



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 10/19/2021

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

P21CA00005 FOOTHILLS LOT 2 LLC - N. CALLE CENIZA PLAN AMENDMENT

***Introduction/Background:**

Foothills Lot 2 LLC, represented by Engineering and Environmental Consultants, Inc., requests a Comprehensive Plan amendment of approximately 1.42 acres (parcels 108-18-034D and -034B), and addressed as 4520 N. Calle Ceniza, from Low Intensity Urban (LIU-1.2) to Neighborhood Activity Center (NAC), located approximately 800 feet north of the intersection of N. Campbell Avenue and E. River Road.

***Discussion:**

The applicant requests the amendment to allow rezoning to CB-1 Local Business for office and low intensity retail use; the development would also provide additional parking for and relocate access to Joesler Village at the Campbell/River intersection.

***Conclusion:**

The site is undeveloped, abuts the Joesler Village commercial center, and has access to N. Campbell Avenue. The proposed use could be compatible on the site but will require additional analysis at rezoning.

***Recommendation:**

The Planning and Zoning Commission recommends APPROVAL of the amendment request to NAC; staff recommended MODIFIED APPROVAL to the Community Activity Center (CAC) Comprehensive Plan land use designation.

***Fiscal Impact:**

0

***Board of Supervisor District:**

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services, Planning Division Telephone: 724-8800

Contact: Mark Holden, Principal Planner, AICP Telephone: 724-6619

Department Director Signature: _____

Date: _____

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____



PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Rex Scott, Supervisor, District 1

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

DATE: September 28, 2021

SUBJECT: **P21CA00005 Foothills Lot 2 LLC – N. Calle Ceniza Plan
AMENDMENT**

The above referenced Comprehensive Plan amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, OCTOBER 19, 2021** hearing.

REQUEST: For a **Comprehensive Plan amendment** of approximately 1.42 acres from Low Intensity Urban 1.2 (LIU-1.2) to Neighborhood Activity Center (NAC), located approximately 800 feet north of the intersection of N. Campbell Avenue and E. River Road (parcel numbers 108-18-034D and -034B), addressed as **4520 N. Calle Ceniza**, in Sections 19 and 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area.

OWNER Foothills Lot 2 LLC / Town West Realty, Inc. – Attn: Tobias Horvath
555 E. River Road
Tucson AZ 85704

AGENTS: Engineering & Environmental Consultants, Inc.
Attn: William Carroll, PE
555 E. River Rd., Ste. 301
Tucson, AZ 85704

Lazarus & Silvyn, P.C.
Attn: Keri Silvyn, Esq.
5986 E. Grant Rd., Ste. 290
Tucson, AZ 85712

DISTRICT: 1

STAFF CONTACT: Mark Holden, AICP, Principal Planner

PUBLIC COMMENT TO DATE: As of September 28, 2021, staff has received 11 emails in opposition, 4 emails in support, and petitions of support with 62 total signatures.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL TO NEIGHBORHOOD ACTIVITY CENTER (NAC) 6-3** (Commissioners Cook, Membrilla and Truitt voted NAY; Commissioner Becker was absent)

STAFF RECOMMENDATION: **MODIFIED APPROVAL TO COMMUNITY ACTIVITY CENTER (CAC)**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is outside of the Maeveen Marie Behan Conservation Lands System.

TD/MH/ds
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P21CA00005

Page 1 of 3

FOR OCTOBER 19, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: September 28, 2021

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT

P21CA00005 Foothills Lot 2 LLC – N. CALLE CENIZA PLAN AMENDMENT

Foothills Lot 2 LLC, represented by Engineering & Environmental Consultants, Inc., requests a **Comprehensive Plan amendment** of approximately 1.42 acres from Low Intensity Urban 1.2 (LIU-1.2) to Neighborhood Activity Center (NAC), located approximately 800 feet north of the intersection of N. Campbell Avenue and E. River Road (parcel numbers 108-18-034D and -034B), addressed as **4520 N. Calle Ceniza**, in Sections 19 and 20, Township 13 South, Range 14 East, in the Catalina Foothills Planning Area. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL TO NAC** 6-3 (Commissioners Cook, Membrilla and Truitt voted NAY; Commissioner Becker was absent). Staff recommends **MODIFIED APPROVAL TO COMMUNITY ACTIVITY CENTER (CAC)**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (August 25, 2021)

Due to the ongoing COVID-17 pandemic, the public hearing was held entirely remotely via Microsoft Teams.

Staff presented information on the plan amendment request and stated that the proposal was to develop office and low intensity retail uses on the site, and provide additional parking and new access into Joesler Village. Staff recommended modified approval to Community Activity Center (CAC) versus the applicant's requested Neighborhood Activity Center (NAC) because the site is part of the larger CAC area at the River and Campbell intersection.

A commissioner asked the location of the new access and access proposed to be closed under the project. Staff displayed the locations on Pima Maps and said the applicant could provide additional information on relocating the access in their presentation. The commissioner followed up to ask if Campbell Avenue is a divided right-of-way at the amendment site. Staff responded that it is not.

A commissioner asked about the relationship between this request and the hotel currently under

development just north on Campbell Road. Staff responded that there is no relationship between the two sites, but that City of Tucson had unsuccessfully attempted to annex and rezone both properties a few years ago. Staff added that the hotel development is currently moving forward in Pima County under existing TR (Transitional) zoning.

A commissioner asked about staff's recommendation to modify the applicant's request to CAC versus the requested NAC land use designation. Staff responded that the site could be considered part of the larger CAC area at the River and Campbell intersection, and that the proposed office and low intensity retail uses would be permitted under either designation.

The applicant spoke to the commission and provided a thorough presentation on the amendment request and proposed rezoning and development. The applicant explained the request is to allow a rezoning for office and low intensity retail uses. Because Joesler Village parking often fills and spills over off-site, the site would provide additional village parking. The site would also relocate access to the village from the existing access near the River and Campbell intersection, which would be closed and turned into a pedestrian plaza. The site currently permits one single family dwelling that accesses onto Campbell, which is inappropriate; the proposed use is in keeping with the office and multi-family dwellings immediately to the north. The proposed use has the support of, among others, Joesler Village businesses and the landowner of the residential parcels immediately to the north and west of the site. The applicant finished by saying their original request to NAC could provide transition between Joesler Village and residential use to the north, while still allowing rezoning to CB-1 Local Business.

A commissioner asked the applicant if they knew the reason for the adjacent residential landowners' support for the project. The applicant responded no and could not speculate as to why. The commissioner followed up to ask the plans for the undeveloped lot to the north of the site. The applicant responded that it was purchased to buffer the existing home. The commissioner continued to ask about parking to the southeast of the site in relation to ownership. The applicant responded that the site and Joesler Village are under the same ownership.

Staff provided additional information about the plan amendment process, requests and subsequent timing of the commission hearing in response to comments received about the case being heard by the commission in the summer.

A commissioner asked about the increase in traffic from this development and the hotel development further to the north, and if approval of this request means there will be no future rezoning request. Staff clarified the difference in and relationship between plan amendment and rezoning requests, and that the amendment is the first in a two-step process. The applicant noted that misunderstanding of the process was also an issue at neighborhood meetings.

