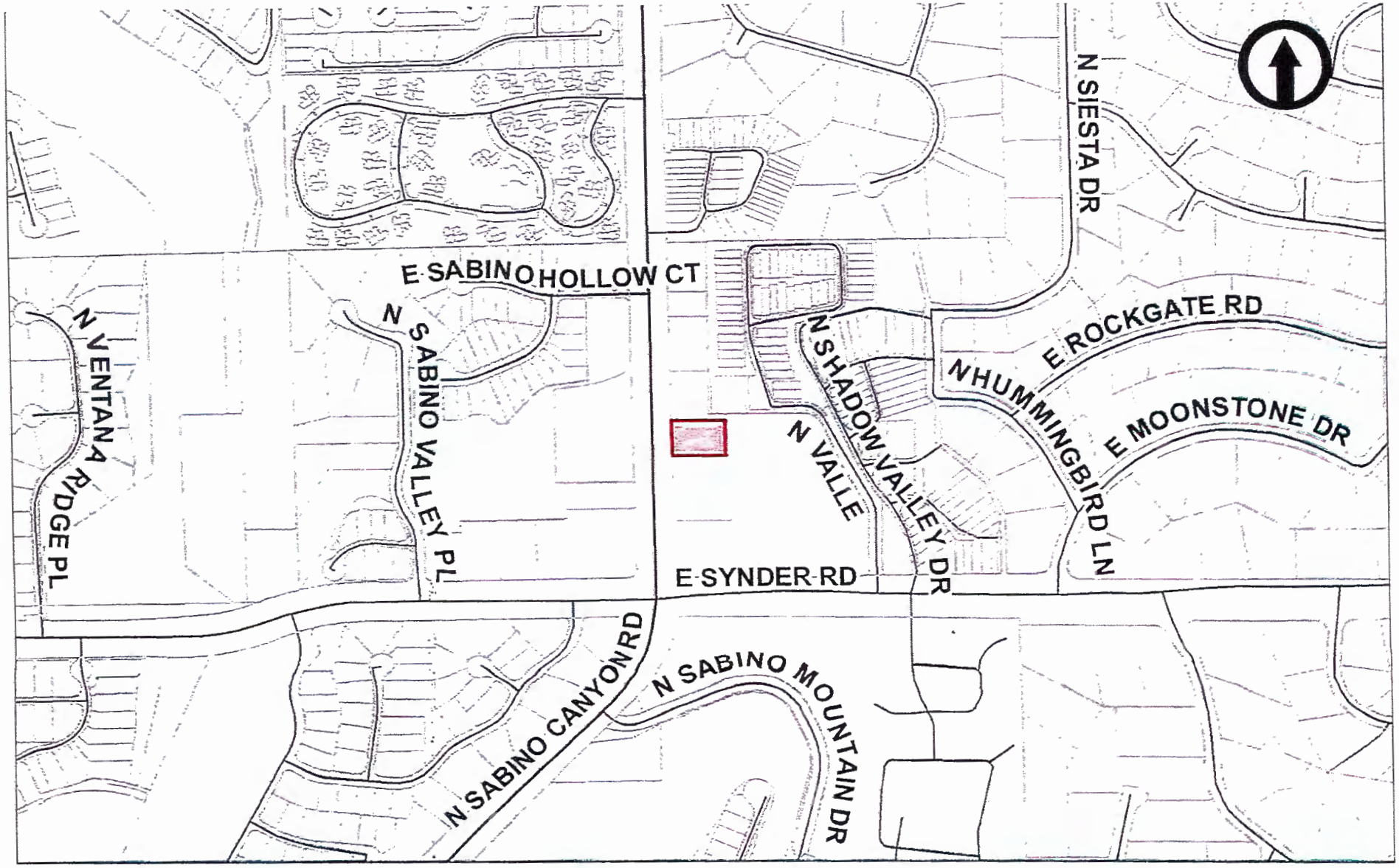
As we dove deeper into the design, we noticed some issues with the building that are detrimental to the overall business operation, and also to you as neighbors. Primarily, the existing car wash bays are not long enough to comfortably house toolboxes and equipment necessary to work on vehicles and provide an internal corridor that allows employees to move between bays. Without expanding the building, more activity would need to occur outside of the building which is in direct conflict with what we told you all when we met back in July. Since our goal is to be great neighbors and provide you all with the utmost transparency, we'd like to share with you our revised site plan and solicit feedback.

