



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 7, 2019

Title: P18RZ00009 VENTANA CANYON CAR WASH, LLC - N. SABINO CANYON ROAD REZONING
(Ordinance)

Introduction/Background:

On January 22, 2019, the Board of Supervisors approved this rezoning subject to conditions as recommended by the Planning and Zoning Commission.

Discussion:

The rezoning was for 0.60 acre from the CB-1 (BZ) (Local Business - Buffer Overlay) zone to the CB-2 (BZ) (General Business - Buffer Overlay) zone to allow the redevelopment of an existing car wash into an auto repair shop.

Conclusion:

The Ordinance reflects the Board of Supervisor's approval of the rezoning.

Recommendation:

Approval

Fiscal Impact:

N/A

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

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

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date: [Signature] 4/10/19

Deputy County Administrator Signature/Date: [Signature] 4/11/19

County Administrator Signature/Date: C. J. Duluth 4/12/19

APR 24 12PM 01 07 PC CLK OF BD



DEVELOPMENT SERVICES

Subject: P18RZ00009

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FOR MAY 7, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: April 9, 2019

ORDINANCE FOR ADOPTION

P18RZ00009 **VENTANA CANYON CARWASH, LLC – N. SABINO CANYON ROAD**
REZONING

Owners: Ventana Canyon Car Wash, LLC
(District 1)

If approved, adopt ORDINANCE NO. 2019 - _____

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

STAFF RECOMMENDATION: APPROVAL.

CP/DP/ar
Attachments

cc: P18RZ00009 File

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY .60 ACRE OF 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, FROM THE CB-1 (BZ) (LOCAL BUSINESS – BUFFER OVERLAY) ZONE TO THE CB-2 (BZ) (GENERAL BUSINESS – BUFFER OVERLAY) ZONE, IN CASE P18RZ00009 VENTANA CANYON CAR WASH, LLC – N. SABINO CANYON ROAD REZONING, AND AMENDING PIMA COUNTY ZONING MAP NO. 49.

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

Section 1. The .60 acre 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 and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 49, is rezoned from the CB-1 (BZ) (Local Business – Buffer Overlay) zone to the CB-2 (BZ) (General Business – Buffer Overlay) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. Adherence to the sketch plan as approved at public hearing (Exhibit B).
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. There shall be no openings to auto repair bays on the eastern-most side of the building.

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.

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than January 22, 2024.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chairman of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day
of _____, 2019.

Chairman, Pima County Board of Supervisors

ATTEST:


Clerk, Board of Supervisors

Approved As To Form:

 3/25/19

Deputy County Attorney
Lesley M. Lukach

Approved:



Executive Secretary,
Planning and Zoning Commission

EXHIBIT A

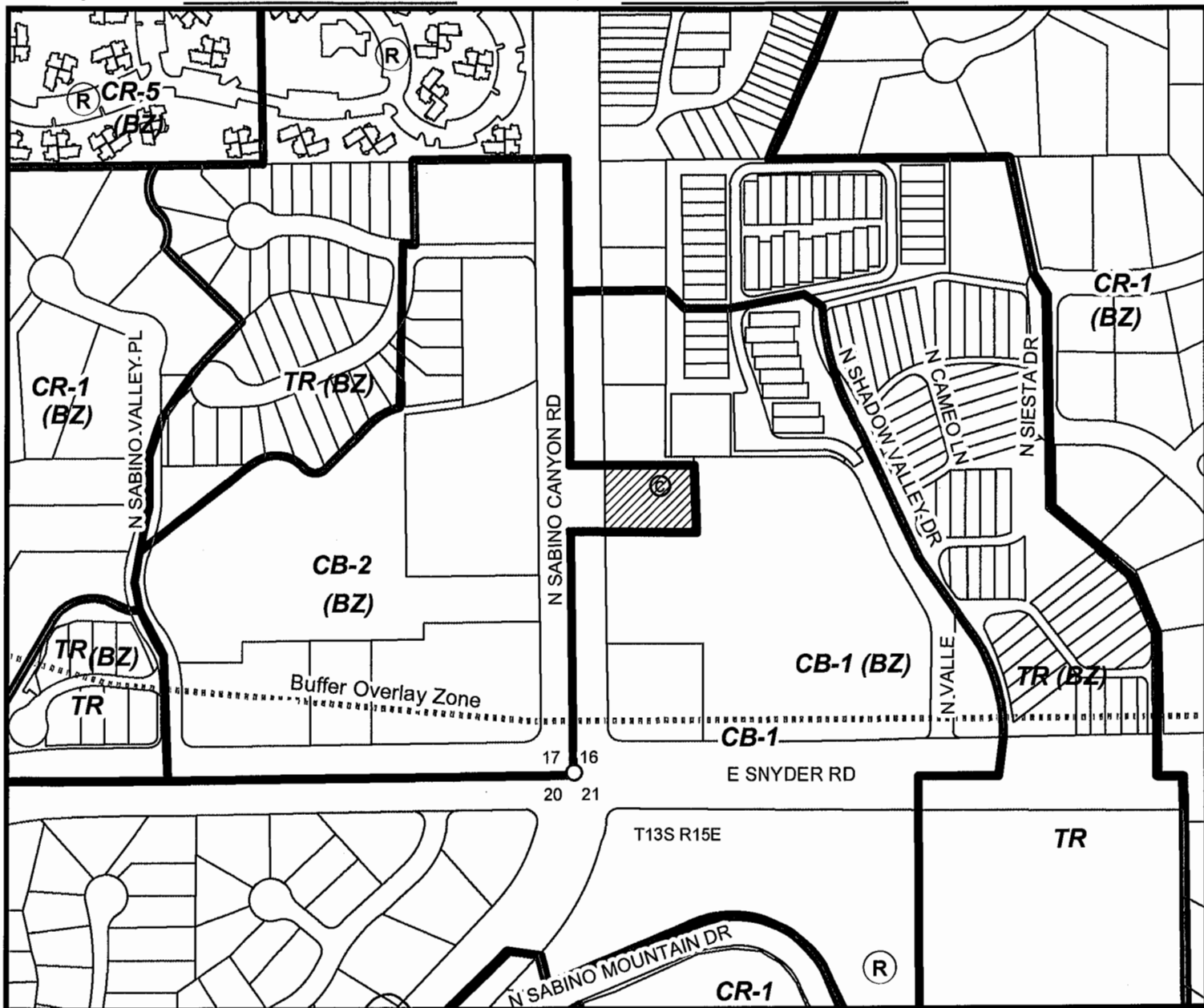
AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 49 TUCSON AZ.
PORTION OF LOT A OF HIDDEN VALLEY LOCATED IN SECTION 18 T13S R15E.



