



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 2/7/2023

*= Mandatory, information must be provided

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

***Title:**

P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING

***Introduction/Background:**

A. Applicant requests a five-year time extension; B. A modification of rezoning conditions #4C to waive construction of half of the future 150-foot arterial cross section and all weather access along Wilmot Road; #4E to increase the access points from two to three; and #10 to revise the approved preliminary development plan (PDP) to demonstrate lot configuragion and access. The 359-acre rezoning was from RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone, located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. The rezoning was approved in 2016 and expired November 22, 2021.

***Discussion:**

A. The applicant cites the need for a five-year time extension due to the past slow market climate and the significant amount of off-site infrastructure required. B. The modification of rezoning conditions allow #4C to be waived with additional conditions; #4E to allow three access points; and #10 to revise the PDP.

***Conclusion:**

The proposed time extension and modifications will allow for 10 years from the original Board of Supervisors approval to complete rezoning conditions and the residential use remains a suitable land use for the area.

***Recommendation:**

A. Staff recommends APPROVAL of the five-year time extension subject to modified standard and special conditions. B. Staff recommends APPROVAL of a modification (non-substantial change) of rezoning conditions #4C, 4E and 10 subject to modified standard and special conditions.

***Fiscal Impact:**

0

***Board of Supervisor District:**

1 2 3 4 5 All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature: _____

Date: _____

1/13/23

Deputy County Administrator Signature: _____

Date: _____

1/13/2023

County Administrator Signature: _____

Date: _____

1/14/2023



TO: Honorable Steve Christy, Supervisor, District 4

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

DATE: January 17, 2023

SUBJECT: **P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING**

The above referenced Rezoning Time Extension/Modification (Non-substantial Change) of Rezoning Conditions is within your district and is scheduled for the Board of Supervisors' **TUESDAY, February 7, 2023** hearing.

****This case requires 2 separate motions and votes**

- REQUEST:**
- A. Rezoning Time Extension:
A **five-year time extension** for an approximately 359-acre rezoning (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and portion of 305-23-018A) from the RH (Rural Homestead) to the CR-5 (Multiple Residence - Small Lot Option) zone, located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. The subject site was rezoned in 2016 and the rezoning expired on November 22, 2021.
- B. Modification (unsubstantial change) of Rezoning Conditions:
A **modification (non-substantial change) of rezoning conditions** as follows:
- #4C requires construction of half of the future 150-foot arterial cross section including drainage infrastructure along the Wilmot Road frontage and the frontage of the rezoning site shall be built as an all-weather roadway. The request is to waive this condition.
 - #4E limits Wilmot Road access points to two (2). The request is to modify the condition to allow three (3) access points on Wilmot Road.
 - #10 requires adherence to the approved preliminary development plan with a maximum of 800 dwelling units. The request is to modify the approved preliminary development plan with a maximum of 800 dwelling units.
- The approximately 359-acre rezoning site (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and portion of 305-23-018A) is zoned CR-5 (Multiple Residence – Small Lot Option) and is located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road.

OWNERS: Andrada Wilmot 180, LLC
2200 E. River Road, Suite 115
Tucson, AZ 85718-6577

AGENT: Engineering and Environmental Consultants, Inc.
Attn: William B. Carroll, P.E., President
555 E. River Road, Suite 301
Tucson, AZ 85704

DISTRICT: 4

STAFF CONTACT: Donna Spicola, Senior Planner

PUBLIC COMMENT TO DATE: As of January 17, 2023, staff has received no written public comment.

STAFF RECOMMENDATION: A) APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS; and B) APPROVAL OF THE MODIFICATION (NON-SUBSTANTIAL CHANGE) OF REZONING CONDITIONS #4C, 4E AND 10 SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Land System (CLS) classified as Important Riparian Area.