A commissioner asked for more detail on the relocation of access and if access would be for ingress only or ingress and egress. The applicant responded that ingress and egress would be analyzed later in the rezoning process through a Traffic Impact Study (TIS).

A commissioner asked staff if the daily trips generated by the hotel under construction and this project would require widening Campbell Avenue in this area. Staff responded that construction of the hotel had required traffic mitigation of Campbell Avenue with turn lanes, and that a TIS at rezoning for this request would include analysis of trip distribution, access and road visibility.

The commission opened the public hearing.

The first speaker stated that they are a member of the Campbell Corridor Coalition, and spoke

about traffic safety concerns – they stated that their group estimated a 40% increase in traffic from this proposed development.

The second speaker was also with the Campbell Corridor Coalition, explained the avenue's scenic corridor status and historic significance, and spoke against extending commercial uses northward on Campbell Avenue. They stated that commercial uses would not be permitted on other residential properties along N. Campbell Avenue, and that the only options before the commission are denial, continuance, or approval to NAC rather than CAC land use designation.

The third speaker cited traffic concerns, increasing traffic on Campbell Avenue, a lack of center lane, and the adequacy of the current Joesler Village circulation.

The applicant responded to speakers' concerns that the section of Campbell Avenue where the new access would be provided is relatively straight with good line-of-sight; and, that the west side of Campbell already has similar office and multi-family residential use to the north. The applicant finished by saying that their requested lower-intensity NAC designation would still allow a future rezoning to CB-1.

No one else requested to speak and the commission closed the public hearing.

Commissioner Gungle to recommend **APPROVAL** of the applicant's original request to the NAC land use designation; Commissioner Matter gave second. The commissioner stated that he had come ready to recommend denial of the request, but was swayed by the applicant's presentation.

A commissioner expressed concerns about the interrelationship between land use and transportation planning. He opined that transportation planning needs to come first and that the county's approval of cases like these approve development before adequate transportation infrastructure is in place, and in this case, on N. Campbell Avenue.

A commissioner asked the difference between the CAC and NAC land use designations. Staff provided definitions and objectives from the comprehensive plan.

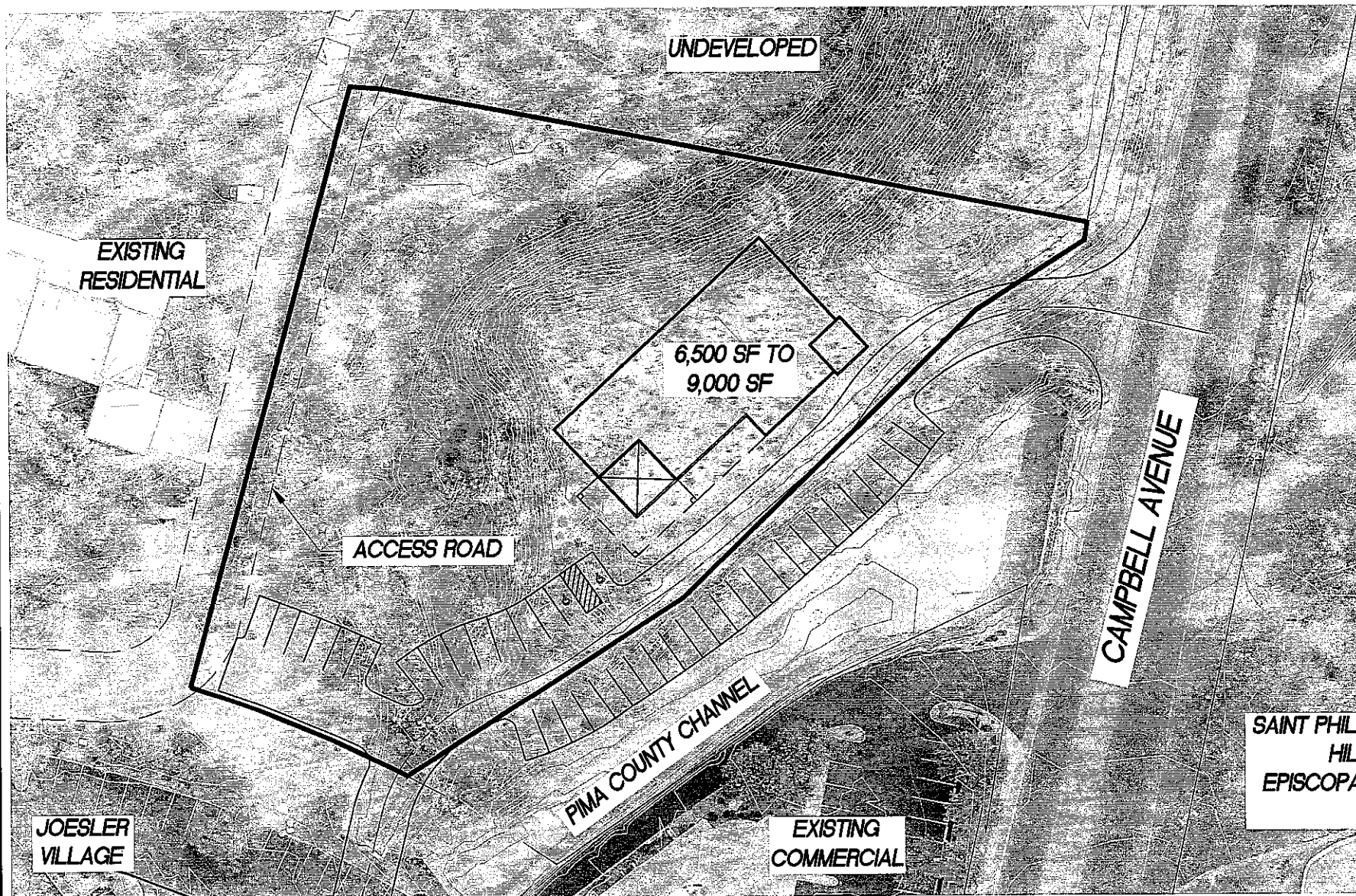
A commissioner stated that moving the existing access away from the Campbell and River intersection would be sensible; that providing cross-access in commercial sites provides more efficient traffic circulation; and, that a single family residence is not appropriate on the site.

Upon a roll call vote, the motion to recommend **APPROVAL** passed 6-3 (Commissioners Cook, Membrila and Truitt voted NAY; Commissioner Becker was absent).

TD/MH/ds
Attachments

- c: Engineering & Environmental Consultants, Inc. – Attn: William Carroll, PE
Lazarus & Silvyn, P.C. – Attn: Keri Silvyn, Esq.

N:\19006.04 - Joesler Village Office Project\300 3400\355 DING EXHIBIT COMPREHENSIVE PLAN AMENDMENT REQUEST.dwg Plotter: Apr 28, 2021 9:45am eefowesall



civil engineering • land development
surveying • environmental services
staking • flood control and drainage
transportation

Engineering and Environmental Consultants, Inc.

