BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 14, 2020

Title: RESOLUTION AND ORDINANCE: P19CR00001 HESSER LCP LLC - N. LA CANADA DRIVE CONCURRENT PLAN AMENDMENT/REZONING

Introduction/Background:

The Board of Supervisors' approved this concurrent plan amendment and rezoning September 3, 2019.

Discussion:

The concurrent plan amendment and rezoning was for approximately .89 acres from Medium Intensity Urban to Neighborhood Activity Center and from the SH (Suburban Homestead) to the CB-2 (General Business) zone for additional parking for Frost RV recreational vehicle sales.

Conclusion:

The requested concurrent plan amendment and rezoning conform to the Pima County Zoning Code.

Recommendation:

The Resolution and Ordinance reflect the Board of Supervisors' approval.

Fiscal Impact:

0

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

DEC 24 '19 AM 11:45 PC CLK OF BD

Department: Development Services - Planning Telephone: 520-724-8800

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

Department Director Signature/Date: 12-19-19

Deputy County Administrator Signature/Date: 12/19/19

County Administrator Signature/Date: C. Bruetbury 12/20/19

PIMA COUNTY
DEVELOPMENT SERVICES

JANUARY 14, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: December 18, 2019

RESOLUTION FOR ADOPTION

P19CR00001 HESSER LCP, LLC – N. LA CANADA DRIVE PLAN AMENDMENT AND REZONING
Owners: Hesser LCP LLC
(District 1)

If approved, adopt RESOLUTION NO. 2020 - _____

OWNERS: Hesser LCP LLC
Attn: Dr. Dena Hesser
PO Box 41478
Tucson, AZ 85717

AGENT: Steadfast Drafting & Design, LLC
Attn: Jeff Stewart
4159 N. Reno Avenue
Tucson, AZ 85705

DISTRICT: 1

STAFF CONTACT: Terrill Tillman, Principal Planner

STAFF RECOMMENDATION: **APPROVAL.**

CP/TT/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P19CR00001 File

RESOLUTION 2020-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FROM MEDIUM INTENSITY URBAN (MIU) TO NEIGHBORHOOD ACTIVITY CENTER (NAC) FOR APPROXIMATELY .89 ACRES LOCATED ON THE WEST SIDE OF N. LA CANADA DRIVE, APPROXIMATELY 60 FEET NORTH OF THE T-INTERSECTION OF N. LA CANADA DRIVE AND W. KIMBERLY STREET, IN SECTION 15 OF TOWNSHIP 13 SOUTH, RANGE 13 EAST (ADDRESSED 5131 N. LA CANADA DRIVE), IN THE CATALINA FOOTHILLS PLANNING AREA.

IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map in the Catalina Foothills Planning Area is hereby amended to change the planned land use intensity category for approximately .89 acres, as referenced in P19CR00001 Hesser LCP LLC - N. La Canada Drive Concurrent Plan Amendment and Rezoning, located on the west side of N. La Canada Drive, approximately 60 feet north of the T-intersection of N. La Canada Drive and W. Kimberly Street, in Section 15, Township 13 South, Range 13 East, as shown on the map attached to this Resolution as Exhibit A and incorporated by this reference, from Medium Intensity Urban (MIU) to Neighborhood Activity Center (NAC).

Section 2. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 3. This Resolution shall become effective on the date of adoption.

Passed and adopted, this _____ day of _____, 2020.

_____
Chairman, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

APPROVED AS TO FORM:

12/16/19

Deputy County Attorney
Lesley M. Lukach

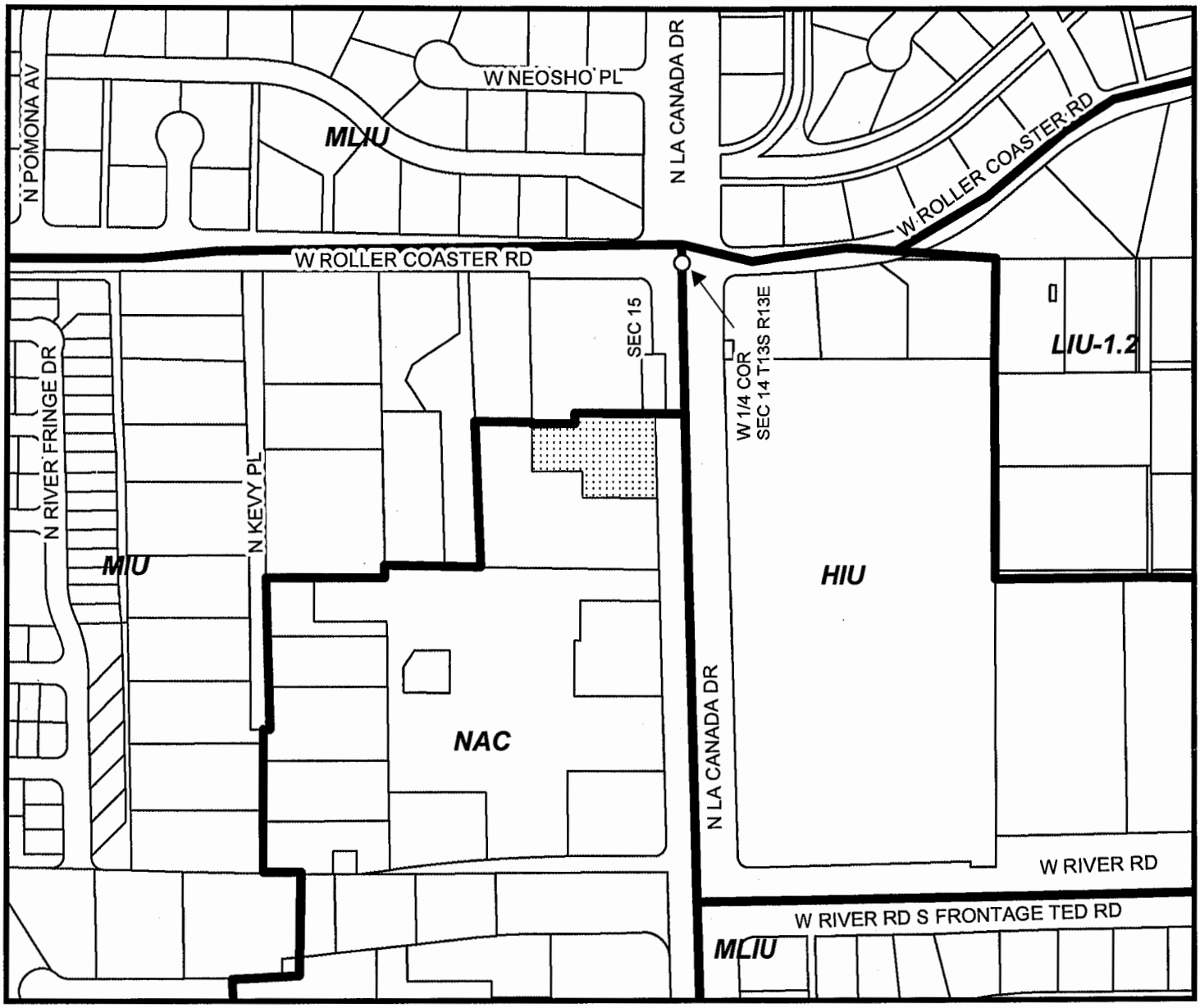
APPROVED:

12-15-19

Executive Secretary
Planning and Zoning Commission

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use Exhibit A



0 145 290 580 Feet

Taxcode: 104-01-070C	**P19CR00001 HESSER LCP LLC - N. LA CANADA DRIVE CONCURRENT PLAN AMENDMENT & REZONING** Medium Intensity Urban (MIU) to Neighborhood Activity Center (NAC) 0.89 Acres +/-	District 1 Location: Located on west side of La Canada Dr approx 60' north of T-intersection of W Kimberly St & N La Canada Dr
	Catalina Foothills Planning Area under Pima Prospers Section15, Township 13 South, Range 13 East	North
	Planning and Zoning Commission Hearing: June 26, 2019	Map Scale: 1:4,000
	Board of Supervisors Hearing: September 3, 2019	Map Date: November 22, 2019 / dms