TD/DS
Attachments




BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P16RZ00007

Page 1 of 10

FEBRUARY 7, 2023 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: January 17, 2023

ADVERTISED ITEM FOR PUBLIC HEARING

TIME EXTENSION/MODIFICATION (NON-SUBSTANTIAL CHANGE) OF REZONING CONDITIONS

****This case requires 2 separate motions and votes**

A. Rezoning Time Extension

P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING

Andrada Wilmot 180, LLC, represented by Engineering & Environmental Consultants, requests a **five-year time extension** for an approximately 359-acre rezoning (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and portion of 305-23-018A) from the RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone, located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. The subject site was rezoned in 2016 and the rezoning expired on November 22, 2021. Staff recommends **APPROVAL OF A FIVE-YEAR TIME EXTENSION SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS.**

(District 4)

B. Modification (Non-substantial Change) of Rezoning Conditions

P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING

Andrada Wilmot 180, LLC, represented by Engineering & Environmental Consultants, for a **modification (non-substantial change) of rezoning conditions** as follows:

- #4C requires construction of half of the future 150-foot arterial cross section including drainage infrastructure along the Wilmot Road frontage and the frontage of the rezoning site shall be built as an all-weather roadway. The request is to waive this condition.
- #4E limits Wilmot Road access points to two (2). The request is to modify the condition to allow three (3) access points on Wilmot Road.
- #10 requires adherence to the approved preliminary development plan with a maximum of 800 dwelling units. This request is to modify the approved

preliminary development plan with a maximum of 800 dwelling units. The approximately 359-acre rezoning site (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and portion of 305-23-018A) is zoned CR-5 (Multiple Residence – Small Lot Option) and is located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. Staff recommends **APPROVAL OF THE MODIFICATION (NON-SUBSTANTIAL CHANGE) OF REZONING CONDITIONS #4C, 4E AND 10 SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS.**
(District 4)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of a five-year time extension and **APPROVAL** of modification (non-substantial change) of rezoning conditions #4C, 4E and 10 for an approximately 359-acre rezoning from the RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone subject to original and modified standard and special conditions as follows:

- ~~1.~~ The owner shall:
 - ~~A.~~ Submit a development plan if determined necessary by the appropriate County agencies.
 - ~~B.~~ Record the necessary development related covenants as determined appropriate by the various County agencies.
 - ~~C.~~ Provide development related assurances as required by the appropriate agencies.
 - ~~D.~~ Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
21. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
32. A master block plat along with the studies and/or plans required by various departments shall be submitted prior to any individual subdivision plats.
43. Transportation conditions:
 - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east. Provision shall also be made for future access to Andrada Road, when and if constructed.
 - B. The property owner shall dedicate 30 feet of right-of-way for Wilmot Road.
 - ~~C.~~ The property owner shall construct half of the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway.
 - DC. The property owner shall notify all future home buyers of the lack of all-weather access in the vicinity of this project.
 - ED. The property shall be limited to 2 3 (three) access points on Wilmot Road.
 - E. The location and design of access points on Wilmot Road shall be determined at the time of Tentative Plat submittal and are subject to the Department of Transportation approval.
 - F. An updated Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the Tentative Plat submittal.
 - G. The property owner(s) shall construct any offsite improvements determined necessary by the TIS at the time of permitting, including but not limited to additional travel lanes and/or auxiliary lanes.
 - H. Off-site improvements shall be constructed to all-weather standards. The development and any offsite improvements shall not create any adverse drainage