555 E. River Road, Suite 301 | Tucson, Arizona 85704

Tel 520.321.4625 | Fax 520.321.0333

JOB NO. 19006.04

JOESLER OFFICE BUILDING
COMPREHENSIVE PLAN
AMENDMENT REQUEST


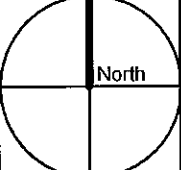
04/29/2021

COMPREHENSIVE PLAN AMENDMENT

Aerial Exhibit



0 220 440 880 Feet

<p>Taxcodes: 108-18-034B & 108-18-034D</p>	<p>P21CA00005 FOOTHILLS LOT 2 LLC - N. CALLE CENIZA PLAN AMENDMENT</p>	<p>Districts 1 Location: Approximately 800' north of the intersection of N. Campbell Avenue and E. River Road</p>
	<p>Catalina Foothills Planning Area under Pima Prospects Sections 19 & 20, Township 13 South, Range 14 East</p>	
	<p>Planning and Zoning Commission Hearing: August 25, 2021</p>	<p>Map Scale: 1:6,000</p>
	<p>Board of Supervisors Hearing: October 19, 2021 (tentative)</p>	<p>Map Date: July 27, 2021 / dms</p>



2021 PLAN AMENDMENT PROGRAM

PLANNING AND ZONING COMMISSION STAFF REPORT



HEARING DATE	August 25, 2021
CASE	P21CA00005 FOOTHILLS LOT 2 LLC - N. CALLE CENIZA PLAN AMENDMENT
PLANNING AREA	Catalina Foothills
DISTRICT	1
LOCATION	Approximately 800 feet north of the intersection of N. Campbell Avenue and E. River Road (parcel numbers 108-18-034D and -034B) at 4520 N. Calle Ceniza
REQUEST	Low Intensity Urban 1.2 (LIU-1.2) to Neighborhood Activity Center (NAC) for approximately 1.42 acres
OWNER	Foothills Lot 2 LLC, c/o Tobias Horvath
AGENT	Engineering & Environmental Consultants, Inc., c/o Bill Carroll PE

APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:

"This is a request to amend the Pima County Comprehensive Plan from Low Intensity Urban 1.2 (LIU 1.2) to Neighborhood Activity Center (NAC)... The Property was originally platted as Catalina Foothills Estates #4, Lot 428. Parcel 10818034B was subsequently separated [from parcel 10818034D] because [-034B is] east of the section line; both parcels are under common ownership and are a part of this request.

The Property is adjacent and will connect to the Joesler Village commercial center to the south, which is designated Community Activity Center (CAC). The Property will provide a transition from the higher intensity Joesler Village uses to the lower density residential uses to the north. The Property will also provide a relocated and safer ingress/egress point on Campbell Road north of the River Road intersection for Joesler Village. The Property is outside the Maeveen Marie Behan Conservation Land System."

STAFF REPORT:

Staff recommends **MODIFIED APPROVAL** of amending the Pima County Comprehensive Plan land use designation from **Low Intensity Urban 1.2 (LIU-1.2)** to **Community Activity Center (CAC)**. The site would become part of the larger CAC commercial area located at the River and Campbell intersection, which includes Joesler Village and St. Philips Plaza.

Background

The comprehensive plan amendment site is Lot #428 of the Catalina Foothills Estates #4 subdivision (lots 401-428), platted in May 1955. The site is addressed as 4520 N. Calle Ceniza, but the portions of the site located in Sections 19 and 20 are assigned separate parcel numbers. The site is located between N. Campbell Avenue to the east, Joesler Village to the south, and N. Camino Luz, a private right-of-way, to the west.

Campbell Wash (volume = 2000-5000 CFS) runs along the east boundary of the site – this portion of the wash is channelized and flows beneath Joesler Village to the Rillito Wash, and is designated as a Flood Control Resource Area. A small unnamed wash (volume > 25 CFS) crosses the site from north to south, is partially channelized, and joins Campbell Wash south of the site.

The site is undeveloped and may have had clearing of some vegetation in the past. A cleared flat ridgetop at the center of the site drops to the two washes, with slopes from the ridgetop of between 50 to 60 percent, and the Average Cross Slope (ACS) for the entire site is calculated around 25 percent – development on the site will be subject to the Hillside Development Overlay Zone (Chapter 18.61). The ridge rises to the north, with an office building (zoned TR Transitional) about 300 feet north of the site and about 16 feet higher in elevation. The nearest residence is 200 feet to the west, at an elevation about 35 feet lower than the flat portion of the ridge; the next-closest residences are on a ridge of similar elevation to the site, about 500 feet to the west.

A recent site visit found Sonoran desert trees (foothill and blue palo verde, cat-claw and white-thorn acacia, mesquite, desert willow), shrubs (brittlebush, bursage, creosote bush, hackberry, ragweed, wolfberry, zinnia), cactus (barrel, prickly pear), and a few older saguaro cactus. The vegetation is especially dense on the west side of the ridge and could be maintained for screening and buffering of adjacent residential areas.

Plan Amendment Criteria

Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

1a. Growing Smarter Acts

The site is an infill property with proposed access to a major road (Campbell Avenue), and sewer infrastructure and other utilities, and will be located near existing residential neighborhoods and retail and commercial services in Joesler Village. The development will avoid regulatory riparian habitat and watercourses.

1b. Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies

The amendment site is covered under Special Area Policy S-2 Catalina Foothills, which restricts structures to 24 feet. The Board of Supervisors may approve greater height but also reserves the right to limit structures to one story. The site has no rezoning policies.

1c. Maeveen Marie Behan Conservation Lands System

The amendment site is located outside of the Maeveen Marie Behan Conservation Lands System (CLS).

2. Oversight, Inconsistencies, or Land Use Related Inequities/Changes

n/a

The proposed project will provide retail or office use, parking, and new ingress and egress to Joesler Village from Campbell Avenue across the site. The site is outside of the CLS, and has similar uses to the south in Joesler Village and to the north off Campbell Avenue.

The applicants requested an amendment to the lower intensity Neighborhood Activity Center (NAC) to provide a transition between the CAC designation of Joesler Village and the LIU-1.2 to the north. However, staff recommends amending the land use designation on the site to CAC, as the parcel will be adjunct to Joesler Village, which is designated CAC (portions of the village currently in the City of Tucson were also CAC prior to being annexed), and be included in the larger commercially designated CAC area at the River and Campbell intersection, which includes the Joesler Village and St. Philips Plaza.

DEPARTMENT/AGENCY COMMENTS:

Department of Transportation

The site is located adjacent to Campbell Avenue, approximately 750 feet north of the intersection with River Road. Campbell Avenue north of the intersection is maintained by Pima County, while the intersection is maintained by the City of Tucson. Adjacent to the site, Campbell Avenue is functioning over-capacity. A traffic study or memorandum for impacts to Pima County roadway system and proof of coordination with the City of Tucson will be required as a rezoning condition.

Primary access will be provided through a new driveway on Campbell Avenue, and shared access is proposed with the property to the south, the Joesler Village commercial center. A private cross-access easement to provide for legal access shall be obtained by the applicant. The application letter indicates a closure of a driveway on Campbell Road at the Joesler Village commercial center, located approximately 100 feet from River Road within City of Tucson jurisdiction.

