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January 29, 2024

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City of Tucson  
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**Subject: H2K Planned Area Development Amendment (PAD)  
Proposed Addition of 302 Acres  
WLB No. 121044-A-005**

Dear John,

Please find attached our official submittal of the proposed amendment to the H2K Planned Area Development (PAD). Its purpose is to add three separate parcels of land totaling approximately 302 acres (the "Property") contiguous to this PAD. The Property is currently within unincorporated Pima County and proposed for annexation into the City of Tucson. The addition of this Property to the PAD and the City of Tucson will expand the industrially zoned land in this area and provide land use buffers to Acacia Elementary School and the Cactus Country RV Resort ("Cactus RV"). Overall, this amendment provides a larger, contiguous area of land that will assist in attracting large scale light industrial/advanced manufacturing users that would be a significant contributor to the Tucson economy and employment base. It will also help facilitate a potential rail spur connection via the addition of a portion of tax parcel 305-02-005C which lies adjacent to the Union Pacific Railroad (UPRR) and is the most likely point of connection the UPRR main line. The location of the 302 acres is shown on *Exhibit B: Location Map* in the H2K PAD.

As you may remember, the Mayor and Council approved the Pre-Annexation and Development Agreement for the Property on May 23, 2023. Then on July 18<sup>th</sup>, 2023, Mayor and Council held a public hearing and voted to begin the annexation process. It was evident at the July hearing that there was confusion by the public related to the annexation versus Vail incorporation efforts and significant confusion as to how zoning would work. There was also frustration that new residents of the Hansen Ridge subdivision may not have received notice due to timing required to update the County Assessor ownership information and the 400-foot notification radius.

Between that public hearing and this submittal, the Arizona State Land Department ("ASLD") and development team have held numerous stakeholder meetings and have revised the PAD in an attempt to respond to community concerns. All meetings have focused on providing information regarding the purpose, goals and objectives of this proposed PAD amendment, receiving input from various stakeholders and then making edits, where necessary, to the regulatory language in the H2K PAD. The following is a list of those meetings:

- August 16, 2023 Non-Residential Stakeholders: ASLD and the City hosted a meeting with the non-residential owners and stakeholders at the Greater Vail Area Chamber of Commerce ("GVACC"). Attendees included the GVACC, the Vail School District, the Vail Preservation Society, Vail Incorporation leaders, Keri Silvyn from Lazarus & Silvyn, Wesley Mehl from ASLD, Rob Longaker

of The WLB Group and Mike Czechowski from City of Tucson. The purpose of the meeting was to explain the annexation and original zoning, clarify the PAD amendment process and outline next steps. At that meeting, it was requested that the PAD amendment and annexation not move forward until after the November Vail incorporation election. ASLD honored that request and held off on the public process for annexation/PAD amendment until January 2024. Representatives from the Vail School District also requested a separate discussion about the zoning around Acacia Elementary School.

- October 18, 2023 Vail School District: ASLD (Karen Dada and Keri Silvyn) met with the Vail School District (Superintendent, Assistant Superintendent and Principal of Acacia Elementary School). The purpose of the meeting was to discuss an appropriate buffer to incorporate into the PAD document. All agreed to provide a 400-foot-wide area of land adjacent to the north, west and east sides of the school where no industrial/light industrial uses are permitted and where the maximum building height is 40 feet. The School District also expressed a potential interest in purchasing some adjacent ASLD land for school site expansion purposes, which is unrelated to the zoning but discussions have begun.
- October 2023 GVACC: Keri Silvyn and Brad Anderson, President and CEO of the GVACC have had communications since October 2023. In October, GVACC expressed interest in the Gabriel annexation parcel and potential for tax revenue generation if the Vail incorporation succeeded. This point of discussion became moot with the results of the Vail incorporation effort. GVACC has asked Keri Silvyn and Rob Longaker to present the PAD amendment and process at their monthly meeting on February 21, 2024, to explain facts and respond to questions and comments.
- January 17, 2024 Official Neighborhood Meeting: The official Neighborhood Meeting required for the H2K PAD amendment was held at Empire High School. Please note that, in response to concerns about notice from prior meetings, ASLD expanded the notification area for the meeting beyond the required 400 feet to include all lots within the Hanson Ridge subdivision (pursuant to the Pima County Assessor's Office at the time of mailing). The purpose of the meeting was to present the original zoning of the proposed annexation parcels and the H2K PAD amendment. A full summary of the meeting is in the attached document entitled "H2K PAD Amendment: Public Outreach Packet."
- January 22, 2024 Cactus RV: Keri Silvyn and Rob Longaker, representing ASLD, met with representatives of Cactus RV. The purpose of the meeting was to discuss buffering and land use transition between the H2K PAD and Cactus RV.

The original approach to amending the H2K PAD was to only add the Property to the existing PAD regulations (with text amendments as required to accomplish this goal.) However, after the stakeholder engagement above, ASLD has included additional significant changes to include land use buffering and transitioning between the Acacia Elementary School and Cactus RV. These changes are described below:

- Acacia Elementary School Transition/Buffer Commitments. After the October meeting with the Vail School District, the PAD established a 400-foot-wide buffer/transition area along the northern, western and southern boundaries of the Acacia Elementary School site. Within this area, uses within the Industrial Land Use Group in the P-I and I-1 Zones are prohibited and maximum building height is 40 feet.

Based on input received from neighboring property owners at the January 17, 2024, neighborhood meeting, ASLD expanded the buffer/transition area to include between 900 and 1,000 feet of additional property north of Acacia Elementary School, which provides additional land use transition and keeps industrial development away from Trotters Sisters Road in consideration of children who walk to school along this road. To be consistent with the commitments made to Cactus RV, ASLD also added language requiring a 50-foot natural undisturbed buffer around Acacia Elementary School with the 5-foot required wall located on the H2K side of that natural buffer.

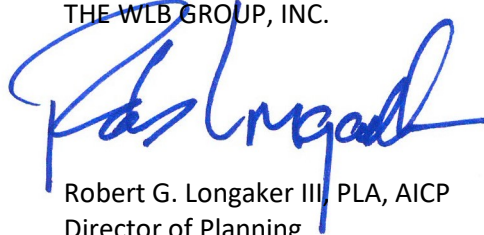
- Cactus RV Transition/Buffer Commitments.. Based on input received at the January 17, 2024, neighborhood meeting and the January 22, 2024 meeting with representatives of Cactus RV, ASLD added language to the H2K PAD requiring a 50-foot natural undisturbed buffer adjacent to the eastern, southern and western boundaries of Cactus RV. In addition, a 5' screen wall is required on the H2K side of the above-mentioned buffer. ASLD has also added a buffer (400 feet on the west and south and 300 feet on the east) that limits uses to non-industrial uses and limits heights to 40 feet. Please note that the Julian Wash is located adjacent to the northern boundary of Cactus RV and is required to be preserved/enhanced.

As you already know, the proposed annexation and H2K PAD amendment are running concurrently, and we anticipate a public hearing with the Zoning Examiner on March 21, 2024. We further anticipate that the annexation, translational zoning and H2K PAD amendment will be heard sequentially at a Mayor and Council meeting on May 7 or 21, 2024.

Should you have any questions, please feel free to contact me at rlongaker@wlbgroup.com or (520) 664-4302, or Keri Silvyn at ksilvyn@lslawaz.com or 520.270.7099.

Sincerely,

THE WLB GROUP, INC.



Robert G. Longaker III, PLA, AICP  
Director of Planning