- impacts to upstream and downstream properties.
- I. Prior to Tentative Plat approval, written proof of coordination with the City of Tucson is required regarding any traffic impacts to their roadway system.
- J. The 75 foot easement along the southern boundary of the site may be required to be abandoned as determined by the Department of Transportation at time of subdivision plat submittal.
54. Regional Flood Control District conditions:
- A. Development shall provide flow Corridors that are equivalent to the Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be created in order to preserve flow conveyance and provide wildlife connectivity. Flow Corridors should minimize encroachment into the Important Riparian Area and shall remain Natural Undisturbed Open Space within Common Area. Flow Corridors are subject to review and approval by the District.
- ~~B. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.~~
- B. All off-site improvements shall be constructed to all-weather standards. The development and any off-site improvements shall not create any adverse drainage impact to upstream or downstream properties.
- C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table A found in Attachment A Preliminary Integrated Water Management Plan Requirements in the Site Analysis Rezoning Packet such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
- D. First Flush retention will be distributed throughout the site instead of being directed and located within a detention basin to supplement landscaping irrigation and to reduce stormwater runoff volumes.
65. Regional Wastewater Reclamation conditions:
- A. The owner shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with owner to that effect.
- B. The owner acknowledges and agrees that there is no existing treatment facility for this development in the Southlands Service Basin and that the Corona de Tucson WRF was not designed to provide service for these downstream parcels. Any connection to the Corona de Tucson WRF will require augmentation of the treatment capacity.
- C. The owner acknowledges and agrees that in order to be served by the Corona de Tucson WRF, a conveyance system must be constructed by the owner. Pima County shall decide whether this system will be conveyed to public ownership, or operated as a private sewer system by the owner.
- D. The owner shall prepare a study of the sewer basin at his or her sole expense for the purposes of determining the routing and sizing of all off-site and on-site private or public sewer facilities necessary to provide both conveyance and treatment capacity and service to the rezoning area, and/or for the purpose of conceptual phasing of a pump station. The owner shall fund, design and construct the necessary wastewater collection, conveyance and treatment facility improvements necessary to serve the rezoning area, as determined by the basin study.
- E. If Pima County allows the conveyance system to be public, the rezoning area may be

sewered using public sewers, if and only if the owner meets the following conditions:

- 1) The owner may fund, design and construct the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - 2) Upon approval of the basin study, the owner shall enter into a master sewer service agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system and their timing.
 - 3) A sewer master sewer service agreement must be approved by the Pima County Regional Wastewater Reclamation Department prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit.
 - 4) Should the rezoning area be serviced to the Corona de Tucson Wastewater Treatment facility, the owner shall provide all weather, unrestricted vehicular access to all new public sewer manholes within the rezoning area. The owner shall obtain all necessary public sewer easements within the rezoning area prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit at his/her own expense.
- F. No more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review, the owner shall obtain written documentation that sanitary sewerage treatment and conveyance capacity for the proposed development will be available when needed to serve the development.

76. Environmental Planning conditions:

- A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<u><i>Oncosiphon piluliferum</i></u>	<u>Stinknet</u>
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass

<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

- 87. Cultural Resources condition: Archaeological field inspections (submitted with the Site Analysis Appendix C) resulted in a finding of cultural resources on the subject property. The reports did not include a Significance Assessment of sites--However, it appears that the sites may not be eligible for listing in the NRHP. Formal review and submittal of survey report(s) to Office of Sustainability and Conservation will be required at the time of Site Construction Permit review. ~~the master block plat.~~
- 98. Parks and Recreation conditions:
 - A. Construct the Wilmot Road Greenway G053 trail using the Pima County Greenway cross-section.
 - B. With the submittal of a subdivision plat, a recreation area plan shall be submitted and meet the requirements of the Pima County Zoning Code, Section 18.69.090.
 - C. Construct internal, non-vehicular circulation that will link the residential development blocks.
- 409. Adherence to the revised preliminary development plan (Exhibit B) as approved at public hearing. A maximum of 800 dwelling units is allowed.
- 4410. The planning and development of the subject site shall occur such that transportation, wastewater, recreational, and other major infrastructure, and the protection of riparian areas and other natural resources are integrated and coordinated.
- 4211. Parcel code 305-23-0260A shall be developed at an average density of four residences per acre per the comprehensive plan amendment resolution 2009-240. The density calculation is based upon lot area.
- 4312. A mix of housing types shall be provided to insure a diverse community. Residential densities shall support multi-modal transportation opportunities including public transit even if such transit facilities are not currently in close proximity.
- 4413. The subject site shall be surveyed for presence of the Pima pineapple cactus and its habitat. Surveys shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish and Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services prior to master block plat approval. If Pima Pineapple cactus are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game and Fish Department's Heritage Data Management System.
- 4514. The owner shall provide a 50-foot bufferyard and one row of single-story homes along the northern boundary and a 100-foot bufferyard and one row of single-story homes along the southern boundary of the subject properties and abutting the Mann Avenue frontage in adherence with the preliminary development plan.
- 4615. No recreation areas, parks, playgrounds, bike paths, or walking trails shall be located within the perimeter bufferyards.
- 4716. 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.
- 4817. The property owner shall execute and record the following disclaimer regarding the Private

Property Rights Protection Act 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).”