There has been no change to our operation plan or our commitment of providing additional screening on top of the northern wall and using materials and colors similar to the existing building. The building height will not be increased, and ventilation and cooling systems will be screened and will not be roof mounted.

Per the attached site plan, we propose to extend each of the existing structures to the east by 8 feet. This redesign allows us to move the enclosed storage area that was previously proposed at the southeast corner of the site to the middle of the two existing structures, connecting the existing buildings and internalizing circulation between the proposed bays. We believe that this new design is better as it moves majority of the activity to the southern portion of the property adjacent to the Sabino Canyon Apartment parking lot rather than directly adjacent to the apartment buildings.

Given that these are relatively minor changes, rather than holding another formal neighborhood meeting, we thought we'd notify you by mail of the changes. Of course, if you do have any concerns or questions, we would love to talk to you on the phone or are happy to meet with you in person. Please don't hesitate to call or email either Lexy Wellott or Linda Morales at (520) 623-6146 or lwellott@azplanningcenter.com / lmorales@azplanningcenter.com.

a 2 e. congress ste 600 tucson az 85701
o 520.623.6146
f 520.622.1950
w azplanningcenter.com




# REGIONAL LOCATION MAP

THE PLANNING CENTER
a division of TPC Group, INC.

# SITE LOCATION MAP

THE PLANNING CENTER
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# CONCEPTUAL LAND USE PLAN

THE PLANNING CENTER
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# SURROUNDING USES

THEPLANNINGCENTER
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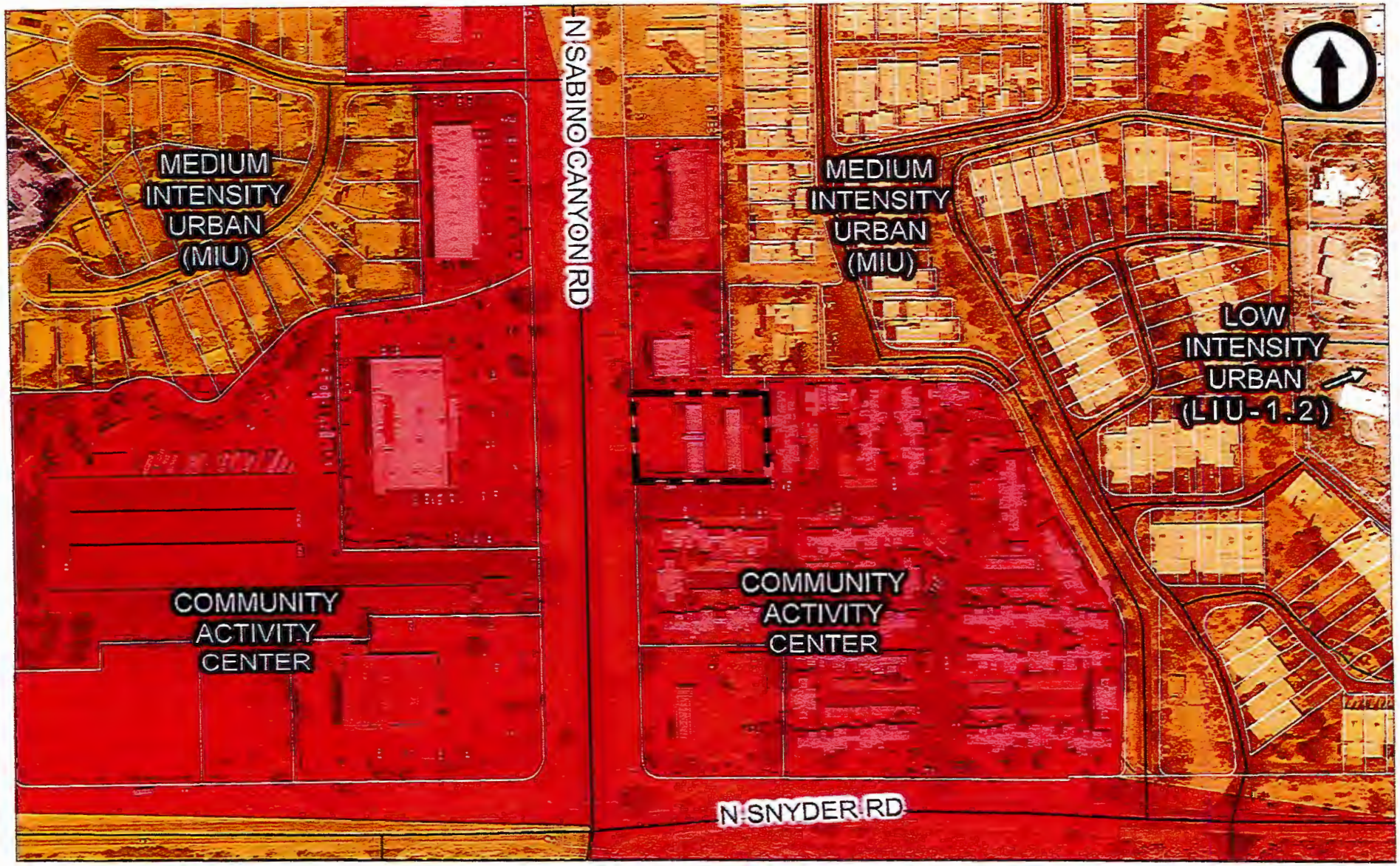