PIMA COUNTY
DEVELOPMENT SERVICES

JANUARY 14, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: December 18, 2019

ORDINANCE FOR ADOPTION

P19CR00001 HESSER LCP, LLC – N. LA CANADA DRIVE PLAN AMENDMENT AND REZONING
Owners: Hesser LCP LLC
(District 1)

If approved, adopt ORDINANCE NO. 2020 - _____

OWNERS: Hesser LCP LLC
Attn: Dr. Dena Hesser
PO Box 41478
Tucson, AZ 85717

AGENT: Steadfast Drafting & Design, LLC
Attn: Jeff Stewart
4159 N. Reno Avenue
Tucson, AZ 85705

DISTRICT: 1

STAFF CONTACT: Terrill Tillman, Principal Planner

STAFF RECOMMENDATION: APPROVAL.

CP/TT/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P19CR00001 File

DEC 24 '19 AM 11:42 PCA/TFR ap

ORDINANCE 2020-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY .89 ACRES OF PROPERTY (ADDRESSED 5131 N. LA CANADA DRIVE) FROM SH (SUBURBAN HOMESTEAD) TO CB-2 (GENERAL BUSINESS) ZONE, IN CASE P19CR00001 HESSER LCP LLC – N. LA CANADA DRIVE CONCURRENT PLAN AMENDMENT AND REZONING, LOCATED ON THE WEST SIDE OF N. LA CANADA DRIVE, APPROXIMATELY 60 FEET NORTH OF THE T-INTERSECTION OF N. LA CANADA DRIVE AND W. KIMBERLY STREET, AND AMENDING PIMA COUNTY ZONING MAP NO. 45.

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

Section 1. The .89 acres located on the on the west side of N. La Canada Drive, approximately 60 feet north of the T-intersection of N. La Canada Drive and W. Kimberly Street and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 45, is rezoned from the SH (Suburban Homestead) to the CB-2 (General Business) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Environmental Planning conditions: 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.
3. 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/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. 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.
4. Adherence to the sketch plan (Exhibit B) as approved at public hearing.
5. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
6. 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.

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(I)."

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than September 3, 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 _____, 2020.

_____
Chairman, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

APPROVED AS TO FORM:

12/16/19
Deputy County Attorney
Lesley M. Lukach

APPROVED:

12-18-19
Executive Secretary
Planning and Zoning Commission

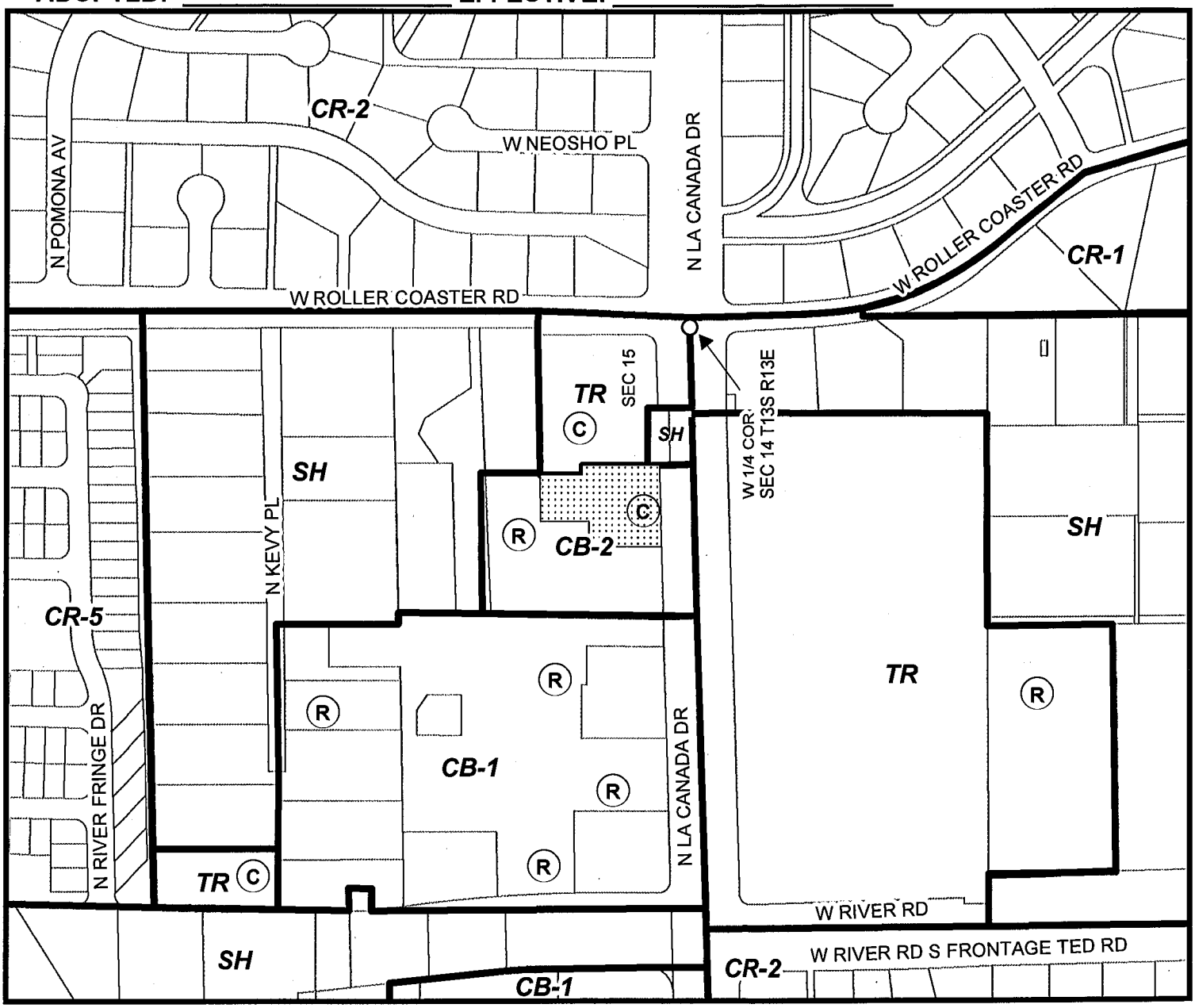
EXHIBIT A

AMENDMENT NO._____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO. 45 TUCSON AZ. LOCATED
IN THE NE 1/4 OF THE SE 1/4 OF SECTION 15 T13S R13E.