STAFF REPORT:**A. Rezoning Time Extension**

Staff supports the five-year rezoning time extension requested by the applicant, which if approved, will provide a total of 10 years from the original Board of Supervisors approval to complete the rezoning conditions. This rezoning consisting of approximately 359-acres from the RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone, approved by the Board of Supervisors on November 22, 2016. The applicant is requesting the time extension due the past slow market climate along with the amount of construction of off-site infrastructure by the owner/developer required for this site. With the current economic climate providing the return of residential development, a national homebuilder has expressed interest in purchasing and developing this site. Because of the continued appropriateness of the rezoning along with the rezoning conditions and site plan layout, staff supports the time extension. The rezoning supports the goals and policy of the LIU 3.0 land use designation and Rezoning Policy RP-118 on parcel 305-23-026A.

The 359-acre site is located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road and is currently undeveloped. The CR-5 rezoning was adopted by Ordinance No. 2017-5 with an expiration date of November 22, 2021.

The requested five-year time extension, which if approved, will provide a total of 10 years to complete rezoning conditions from the original Board of Supervisors approval date by extending the expiration date to November 22, 2026.

Denial of the time extension will cause the site to revert to unrestricted RH zoning, which would conform to the LIU 3.0 plan designation. Closure of the rezoning would not preclude the possibility of a future CR-5 zoning.

B. Modification (Non-Substantial Change) of Rezoning Conditions

The 359-acre subject property is currently owned by Andrada Wilmot 180 LLC. The property owner's representative is seeking a non-substantial change of three rezoning conditions as follows:

- #4C requires construction of half of the future 150-foot arterial cross section including drainage infrastructure along the Wilmot Road frontage and the frontage of the rezoning site shall be built as an all-weather roadway. The request is to waive this condition.
- #4E limits Wilmot Road access points to two (2). The request is to modify the condition to allow three (3) access points on Wilmot Road.
- #10 requires adherence to the approved preliminary development plan with a maximum of 800 dwelling units. This request is to modify the approved preliminary development plan with a maximum of 800 dwelling units.

Staff supports the request to modify conditions #4E and #10 renumbered as conditions #3D and #9 above, and to waive condition #4C per the applicant's request. In addition, staff recommends a number of rezoning conditions for modification, deletion or addition as follows:

As part of the current Development Services Department standard practice, conditions #1A-D as listed in Ordinance 2017-5 are recommended for deletion to reduce redundant requirements and ease processes.

Former Transportation conditions #4A-E are renumbered to #3A-J due to deletion, modification or addition of conditions as follows: Original conditions #4A and 4B are renumbered to conditions #3A and 3B. Original condition #4C has been deleted as per the request. Condition #4D has been renumbered to condition #3C. As per the applicants request condition #4E has modified from two access points to three access points on Wilmot Road and has been renumbered to condition #3D. Transportation proposes the addition of conditions #3E-J due to the requested modification request, current transportation requirements and the need for an updated Traffic Impact Study.

Former Regional Flood Control conditions #5A-B are renumbered to conditions #4A-D due to deletion, modification or addition of conditions. These changes reflect current flood control requirements.

Environmental Planning former condition #7A has been deleted and replaced with renumbered condition #6A to reflect current requirements.

Former condition #10, renumbered to condition #9, is amended to reflect the approval of the revised PDP.

Former condition #18, renumbered to condition #17, is amended to reflect the updated language for the standard Private Property Rights Protection Act condition.

Staff supports the request to waive condition #4C, which requires the property owner to construct half of the future, 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway. The need for an updated Traffic Impact Study (TIS) will determine the off-site improvements for the proposed development, including but not limited to additional travel lanes and/or auxiliary lanes. The off-site improvements shall be constructed to all-weather standards and shall not create any adverse drainage impacts to upstream and downstream properties.