The sketch plan identifies both existing and proposed improvements within the primary access drive including a public drainage channel, guardrail, and slope stabilization. The final design of the proposed access shall consider those improvements and evaluate adequate sight visibility, driveway separation, and analysis of the guardrail. The plan also proposes private parking in the Pima County right-of-way adjacent to the existing public drainage channel. Approval from the Department of Transportation and/or Regional Flood Control District is required prior to rezoning approval. If approved, a license agreement or approved equal shall be obtained by the applicant with Pima County Real Property Services at time of development permitting.

The Department of Transportation has no objection to this Comprehensive Plan amendment and recommends approval.

Regional Flood Control District

The site includes regulatory habitat and watercourses, as well as public drainage improvements. The proposed development has been clustered outside these areas in compliance with the Pima Prospects Flood Control Resource Area Policy. The site is to be served by Tucson Water, which serves renewable and potable water and staff has determined that therefore, there will not be negative impacts on Shallow Groundwater Dependent Ecosystems. As the applicant has agreed to avoid these resources and to acquire right-of-way as needed from the County, the District has no objection or recommended rezoning policies.

Regional Wastewater Reclamation Department

The property is located approximately 800 feet north of the intersection of Campbell Avenue and River Road, within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area.

The Planning Section of the PCRWRD has no objection to the proposed comprehensive plan amendment. A no objection shall not construe any action by Pima County as a commitment to provide sewer to any new development within the plan amendment area, and does not ensure that there is adequate treatment and conveyance capacity to accommodate this plan amendment area in the downstream public sewerage system.

Environmental Planning Division

The comprehensive plan amendment site is outside of the CLS and identified Critical Landscape Connection areas. The site is just within the Priority Conservation Area for the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), a listed endangered species under the Endangered Species Act.

Cultural Resources & Historic Preservation Division

The Pima County Comprehensive Plan, Pima Prospers, Land Use section, 3.6 Cultural Resources Element, includes Goal 1, *Conserve and Protect Cultural Resources*. To conserve and protect cultural resources in the area, new architectural styles and design elements on the amendment site should not conflict with existing historic Murphey-Joesler architecture.

Department of Environmental Quality

The department has no comment.

Natural Resources, Parks and Recreation

The Chuck Huckelberry Loop Trail is located about 1000 feet to the south, and the proposed Campbell / Camino Real Singletrack Trail is located on the east side of N. Campbell Avenue. There are no county designated trails, recreation areas or open space on the amendment site.

Rural-Metro Fire Department

The department has no objections or concerns. The proposed project will be subject to the 2012 International Fire Code requirements and all submittals and permits as it pertains to the fire code shall be from this office.

Tucson Electric Power

The utility has no comment.

Tucson Water Department

The utility has no comment.

City of Tucson

City of Tucson has no comment.

US Fish & Wildlife Service

USFWS has no comment.

PUBLIC COMMENTS:

As of August 6, 2021, staff has received one letter of support from the owner of the closest residence to the west included with the application submission.

Respectfully submitted,



Mark Holden, AICP
Principal Planner

c: Town West Realty, Inc., 555 E. River Rd., Tucson AZ 85704, Attn: Tobias Horvath
EEC, Inc., Attn: William Carroll, PE
Lazarus & Silvyn, P.C., Attn: Keri Silvyn, Esq.



Land Use Legend and Map

P21CA00005 FOOTHILLS LOT 2 LLC - N CALLE CENIZA PLAN AMENDMENT

CURRENT LAND USE DESIGNATION:

Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

Low Intensity Urban 1.2 (LIU-1.2)

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC; 2.5 RAC with 45 percent open space; or 4 RAC with 60 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC; 2 RAC with 50 percent open space

REQUESTED LAND USE DESIGNATION:

Neighborhood Activity Center (NAC)

Objective: To designate lower intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are to be located on arterials. Smaller mixed use centers may contain medium density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to

the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how the project serves to create or enhance the mixed use character of the designated activity center as a whole.

- Residential Gross Density: (if applicable) Minimum- 5 RAC; Maximum- 12 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 5 RAC; Maximum- 8 RAC

STAFF RECOMMENDED LAND USE DESIGNATION:

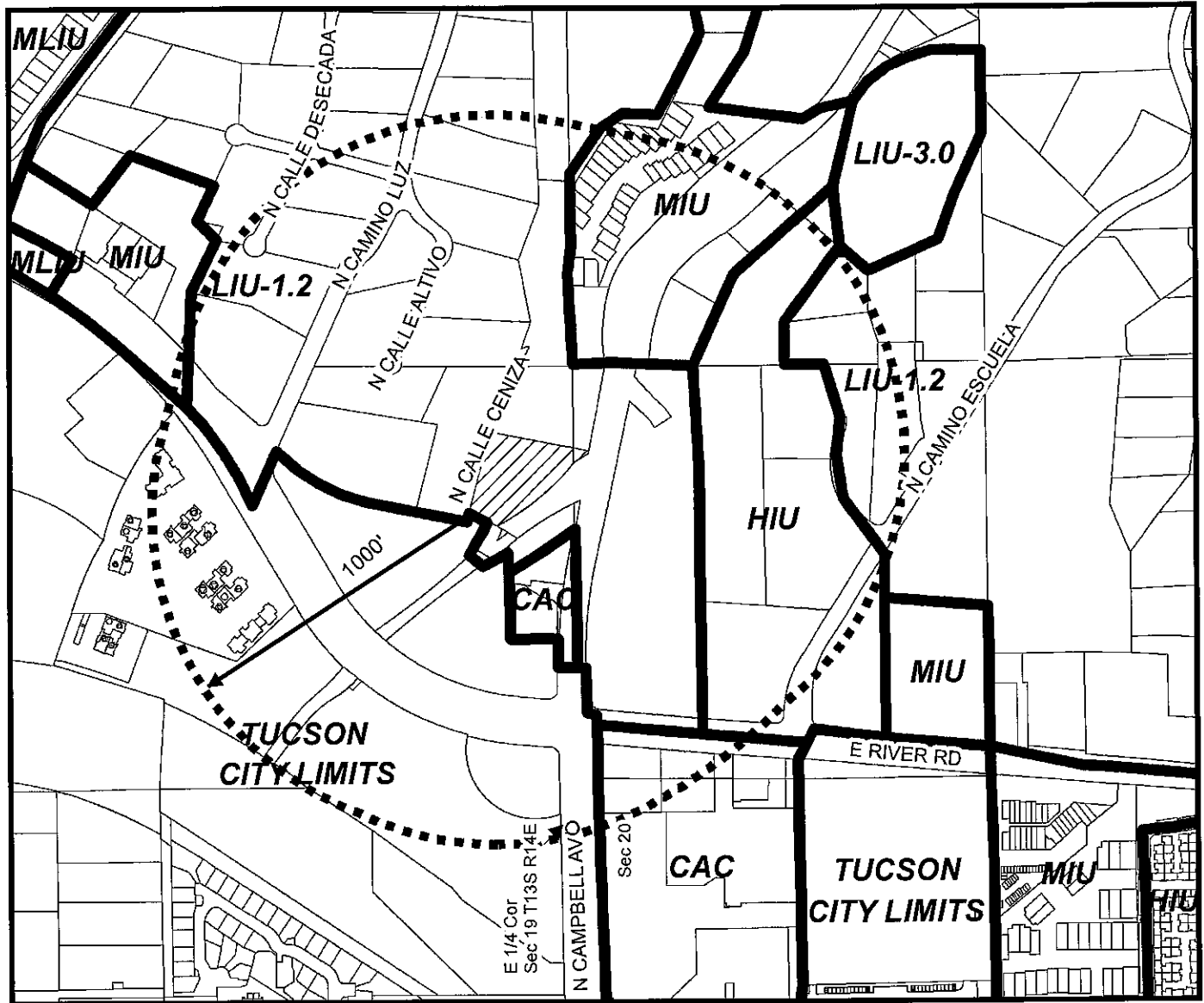
Community Activity Center (CAC)