0 80 160 320 Feet
[Scale bar]

ADOPTED: _____

EFFECTIVE: _____



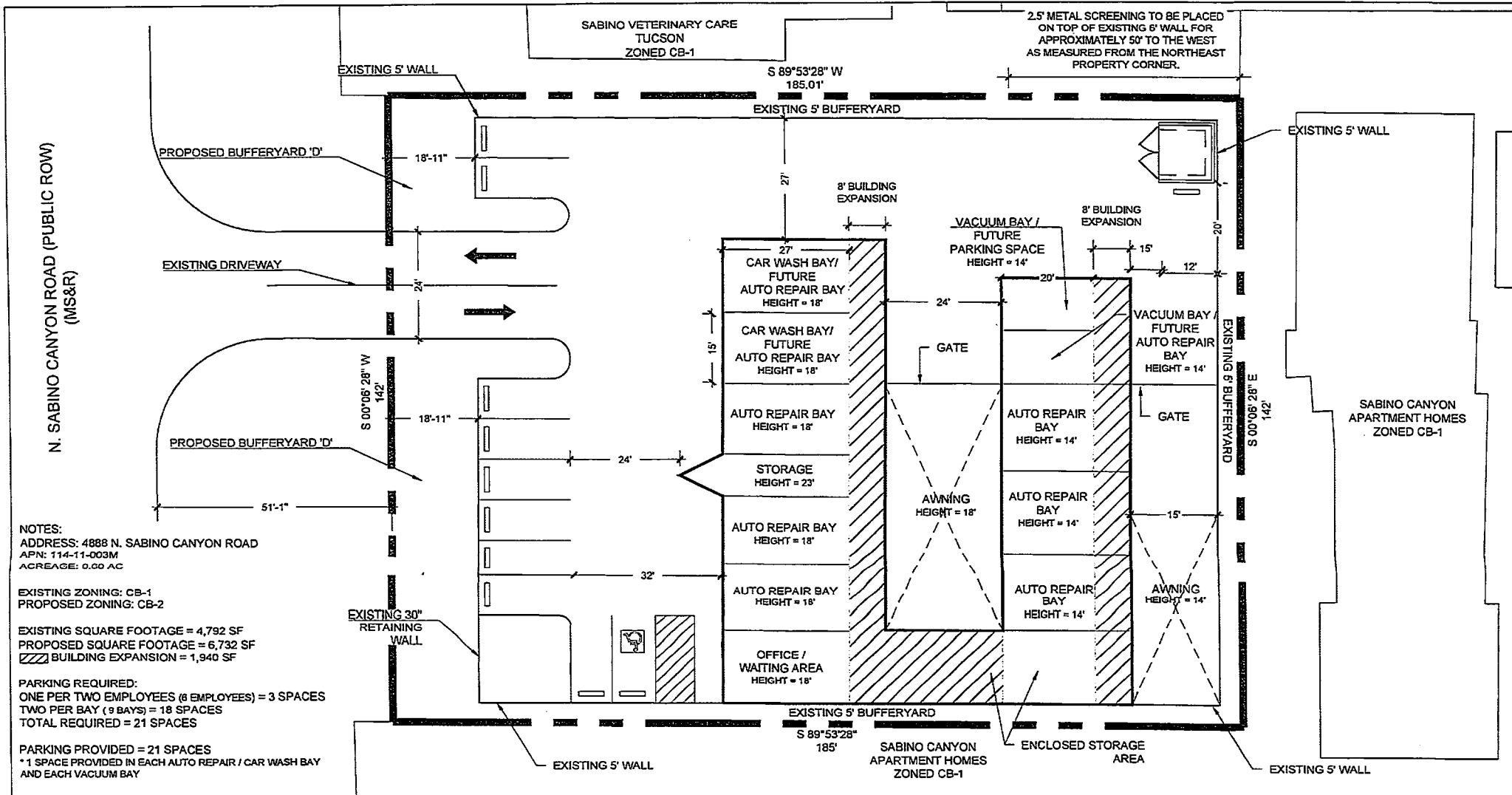
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM CB-1 (BZ) 0.6 ac
ds-March 11, 2019

P18RZ00009
11411003M




CONCEPTUAL SKETCH PLAN



EDGAR'S PIT STOP

P18R200009 Sketch Plan Approved
at 1-22-19 BOS Hearing J.P.

0' 10' 20'   THE PLANNING CENTER
a division of CPC, Inc.
a professional planning firm

SCALE: 1"=20'-0"
PROJECT: YCS-01 DATE: 10/11/18
FILE NAME: YCS-01_CONCEPT PLAN_101118.DWG