Staff also supports the request to modify condition #4E, which limited the property to two access points on Wilmot Road. In renumbered condition #3D staff allows for three access points on Wilmot Road with the added condition #3E stating that the location and design of access points on Wilmot Road shall be determined at the time of Tentative Plat submittal and are subject to the Department of Transportation approval.

Additionally, staff supports the request to modify condition #10, renumbered as condition #9 states, "Adherence to the preliminary development plan as approved at public hearing. A maximum of 800 dwelling units is allowed". The request to amend the development plan from two access points to three access points is a non-substantial change of the current rezoning condition and requires a Board of Supervisors action. There is no change in the number of dwelling units allowed. The revised development plan demonstrates the 800 residential lots that range from 4,800 to 6,600 square feet. The required density of 4.0 RAC on parcel code 305-23-

026A is met with 312 lots of the 78.8 acres of buildable area. The overall five residences per acre (RAC) density as preferred by rezoning policy RP-118 is met through the planned higher density housing adjacent to Wilmot Road to support future transit opportunities with adequate buffers to the south as demonstrated within the preliminary development plan (PDP). The RAC is achieved utilizing buildable land area and will contain a mix of four to five RAC.

The CR-5 zoning conforms with the site's LIU 3.0 land use which designates areas for low-density residential and other compatible uses while preserving land with the highest resource value. The proposed *overall* RAC of three residences per acre conforms to the LIU 3.0 land use density utilizing the buildable and natural areas within the rezoning boundaries. The rezoning policies contained in RP-118 will be implemented through the rezoning conditions or have been met through the Site Analysis. Special area policy S-18 Floodplain Management for the Lee Moore Wash Basin applies to the site, which establishes development criteria based upon the Lee More Wash Basin Management Study.

The property is relatively flat, contains widespread disturbance from grazing and is traversed by several washes. The limitations of the site arise from the Maeveen Marie Behan Conservation Lands System classified as Important Riparian Areas around the washes. The Important Riparian Areas will be mostly avoided and set aside. The Wilmot Road Greenway trail is planned and adjacent to the subject site along Wilmot Road. Approximately 4,000 feet of the trail will be constructed along the western boundary of the site

The site analysis contains an executed agreement between the Vail School District and the property owner for a rooftop contribution to the Vail School District.

Staff finds concurrency of infrastructure per reporting agencies, including conditions requiring adequate sewage treatment and conveyance capacity at the time of development. Department of Transportation is requiring an updated Traffic Impact Study (TIS) to determine the location of the access points from Wilmot Road and for the construction of off-site improvements determined necessary by the TIS. Flood Control is requiring that off-site improvements be constructed to all-weather standards, a combination of water conservation measures and that first flush detention to be distributed throughout the site. The remaining conditions are essentially the same conditions as originally approved, but updated with current language.

TRANSPORTATION REPORT

The Department of Transportation has no objection to the rezoning time extension and modification of rezoning conditions #4C, 4E and 10, adopted in Rezoning Ordinance 2017-5, subject to modifications and additions to the Transportation conditions.

Rezoning condition #4C requires the construction of the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage, and the frontage of the rezoning site shall be built as an all-weather roadway. The request is to strike/waive this condition.

Rezoning condition #4E requires a limit of two (2) access points on Wilmot Road. The request is to modify the condition to a limit of three (3) access points on Wilmot Road.

Sahuarita Road is a two-lane, paved roadway with a posted speed limit of 50 miles per hour (mph) maintained by Pima County. Sahuarita Road is classified as a Rural Principal Arterial by its Federal Functional Classification. Wilmot Road is a two-lane, paved roadway with a posted speed limit of 50 miles per hour (mph). Wilmot Road is maintained by both Pima County and the City of Tucson. Wilmot Road is classified as a Rural Major Collector by its Federal Functional

Classification. Given the close proximity to the portion of Wilmot Road maintained by the City, condition #3I is proposed.