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 a 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.

- Residential Gross Density: (if any) Minimum- 6 RAC; Maximum- as allowed by the requested conforming zoning district
- Residential Gross Densities for TDR Receiving Areas: Minimum- 6 RAC; Maximum- 18 RAC

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use



0 220 440 880 Feet

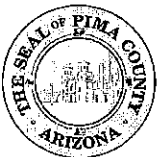
1000' Notification Area
Subject Property

Taxcodes:
108-18-034B &
108-18-034D

P21CA00005 FOOTHILLS LOT 2 LLC - N. CALLE CENIZA PLAN AMENDMENT

Request: Low Intensity Urban 1.2 (LIU-1.2) to
Neighborhood Activity Center (NAC) 1.42 Acres +/-

Districts 1
Location:
Approximately
800' north of
the intersection
of N. Campbell
Avenue and
E. River Road



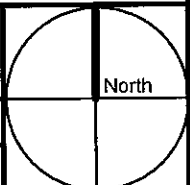
Catalina Foothills Planning Area under Pima Prospects
Sections 19 & 20, Township 13 South, Range 14 East

Planning and Zoning Commission Hearing: August 25, 2021

Map Scale: 1:6,000

Board of Supervisors Hearing: October 19, 2021 (tentative)

Map Date: July 27, 2021 / dms





Office of the Fire Marshal

**RURAL METRO FIRE DEPARTMENT
PIMA COUNTY, AZ**

June 4, 2021

Pima County Development Services Dept.
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701
Attn: Mark Holden, Principal Planner

RE: P21CA00005 Foothills Lot 2 LLC – N. Calle Ceniza Plan Amendment

Dear Mark,

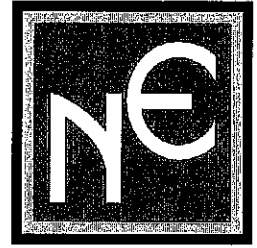
The above-mentioned plan amendment review has been completed by this office and I have no objections or concerns.

This proposed project will be subject to the 2012 International Fire Code requirements and all submittals and permits as it pertains to the fire code shall be from this office.

If there are any questions or concerns, please let me know.

Sincerely,

William F. Treatch
Fire Marshal/Battalion Chief
Office#297-1242
Cell#981-0280
E-mail: William.Treatch@gmr.net



Biological Impact Report Joesler Rezone

NE#20043

**Prepared for:
Town West Realty, LLC
555 E. River Road Suite 201
Tucson, AZ 85704
(520) 615-7707**

**Prepared by:
Novak Environmental, Inc.
4574 N. 1st Avenue
Tucson, Arizona 85718
(520) 206-0591**

**For questions regarding this report please contact: Karen Cesare, RLA
karen@novakenvironmental.com**

TABLE OF CONTENTS

I. INTRODUCTION	3
<i>Figure 1. Location Map.....</i>	<i>3</i>
II. LANDSCAPE RESOURCES.....	4
III. SPECIES-SPECIFIC INFORMATION	5
VI. SUMMARY	7



BIOLOGICAL IMPACT REPORT

Joesler Rezone

April 27, 2021

I. INTRODUCTION

This Biological Impact Report is for an approximately 1.3-acre site near the northeast corner of Campbell Avenue and River Road in Pima County, Arizona, parcel numbers 10818034D and 10818034B. The owner is seeking a comprehensive plan amendment in anticipation of rezoning the property. The property is in Sections 19 and 20, T13S, R14E, G. & S.R.M., Pima County, Arizona (see Figure 1).

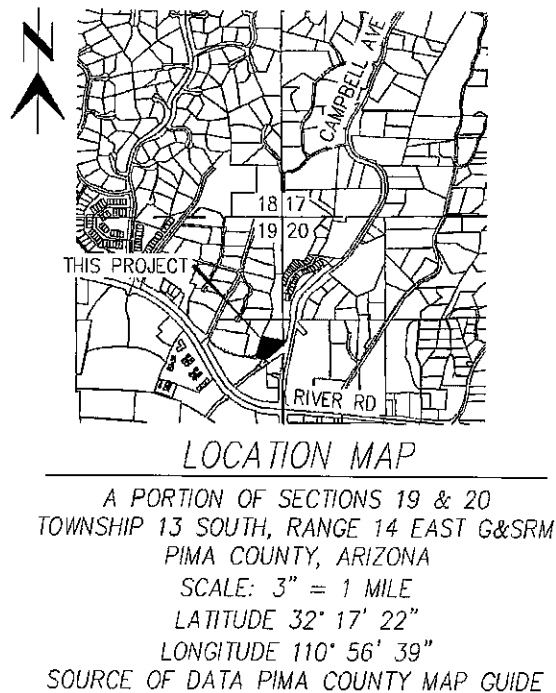


Figure 1. Location Map
2 Parcels (10818034D and 10818034B)
Section 19 & 20, T13S, R14E, G. & S.R.M., Pima County, Arizona

This required Biological Impact Report will present responses, as they pertain to the subject property, to all questions set forth in the Pima County Development Services Biological Impact Report Guidelines, March 2010.

II. LANDSCAPE RESOURCES

1. Identify whether the proposed site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System Category including Important Riparian Areas and Special Species Management Areas.

This site does not occur within any part of the Conservation Land System.

2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages.

This site does not occur within the vicinity of any of the six general areas identified in the CLS as Critical Landscape Linkages.

3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.

This site is not included as a priority acquisition for either Habitat Protection or Community Open Space.

III. SPECIES-SPECIFIC INFORMATION (including Pertinent Federally-Threatened and Endangered Species)

Cactus Ferruginous Pygmy-owl:

1. Does the proposed project site occur within Survey Zone 1 for the cactus ferruginous pygmy-owl?

No. (It does occur in Zone 2.)

2. Has the proposed project site been surveyed for pygmy-owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

No. The project site has not been surveyed for pygmy-owls; there are no surveys planned in the future.

Western Burrowing Owl:

1. Does the proposed project site occur within the Priority Conservation Area for the Western Burrowing Owl?

No.