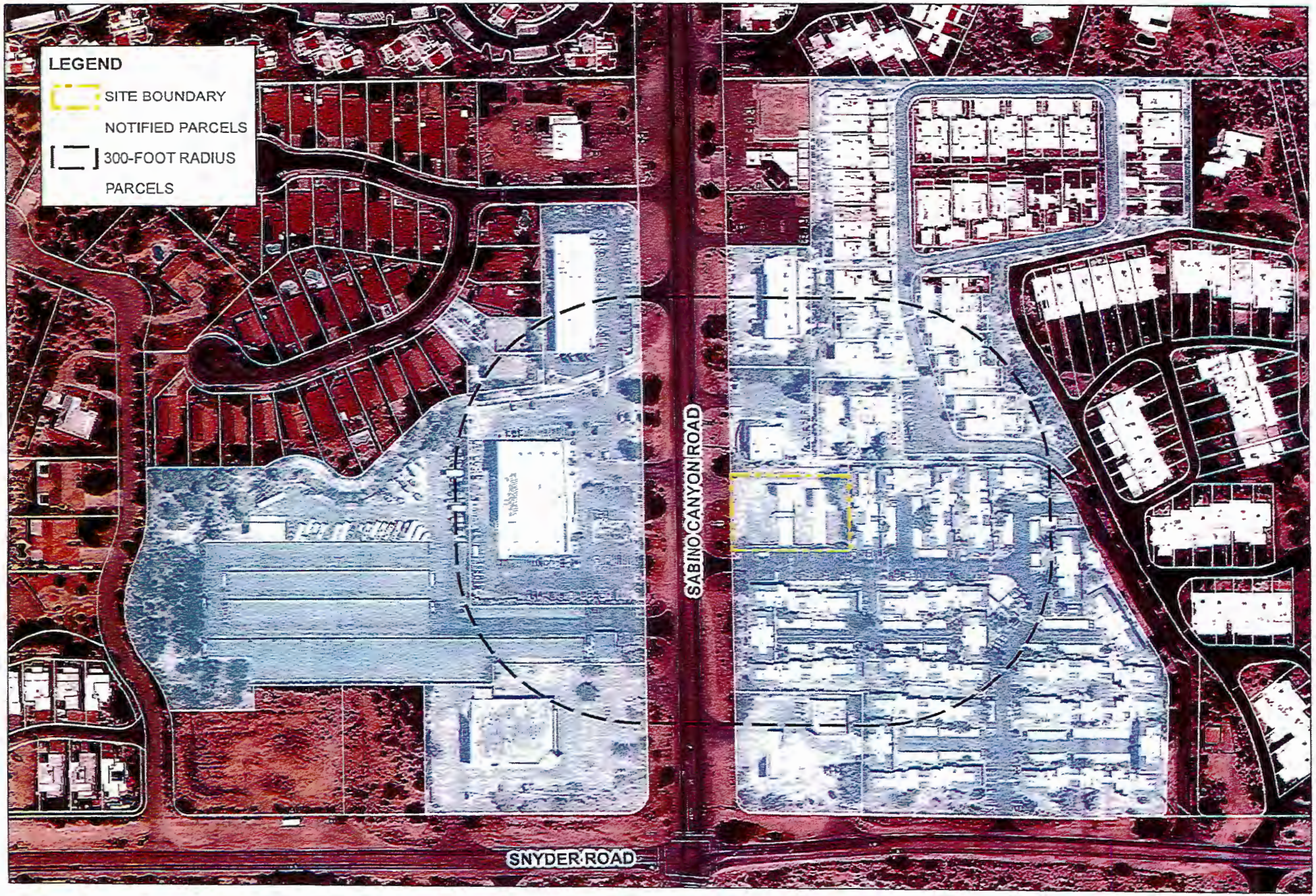

# COMPREHENSIVE PLAN DESIGNATIONS

THE PLANNING CENTER
a division of TPC Group, Inc

# EXISTING ZONING

THE PLANNING CENTER
a division of TPC Group, Inc.

# NOTIFIED PARCELS FOR NEIGHBORHOOD MEETING



VALLE TOWNHOME HOMEOWNERS ASSOC
INC C/O COPPER ROSE COMMUNITY
MANAGEMENT
6601 E 22ND ST
TUCSON, AZ 85710-5118

HVIP LLC
PO BOX 65648
TUCSON, AZ 85728-5648

JDANIELS LLC
2107 ALAMO PINTADO RD
SOLVANG, CA 93463-9748

BUFFALO TANYA M
4937 N VALLE
TUCSON, AZ 85750-9701

BERKSON SHARON H
9453 E LILLY BAY LOOP
TUCSON, AZ 85710-1888

PEREIRA LOUIS & ZAZUETA-PEREIRA
IMELDA CP/RS
4950 N SABINO GULCH CT
TUCSON, AZ 85750-7222

SCHOENE FAMILY TR ATTN:
JUERGEN P & URSULA B SCHOENE TR
4931 N VALLE
TUCSON, AZ 85750-9701

SAYERS BREANNA E
4930 N VALLE
TUCSON, AZ 85750-9700

QASIM NEDAL I & KIM HAESUK Q CP/RS
4946 N SABINO GULCH CT
TUCSON, AZ 85750-7222

SPINNING KRISTEN L
4925 N VALLE