N W E S

0 80 160 320 Feet

ADOPTED: _____ EFFECTIVE: _____

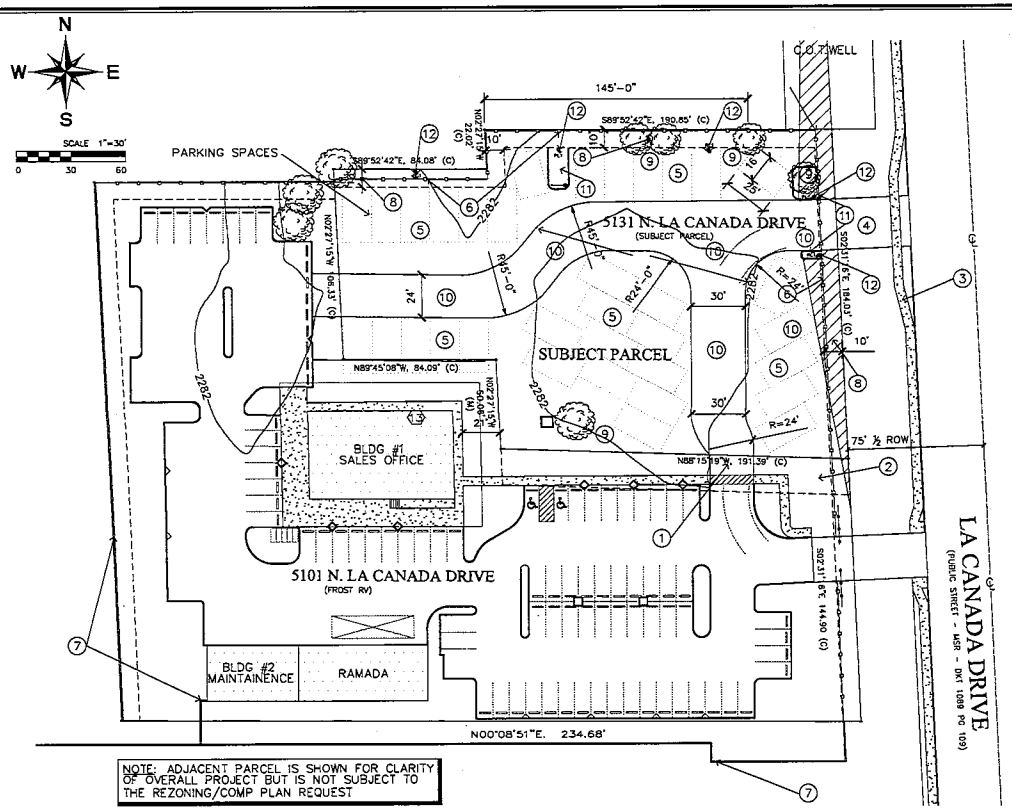


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) **NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE**
FROM SH 0.89 ac
ds-November 18, 2019

P19CR00001
10401070C

PIMA COUNTY
DEVELOPMENT SERVICES



NOTE: ADJACENT PARCEL IS SHOWN FOR CLARITY OF OVERALL PROJECT BUT IS NOT SUBJECT TO THE REZONING/COMP PLAN REQUEST

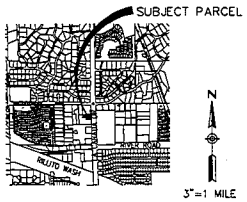
PROPOSED SITE PLAN
SCALE: 1"=30'

KEYED NOTES:

1. 24' ACCESS EASEMENT, DOCKET 13457 PAGE 136
2. 20' ACCESS EASEMENT, DOCKET 6496 PAGE 854
3. EXISTING SIDEWALK
4. EXISTING DRIVE ENTRANCE (CURRENTLY FENCED CLOSED)
5. STORAGE AREA COVERED WITH EXISTING ROCK FOR DUST CONTROL.
6. EXISTING PERIMETER FENCE
7. EXISTING MASONRY WALL
8. PROPOSED FUTURE 10' LANDSCAPE BUFFERYARD
9. EXISTING MATURE TREES TO REMAIN
10. PROPOSED ASPHALT DRIVEWAY
11. DEPRESSED WATER HARVESTING/LANDSCAPE AREA
12. NEW LIGHTING TO MATCH EXISTING – SEE GENERAL NOTES FOR LIMITATIONS

GENERAL NOTES:

1. THERE ARE NO PROTECTED NATIVE PLANTS.ALL VIABLE EXISTING PLANTS SHALL BE PRESERVED IN PLACE IN THE BUFFERYARDS TYPE OF LANDSCAPE:
2. SITE WILL BE LANDSCAPED WITH DROUGHT TOLERANT SPECIES PER APPROVED DEVELOPMENT/LANDSCAPE PLAN
3. THE POSTED SPEED LIMIT ALONG LA CANADA IS 45 mph.
4. A MODIFICATION OF THE PIMA COUNTY SUBDIVISION AND DEVELOPMENT STREET STANDARDS WAS GRANTED BY THE PIMA COUNTY ENGINEER ON JULY 28, 2008 TO REDUCE THE MINIMUM CENTERLINE-TO-CENTERLINE DRIVEWAY SEPARATION FROM 230' TO 143' IN RELATION TO THE EXISTING DRIVEWAY TO THE SOUTH AND FROM 230' TO 147' IN RELATION TO THE EXISTING DRIVEWAY TO THE NORTH.
5. ALL LANDSCAPE AREAS SHALL BE DEPRESSED 6 INCHES.
6. REGULATORY FLOODPLAINS, EROSION HAZARD SETBACKS AND/ OR RIPARIAN HABITATS DO NOT IMPACT THIS DEVELOPMENT PLAN.
7. ALL CONSTRUCTION WILL COMPLY WITH THE 2018 INTERNATIONAL FIRE CODE AND AMENDMENTS BY THE NORTHWEST FIRE DISTRICT.
8. ASSESSORS TAX PARCEL #104-01-070C
9. THE WATER COMPANY THAT WILL SERVE THIS DEVELOPMENT IS TUCSON WATER.
10. ANY RELOCATION, MODIFICATION, ETC., OF THE EXISTING UTILITIES AND /OR PUBLIC IMPROVEMENTS REQUIRED BY THIS DEVELOPMENT SHALL BE AT NO EXPENSE TO THE PUBLIC
11. OUTDOOR LIGHTING SHALL BE HOODED AND CONTROLLED SUCH THAT THE SOURCE OF LIGHT IS NOT VISIBLE FROM ANY ADJOINING RESIDENTIAL AREAS BEYOND THE BOUNDARY OF THE SITE.
12. OUTDOOR AUDIO AMPLIFICATION SHALL NOT BE PERMITTED ON THE SITE.
13. NO DELIVERIES TO THE SITE SHALL BE MADE BETWEEN 10 P.M. AND 6 A.M.



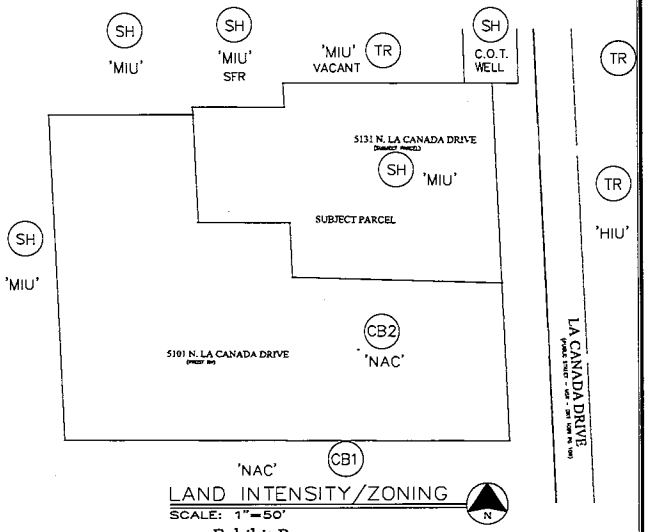
LOCATION MAP
LOCATED IN
SECTION 15 – T13S – R13E, G&SRM,
PIMA COUNTY, ARIZONA

LEGAL DESCRIPTION

PTN N183.44' SE4 NE4 NE4 SE4
LYG W & ADJ RD
.89 AC SEC 15-13-13

NOTES:

PROJECT SITE IS 0.89 ACRES
SH (99.962% OR ABOUT 0.89 ACRES)
CB-2 (0.024% OR ABOUT 9 SQ. FT.)
TR (0.014% OR ABOUT 5 SQ. FT.)
LAND USE INTENSITY IS MIU
PROPOSED LAND USE INTENSITY IS NAC
PROPOSED ZONING IS CB-2
PROPOSED LAND USE IS COMMERCIAL



LAND INTENSITY/ZONING
SCALE: 1"=50'

Exhibit B
Page 4 or 4

REVISIONS

STEADFAST DRAFTING & DESIGN, LLC
4159 N. RENO AVENUE
TUCSON, AZ 85705
Ph. (520) 907-8070

FROST RV STORAGE EXPANSION
5131 NORTH LA CANADA DRIVE, TUCSON, ARIZONA 85704
SITE PLAN

DESIGNED BY:	JJS
DRAWN BY:	JJS
CHECKED BY:	JJS
DATE:	4-15-2019
SCALE:	AS NOTED
SHEET NO:	1