2. Has the proposed project site been surveyed for burrowing owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

No. The project site has not been surveyed for Western Burrowing Owls; there are no surveys planned in the future.

Pima Pineapple Cactus

1. Does the proposed project site occur within the Priority Conservation Area for the Pima pineapple cactus?

No.

2. Have Pima pineapple cactus been found on the proposed project site?

No. No Pima pineapple cacti have been found on the project site.

3. Has the proposed project site been surveyed for Pima pineapple cactus?

a. If yes, disclose the date when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

No. The project site has not been surveyed for Pima pineapple cactus; no surveys are planned in the future.

Needle-Spined Pineapple Cactus:

1. Does the proposed project site occur within the Priority Conservation Area for the needle-spined pineapple cactus?

No.

2. Have needle-spined pineapple cactus been found on the proposed project site?

No needle-spined pineapple cactus have been found on the project site.

3. Has the proposed project site been surveyed for needle-spined pineapple cactus?

a. If yes, disclose the date when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

No. The project site has not been surveyed for needle-spined pineapple cactus; no surveys are planned in the future.

IV. SUMMARY

This report presents a Biological Impact Report for the Joesler Rezone, an approximately 1.3-acre parcel located in Pima County. This Biological Impact Report, required as part of the comprehensive plan change request, presents responses to all questions set forth in the Pima County Development Services Biological Impact Report Guidelines, March 2010. **The findings indicate that this site does not lie within any of the areas of concern included in the report guidelines.**

Mark Holden

From: DSD Planning
Sent: Thursday, April 29, 2021 3:10 PM
To: Mark Holden
Subject: FW: Comprehensive Plan Amendment Application form submission
Attachments: ESRI Shapefile or AutoCad Document - COMPREHENSIVE PLAN AMENDMENT REQUEST.dwg; Site Analysis Document - comp plan amendment request letter SUBMITTALv2.pdf; Letter of Authorization Document - JVN - Comp Plan Authorization Letter (SIGNED)(04-27-2021).pdf

From: Comprehensive Plan Amendment Application <no-reply@formbackend.com>
Sent: Thursday, April 29, 2021 2:50 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Comprehensive Plan Amendment Application form submission

CAUTION: 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.

New submission

You received a new submission.

Ownername

Foothills Lot 2 LLC

Owner address

555 East River Road, Suite 201

Owner city

Tucson

Owner state

AZ

Owner zipcode

85704

Owner phone

5206157707

Email

Jim@townwestrealty.com

Applicant name

William Carroll, PE

Applicant address

555 East River Road, Suite 301

Applicant city

Tucson

Applicant state

AZ

Applicant zipcode

85704

Applicant phone

5203214625

Applicant_email

bcarroll@eeccorp.com

Property address

4520 North Calle Ceniza

Property parcel number

10818034D, 10818034B

Property acreage

1.42

Current land use designation

Residential, CR-1, 1.42 Ac, LIU-1.2

Proposed land use designation

Commercial, CB-1, 1.42 Ac. NAC

Policies

Catalina Foothills, S-2 Cat. Foothills Special Area Policies

Concurrent property acreage**Property present zone****Property proposed zone****Letter of authorization document**

[JVN - Comp Plan Authorization Letter \(SIGNED\)\(04-27-2021\).pdf](#)

Site analysis document

[comp plan amendment request letter SUBMITTALv2.pdf](#)

Ftp-link

Esri shapefile or autocad document

COMPREHENSIVE PLAN AMENDMENT REQUEST.dwg

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

2021-04-29

**Pima Prospers Comprehensive Plan Amendment Narrative
for
Joesler Office Building**

This is a request to amend the Pima County Comprehensive Plan ("Comprehensive Plan") from Low Intensity Urban 1.2 ("LIU 1.2") to Neighborhood Activity Center ("NAC") for the following parcels (collectively the "Property"):

Parcel	Area (ac.)	Property Address	Owner	Original Parcel
10818034D	1.3914	4520 N Calle Ceniza	FOOTHILLS	CATALINA FOOTHILLS
10818034B	0.0295	n/a	LOT 2 LLC	ESTATES #4 LOT 428

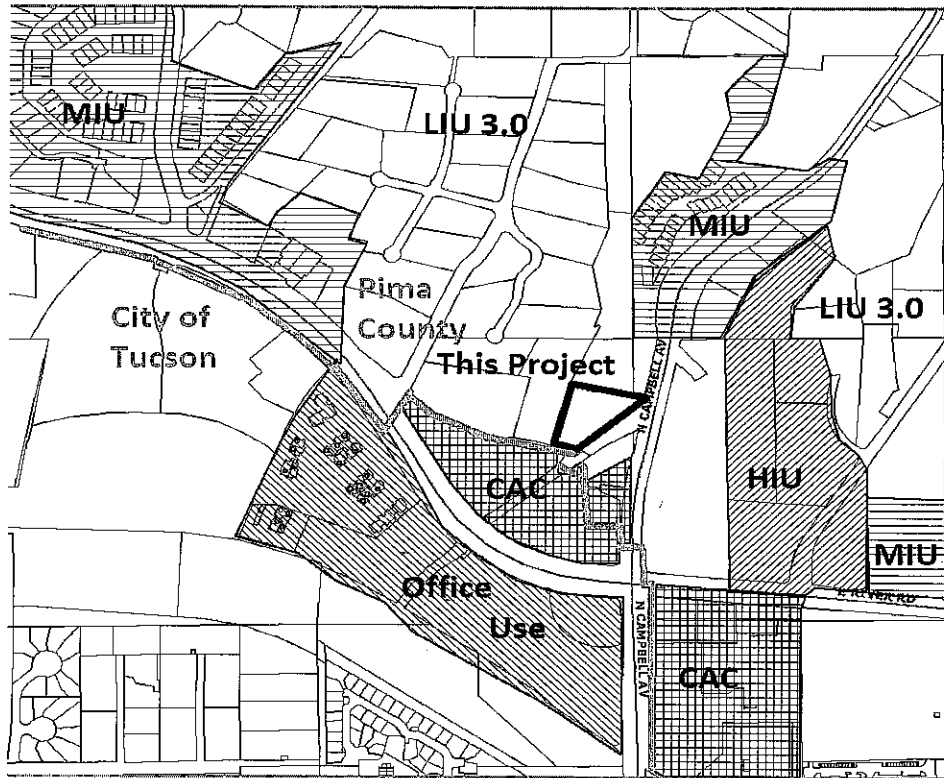
The Property was originally platted as Catalina Foothills Estates #4, Lot 428. Parcel 10818034B was subsequently separated because it was east of the section line; both parcels are under common ownership and are a part of this request.

The Property is adjacent and will connect to the Joesler Village commercial center to the south, which is designated Community Activity Center ("CAC"). The Property will provide a transition from the higher intensity Joesler Village uses to the lower density residential uses to the north. The Property will also provide a relocated and safer ingress/egress point on Campbell Road north of the River Road intersection for Joesler Village. The Property is outside the Maeveen Marie Behan Conservation Land System.