TUCSON, AZ 85750-9701

WOOD SEAN L & WOOD DONNA J JT/RS
4924 N VALLE
TUCSON, AZ 85750-9700

MC MAHON NANCY KAY
4919 N VALLE
TUCSON, AZ 85750-9701

RODRIGUEZ SANDRA MICHELLE
4918 N VALLE
TUCSON, AZ 85750-9700

HVI LLC
PO BOX 65648
TUCSON, AZ 85728-5648

KIRKPATRICK RICHARD W & NANCY A JT/RS
4912 N VALLE
TUCSON, AZ 85750-9700

SAJE INVESTMENTS LLC
5120 N STONEHOUSE PL
TUCSON, AZ 85750-9671

SABINO-SNYDER LLC
4819 N SABINO CANYON RD
TUCSON, AZ 85750-6427

SONTAG SHEILA
4906 N VALLE
TUCSON, AZ 85750-9700

SCHLEU JENNY B
4900 N VALLE
TUCSON, AZ 85750-9700

SABINO CANYON APARTMENTS LLC ATTN:
LESTER SAFT
6206 FRONDOSA DR
MALIBU, CA 90265-3103

VENTANA CANYON CARWASH LLC
PO BOX 42051
TUCSON, AZ 85733-2051

SABINO VENTURES LLC ATTN:
WALGREEN CO # 6245 TAX DEPT
PO BOX 901
DEERFIELD, IL 60015-0901

DBNCH CIRCLE LLC ATTN: CIRCLE K STORES
PROPERTY TAX DC17
PO BOX 52085
PHOENIX, AZ 85072-2085

THE PLANNING CENTER
a division of TPC Group, Inc.

**Neighborhood Meeting**
**Sign-in Sheet**
**Edgar's Pit Stop Rezoning**

**July 12, 2018**

| Name | Address, Zip Code | Phone | Email Address |
|---|---|---|---|
| Jim Stoff | 5170 N. Stonehouse Pl | 603-3927 | DrJim@Sabinovetcare.com |
| BOB STOFF | 6862 E Nasumpta | | |
| Linda Morales | 4880 N Sabino Canyon | 749-0530 | sabinomanager@gmail. |
| MOMS MIKE DEGALMA | 4979 N. VALLE 85750 | 749-5886 | |
| Kristen Spinning | 4925 N. Valle | | |
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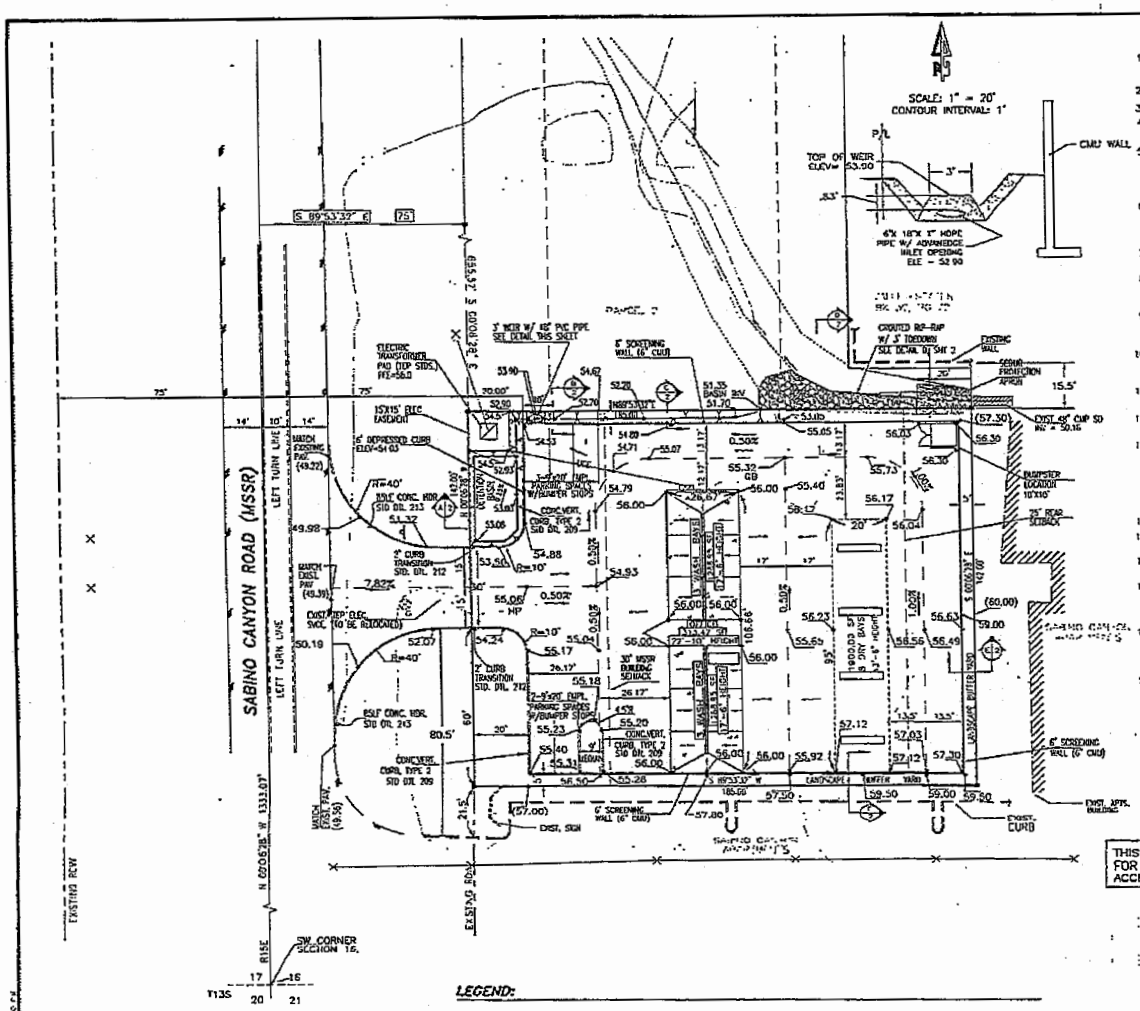