The proposed use for the Property is a combination office/retail/commercial/bank to complement the Joesler Village center, and a rezoning to CB-1 will follow this Plan Amendment approval (the "Project"). The uses proposed are less intense traffic generators than the existing Joesler Village and provide a transition from those higher intensity restaurant/retail users on the south to the residential uses to the north. Any retail will be south and/or east, away from the residential development to the west. Any building on the Property will be within the 24-foot height limitation imposed by the Catalina Foothills Special Area Policy.

The Property is in an infill location directly north of the intersection of River Road and Campbell Avenue, which is a major mixed-use activity center in the region. Joesler Village is on the northwest corner, St. Philips Plaza is on the southeast corner, St. Philips in the Hills Episcopal Church is on the northeast corner and Cambric Office complex is on the southwest corner. Office and other retail uses are located along River Road and south on Campbell Avenue. The Property is also 1500 feet from the Chuck Huckelberry Loop trail system (the "Loop"). The NAC designation will permit an appropriate transition of lower-intensity commercial/retail/mix of uses from the CAC to the south to the LIU to the north. Attached to this request is also a letter from the adjacent owner on the west and north supporting these uses on the Property.

As shown on the map below, the City and County General/Comprehensive plans and zoning in the area acknowledge the activity-center type uses and higher density residential along River and south on Campbell. The lower density residential is further north along Campbell Avenue, and this request provides a transition from the more intense uses to the lower density uses to the north.



The proposed NAC request is supported by many of the policies in Pima Prospects. Below are excerpts of select policies:

Land Use Element

Goal 1: Integrate land use strategies with physical infrastructure, human infrastructure, economic development, and resource conservation to ensure the long-range viability of the region.

Policy 1: Promote land use patterns that support healthy people, a healthy environment, and a healthy economy.

Policy 2: Provide an appropriate mix of land uses that:

- a) Supports a balance of housing, employment, shopping, recreation, and civic uses;
- b) Furthers expansion of economic development goals;
- c) Recognizes in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern

- outside of the metropolitan area;
- d) Promotes the integrated and efficient use of infrastructure and services; and
- e) Conserves, protects and maintains culturally and biologically important lands.

Policy 7: Support and incentivize horizontal and vertical mixed use development and redevelopment in character and scale with existing development in:

- a) Community nodes and gateways;
- b) Key transportation routes;

This Project is an infill development located in an existing urban, mixed-use area adjacent to physical infrastructure – Campbell Avenue and all major utilities – and is adjacent to a major community activity center at River Road. It has immediate access to retail and restaurants and is convenient to the Express Bus Route as well as pedestrian and bicycle activities along the Loop. The Project acknowledges the surrounding development and acts as a transition from the more intense uses closer to River Road to the lower density residential to the north.

Climate and Emerging Environmental Issues

Goal 2: Minimize the negative impacts of climate change on Pima County and increase the resiliency of the human, economic, and natural environment.

Development in this location will increase opportunities to reduce single-occupancy Vehicle Miles Traveled by providing connectivity to transit, trails, pedestrian walkways, and bicycle routes. It will also provide active water harvesting and a drought tolerant tree canopy where none currently exist to reduce heat island effects. Further, the Project will incorporate a Sonoran Desert color palette and will maintain the Property's existing natural slopes and channel features. The building will utilize water-efficient fixtures and appliances to reduce indoor water use and will utilize active and passive solar methods of construction where feasible.

Housing and Community Design: Community Design

Goal 8: Ensure that all development and redevelopment is generally compatible and scale-appropriate.

Goal 9: Support quality development at appropriate scales in urban and suburban areas.

Goal 10: Ensure that all new development and redevelopment reflects the character and sense of place of the area.

Goal 11: Maximize the efficient use of land outside the Maeveen Marie Behan Conservation Lands System.

This Property is outside of the Maeveen Marie Behan Conservation Lands System. The Project will be developed to be a compatible transition from Joesler Village (and incorporated into Joesler Village) to the lower density residential to the north. The scale at a maximum of 24 feet and the architectural design will reflect the character of the area as the current owner of Joesler Village will be developing the Property to be compatible.

Physical Infrastructure Connectivity Goals and Policies:

4.1: Transportation

Goal 1: Provide a cost-effective, comprehensive and multi-modal transportation system while providing mobility for all users and goods, and all modes of travel including automobile, transit, bicycling, and walking which will reduce carbon emissions.

This Property is ideally situated for development of office and retail uses as all necessary infrastructure exists and it provides opportunities for users to utilize transit, bicycling, and walking which will reduce carbon emissions.

Goal 3: Improve traffic safety and reduce accidents on county roads.

This Project will include a new point of access into Joesler Village from Campbell Avenue, which will allow the closure of an existing one-way access point that is less than 150 feet from River Road. This point of access consistently creates back-up of traffic on Campbell Avenue due to conflicting movements, and there have been numerous accidents due to motorists ignoring the one-way signs.

4.3 Energy Element

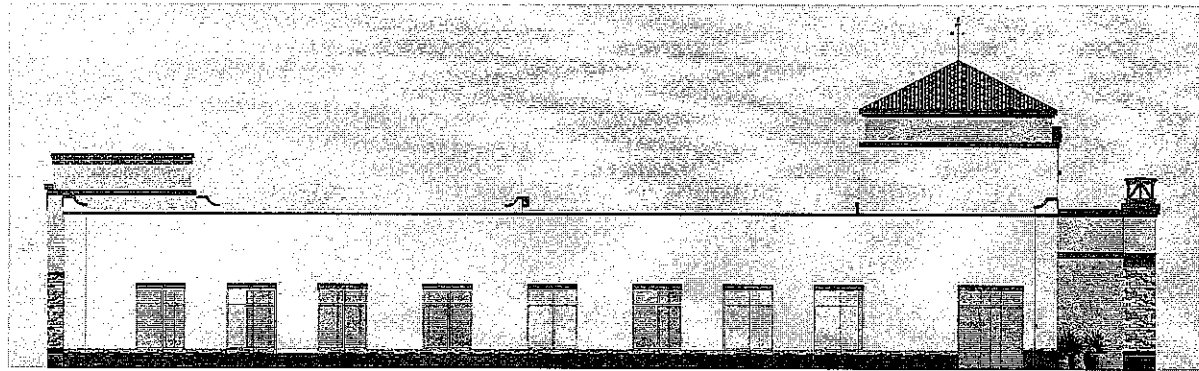
Goal 1: Support the increased use of cost-effective clean alternative energy systems.

The Project will utilize low energy fixtures and passive solar to reduce overall energy demand. In addition, it will mitigate urban heat island effect by increasing drought-tolerant vegetative shade.

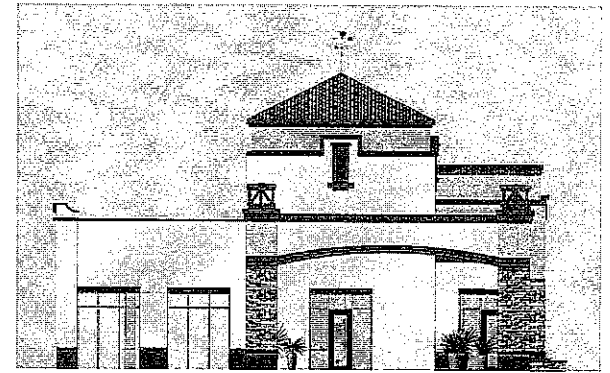
4.8 Trails Element

Goal 2: Integrate trail system, transportation modes, economic development and land use patterns with healthy community principles.

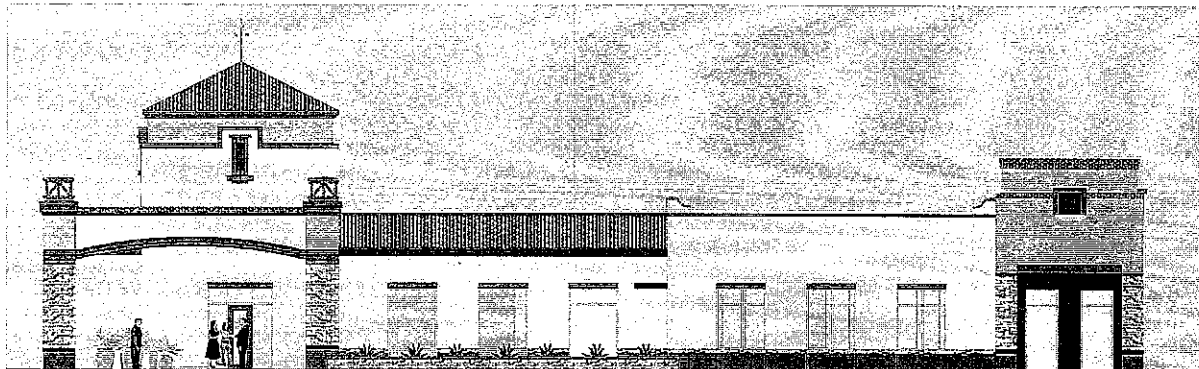
This Property is adjacent to the proposed Campbell/Camino Real trail and within 1500 feet of The Loop which will allow tenants and visitors access for commuting or recreational uses.



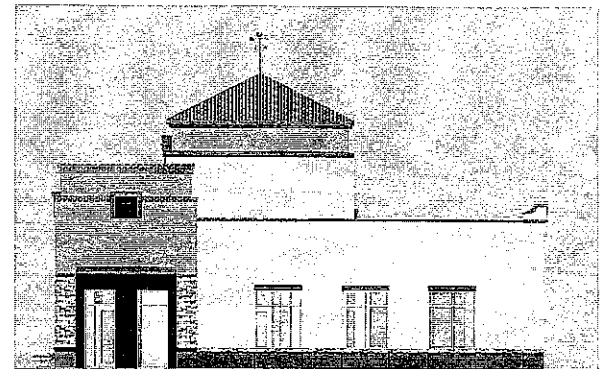
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

Comprehensive Plan Amendment



perspective view from SOUTHEAST

Comprehensive Plan Ammendment



AGENCY AUTHORIZATION

Pima County Planning & Development Services
201 N Stone Avenue
Tucson, Arizona 85701

To Whom it May Concern:

I am the owner of parcels 10818034D and 10818034B which collectively have a site address of 4520 N Calle Ceniza, Tucson, Arizona. The two properties were originally platted as Catalina Foothills Estates #4 Lot 428. Said properties are hereinafter referred to as the "Property".

I hereby authorize William B. Carroll, PE and Keri Silvyn, Esq., hereinafter referred to as "Agents" to act on my behalf in relation to the Property in obtaining approvals from Pima County for an amendment to the County's Comprehensive Plan and rezoning. Both Mr. Carroll and Ms. Silvyn are authorized to file any necessary applications, make necessary submittals, and speak on my behalf for such approvals.

I consent and agree to be bound by all stipulations agreed to by these Agents including, but not limited to, land use, zoning, and stipulations relative to the Property.

Thank you,

Foothills Lot 2, LLC

A handwritten signature in black ink, appearing to read 'T. Horyath', written over the printed name and title.

Tobias J. Horyath
President

Town West Realty, Inc.
Its Manager



ACC

eCorp

Search

File

FAQ

Search for an Entity Name



ENTITY INFORMATION

Search Date and Time: 4/29/2021 3:52:31 PM

Entity Details

Entity Name:	FOOTHILLS LOT 2 LLC	Entity ID:	23092374
Entity Type:	Domestic LLC	Entity Status:	Active
Formation Date:	6/3/2020	Reason for Status:	In Good Standing
Approval Date:	6/4/2020	Status Date:	6/3/2020
Original Incorporation Date:	6/3/2020	Life Period:	Perpetual
Business Type:	Any legal purpose	Last Annual Report Filed:	
Domicile State:	Arizona	Annual Report Due Date:	
		Years Due:	
Original Publish Date:			

Statutory Agent Information

Name:	Tobias Horvath	Appointed Status:	Active 6/4/2020
Attention:			
Address:	555 E. River Road, Suite 201, TUCSON, AZ 85704, USA		
Agent Last Updated:	6/4/2020	E-mail:	
Attention:		Mailing Address:	555 E. River Road, Suite 201, TUCSON, AZ 85704, USA
County:	Pima		

Principal Information

Title	Name	Attention	Address	Date of Taking Office	Last Updated
Member	Trans Western Inc.	Tobias Horvath	555 E. River Road, Suite 201, TUCSON, AZ, 85704, Pima County, USA		6/4/2020
Manager	Town West Realty, Inc.	Tobias Horvath	555 E. River Road, Suite 201, TUCSON, AZ, 85704, Pima County, USA		6/4/2020

Robert & Linda Lohse
4525 N. Calle Ceniza
Tucson, AZ 85718
520-327-0487

December 4, 2021

Pima County Development Services
201 N. Stone Ave.
Tucson, AZ 85701

Re: Rezoning of 4520 N. Calle Ceniza, Tucson, AZ 85718

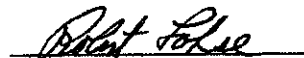
Dear Development Services Staff, Pima County Planning Commission
and Pima County Board of Supervisors,

We are the new owners of the property at 4550 N. Calle Ceniza, Tucson, AZ 85718, which is located immediately north of the property known as 4520 N. Calle Ceniza, Tucson, AZ 85718 (the "Property"). We are also the owners of our residence located at 4525 N. Calle Ceniza, which is located immediately west of the Property. We understand that the owner of the Property desires to rezone the Property for use as a commercial building with parking and an access driveway to the Joesler Village shopping center to the south.

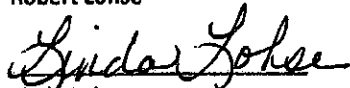
This letter is to advise you that we strongly support the rezoning of the Property and the proposed uses and urge you to approve the rezoning request. If you have any questions regarding our support for the rezoning of the Property, please do not hesitate to contact us at the above address.

Thank you for taking our support for the rezoning request into consideration as you make your determination concerning approval of the rezoning request.

Sincerely,



Robert Lohse



Linda Lohse