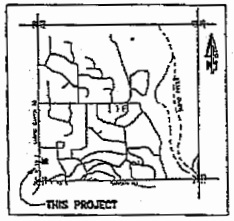

## GENERAL NOTES:

1. ALL MATERIALS, WORKMANSHIP & TEST METHODS FOR ONSITE CONSTRUCTION SHALL BE IN CONFORMANCE WITH PIMA COUNTY/CITY OF TUCSON STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS (PC/COT SSPI), 1994 EDITION.
2. AGGREGATE BASE COURSE SHALL CONFORM TO PC/COT SSPI SECTION 303.
3. ASPHALTIC CONCRETE SHALL CONFORM TO PC/COT SSPI SECTION 406, FOR MIX #2.
4. ALL CONCRETE SHALL COMPLY WITH PC/COT SSPI SECTION 1006, CLASS S, 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS, UNLESS OTHERWISE SPECIFIED.
5. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. CALL "BLUE STAKE" (745-2211) TWO (2) FULL WORKING DAYS PRIOR TO CONSTRUCTION. THE PLAN LOCATION OF UTILITIES BEING SHOWN ARE APPROXIMATE, BASED ON AVAILABLE RECORDS. NEITHER THE OWNER NOR THE ENGINEER CAN GUARANTEE THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN.
6. THE EXISTING TOPOGRAPHY AS DELINEATED ON THIS DRAWING SHALL BE UTILIZED AS THE BASIS FOR ALL EARTHWORK COMPUTATIONS. SAID TOPOGRAPHY SHALL BE PRESUMED TO BE ACCEPTABLE TO ALL INTERESTED PARTIES UNLESS A DEVIATION SO DETERMINED SHALL BE TRANSMITTED TO ALL PARTIES.
7. ALL WORK SHALL CONFORM TO GRADING STANDARDS, CHAPTER 18.81 OF THE PIMA COUNTY ZONING CODE.
8. GRADING BOUNDARIES SHALL BE CLEARLY MARKED AND ALL WORK WILL BE CONFINED TO APPROVED PROJECT LIMITS. ALL CUT & FILL SLOPES SHALL BE 3:1 OR FLATTER, AND NO HIGHER THAN 5 FEET.
9. ALL EARTHWORK AND STRUCTURAL PAVEMENT SHALL FURTHER CONFORM TO THE FINDING AND RECOMMENDATIONS IN THE GEOTECHNICAL REPORT NO. 2925X1191 (5 JAN 2000) PREPARED BY WESTERN TECHNOLOGIES, INC.
10. THE CONTRACTOR SHALL PROTECT ALL ADJACENT PROPERTY AND EXISTING IMPROVEMENTS, INCLUDING POSITIVE CONTROL OF EARTH SPILLAGE, CONSTRUCTION WATER, AND RUNOFF WATERS.
11. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION (OSHA) REGULATIONS.
12. PARCEL BOUNDARY SURVEY, TOPOGRAPHIC DATA AND UTILITY BLUE STAKE INFORMATION BASED ON DJA ENGINEERING CORP. FIELD SURVEY CONDUCTED ON OR ABOUT JUNE 30, 1999.
13. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR CONDITIONS AT JOB SITE, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY, DURING THE COURSE OF THE PROJECT. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
14. THE CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED BY GOVERNMENTAL AGENCIES.
15. A COPY OF AN APPROVED SET OF PLANS SHALL BE KEPT IN AN EASILY ACCESSIBLE LOCATION ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION.
16. ALL REVISIONS TO THESE PLANS MUST BE APPROVED BY DEVELOPMENT SERVICES PRIOR TO CONSTRUCTION.
17. IF UNANTICIPATED CONDITIONS ARE ENCOUNTERED DURING THE COURSE OF CONSTRUCTION AND ARE BEYOND THE SCOPE OF THE DESIGN, THE ENGINEER SHALL SUBMIT THE NECESSARY REVISED OR SUPPLEMENTAL IMPROVEMENT PLANS FOR REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
18. A QUALIFIED REGISTERED ENGINEER OR LAND SURVEYOR MUST CERTIFY THAT THIS PROJECT WAS CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PLANS, PRIOR TO REQUESTING A FINAL INSPECTION, CERTIFICATE OF OCCUPANCY OR RELEASE OF ASSURANCES, OR MODULAR PERMITS.
19. UPON COMMENCEMENT OF WORK, TRAFFIC CONTROL DEVICES SHALL BE POSTED AND MAINTAINED BY THE CONTRACTOR UNTIL SUCH TIME AS THE WORK IS COMPLETED. ALL WARNING SIGNS, BARRICADES, ETC. SHALL BE IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE OF ARIZONA PURSUANT TO A.R.S. 28-650.

THIS PROPERTY MAY BE A HABITAT AREA FOR THE PIGMY OWL, AS DETERMINED BY THE FISH AND WILDLIFE SERVICE. THE PIGMY OWL HAS BEEN DECLARED AN ENDANGERED SPECIES, AND IS PROTECTED BY FEDERAL LAW. ISSUANCE OF THIS PERMIT DOES NOT INTEND, NOR SHOULD IT BE CONSTRUED, TO IMPLY COMPLIANCE WITH FEDERAL/STATE REGULATIONS. IF YOU HAVE QUESTIONS CONCERNING YOUR RESPONSIBILITY CONTACT U.S. FISH AND WILDLIFE, (602) 640-2720.

THIS SET OF IMPROVEMENT PLANS SHALL SERVE AS THE TYPE 2 GRADING PERMIT FOR THIS PROJECT AND SHALL BE VALID FOR ONE YEAR FOLLOWING THE DATE OF ACCEPTANCE OF SAID PLANS.

ACCEPTED:
DEVELOPMENT SERVICES — DATE 07-07-2010




## LOCATION MAP

SCALE: 3" = 1 MILE
BEING IN SECTION 16,
T-13-S, R-15-E G&SRM
PIMA COUNTY, ARIZONA

## LEGAL DESCRIPTION:

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, T13S, R15E, G&SRM, IN PIMA COUNTY, ARIZONA

## OWNER/DEVELOPER:

LANCE JONES ENTERPRISES, L.L.C.
2525 E. BROADWAY BOULEVARD
TUCSON, ARIZONA 85712
(520) 325-9600

## BASIS OF BEARING:

BASIS OF BEARING IS THE WEST SECTION LINE FOR SEC. 16, T13S, R15E, G&SRM, SAID BEARING BEING N00°06'28"W

## BASIS OF ELEVATION:

FEMA (RM 145) US GEOLOGICAL SURVAY ½ REBAR, LOCATED ON EAST BANK OF VENTANA CANYON WASH 6' EAST OF POWER LINE POLE DOWNSTREAM FM SNYDER RD. SAID ELEV.=2615.80

PROPERTY ADDRESS

## LEGEND:

- SEWER CLEAN OUT
- SEWER MANHOLE
- ELECTRIC POLE
- ELECTRIC
- ELECTRIC TRANSFORMER
- TELEPHONE PAD
- WATER VALVE
- SET 1/2" REBAR LS 21787
- FOUND (AS NOTED)
- GAS VALVE
- PROPOSED GUTTER GRADE
- UNDERGROUND ELECTRIC
- WATER
- TRAFFIC SIGN
- TELEPHONE
- SANITARY SEWER
- PROPERTY BOUNDARY
- CENTERLINE OF ROAD

Collins/Pima
Phoenix — Tucson — Nogales

| NO | DATE | REVISION | BY | CK | APPR |
|---|---|---|---|---|---|

P1299-121
Co 9-57-113

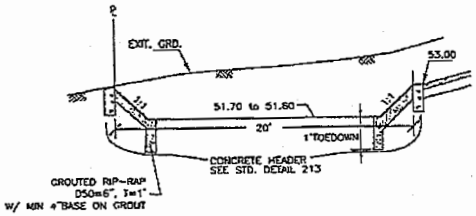
745-2211

PIMA COUNTY, ARIZONA
PRIVATE GRADING PLAN
FOR
SEDONA CAR WASH

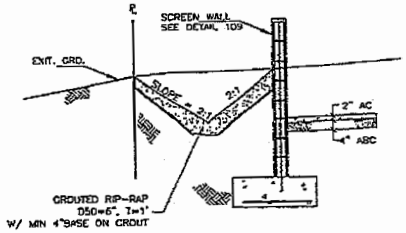
1 of 2

4271 BK ___, PG ___

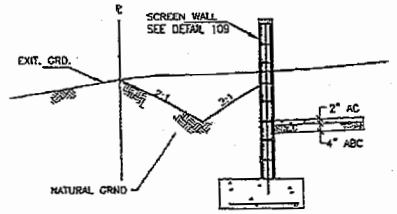
P1299-121-SSD




A DETENTION BASIN DETAIL
N.T.S.




B RETAINING WALL DETAIL
N.T.S.




C RETAINING WALL DETAIL
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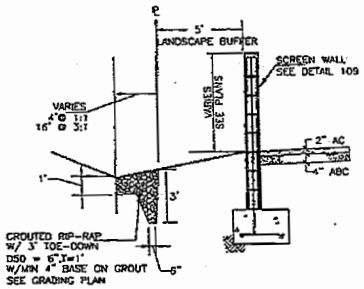


D RETAINING WALL DETAIL
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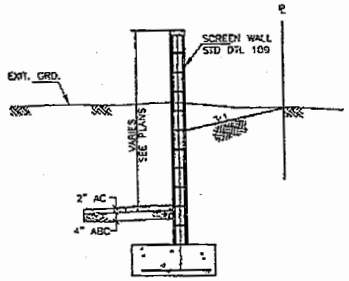


E RETAINING WALL DETAIL
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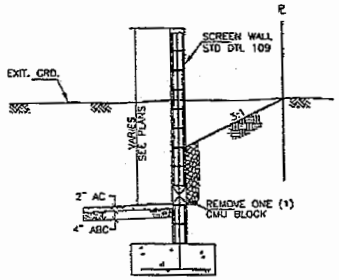


F RETAINING WALL DETAIL
N.T.S.

P1299-121
Co 9-57-113

CALL FOR PRE-CONSTRUCTION SERVICES
745-2211
ARIZONA STATE LAW
CALL BEFORE YOU DIG

Collins/Piña
Phoenix – Tucson – Nogales

| NO | DATE | REVISION | BY | CK | APPR |
|---|---|---|---|---|---|
| | | | | | |

PIMA COUNTY, ARIZONA
PRIVATE IMPROVEMENTS FOR
SEDONA CAR WASH
GRADING DETAILS

| | | | |
|---|---|---|---|
| DRWN BY JCS/DJS 20 00 | APPD BY ____ 19__ | C/PC JOB # 2080 | 2 |
| DSGN BY JCS/DJS 20 00 | | SCALE: N/A | OF |
| CHKD BY RAGR 20 00 | APPD BY ____ 19__ | DATE: Feb-27-00 | 2 |

Use of the information contained in this instrument for other than the specific purpose for which it was intended was not added when the client for whom it was prepared is Terminated unless expressly permitted in writing in advance by Collins/Piña Consulting Engineers, inc., and Collins/Piña Consulting Engineers, inc. shall have no liability to any person or entity for any use of this information without their written consent.

The original instrument sealed and signed by a registered professional shall have jurisdiction over the number instrument but sealed and signed, including computer storage medium. No reproductions in whole or in part shall bear or refer to the seal and signature.

4271

P1299-121-09-SC002

**Ronald W. Brown**
**P O Box 65648**
**Tucson, AZ 85728**
**520-390-1847**
**Ronbrown1281@comcast.net**

RECEIVED
NOV 2 0 2018
BY

November 22, 2018

Pima County Developmental Services Department
201 N. Stone Ave., 2nd Floor
Tucson, AZ 85701

Re: Case Number P18RZ00009

To whom it may concern,

First of all, I am the only member and manager of HVI, LLC, which owns the real property addressed as 4825 N. Sabino Canyon Rd and was at one time operated as The Hidden Valley Inn and is currently an office building. I am also the only member and manager of HVIP, LLC, which owns the real property at 4955 N. Sabino Canyon Rd and is currently a ten-bay retail center. Both of these properties are virtually across the street from the proposed rezoning property on N. Sabino Canyon Rd.

I am not fundamentally opposed to a rezoning as long as it is not a blanket rezoning, and as long as the proposed use is specified. Further, any future changes of use on the rezoned property must be subject to a public hearing process.

Thank you in advance for considering my concerns on this matter and I can be reached at any time.

Sincerely,

Ronald W. Brown