Access to the site is proposed from Wilmot Road. Since 2016, the development intensity within the area and along Wilmot Road and Sahuarita Road has been minimal. A 2020 study for Sahuarita Road and Wilmot Road Intersection Improvements prepared for Pima County by Kimley-Horn indicates 2,530 average daily trips (ADT) on Wilmot Road. The most recent traffic counts for Sahuarita Road is 7,785 ADT. The capacity of these roadways is approximately 11,340 ADT. A maximum of 800 residential lots are planned on site with an approximate traffic generation of 7,544 ADT. A traffic impact study will be required as a condition of rezoning to determine the traffic impacts to Wilmot Road and Sahuarita Road.

The proportional off-site improvements for the proposed development will be determined by the traffic impact study, therefore, original rezoning condition #4C has been stricken, but renumbered rezoning conditions #3F, 3G, 3H are proposed. The Department of Transportation does not have any objection to the change in number of access points in condition #4E, renumbered as condition #3D and recommends that the location of access points be determined at the time of subdivision tentative plat submittal as proposed in condition #3E.

There is an existing 75 foot ingress/egress easement along the southern boundary of the site. Without a copy of the title report it is difficult to determine who it was conveyed to and for what purposes. The easement may be required to be abandoned as determined by the Department of Transportation at time of subdivision platting.

In conclusion, the Department of Transportation has no objection subject to conditions renumbered as #3A-J.

FLOOD CONTROL REPORT

The Regional Flood Control District (District) has reviewed the request and offers the following information:

1. A mapped Flood Control Resource Area (FCRA) is located throughout this project.
2. This project additionally is impacted by a local floodplain and flow corridors as identified by the recent Lee Moore Wash West Study #10 (February 28th, 2019). This floodplain study was conducted after the initial rezoning (P16RZ00007) and the mapping is District's most current information. The boundaries of the floodplain mapping reside outside of the mapped FCRA.
3. Regulated Riparian Habitat impacts the project and is classified as Important Riparian Area with an underlying classification Xeroriparian Class C and Xeroriparian Class D.
4. The rezoning conditions provided in Resolution No. 2017-05 are required by the Floodplain Ordinance therefore, it is the District's preference to remove the conditions and replace with the recommended conditions.

In conclusion, the District has no objection subject to conditions renumbered as #4A-B.

WASTEWATER RECLAMATION REPORT

The Planning Unit of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has no objections to the request for the rezoning time extension or modification of rezoning conditions. The wastewater conditions #6A-F in rezoning ordinance 2017-5, adopted March 7, 2017, do not require revision but are renumbered to conditions #5A-F.

DEPARTMENT OF ENVIRONMENTAL QUALITY REPORT

Environmental Quality has reviewed the request and has no comment or objection.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has reviewed the request and has no objection subject to renumbered condition #6A.

CULTURAL RESOURCES REPORT

Cultural Resources has reviewed the request and has no objection subject to renumbered condition #7.

NATURAL RESOURCES, PARKS AND RECREATION

Natural Resources, Parks and Recreation has no objection subject to renumbered condition #'s 8A-C, which includes providing a Recreation Area Plan in accordance with Section 18.69.090.

UNITED STATES FISH AND WILDLIFE SERVICE

The United States Fish and Wildlife Services have the following concern relating to the subject property:

Habitat on this property may support federally listed or sensitive species such as, but not limited to, the Pima pineapple cactus (*Coryphantha scheeri* var. *robustispina*), the cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*), lesser long-nosed bats (*Leptonycteris curasoae yerbabuena*), the Sonoran desert tortoise (*Gopherus morafkai*), or the Tucson shovel-nosed snake (*Chionactis annulata klauberi*). Other species of potential conservation concern in this region are identified in the Pima County Multi-Species Conservation Plan at: <https://webcms.pima.gov/cms/One.aspx?pageld=52674>, by clicking on the "Species" tab. If you suspect one or more sensitive species could be affected by this zoning action, we recommend surveys be conducted by qualified personnel.

WATER DISTRICT

Global Water Resources has no comment.

FIRE DISTRICT

Corona de Tucson Fire District has no comment.

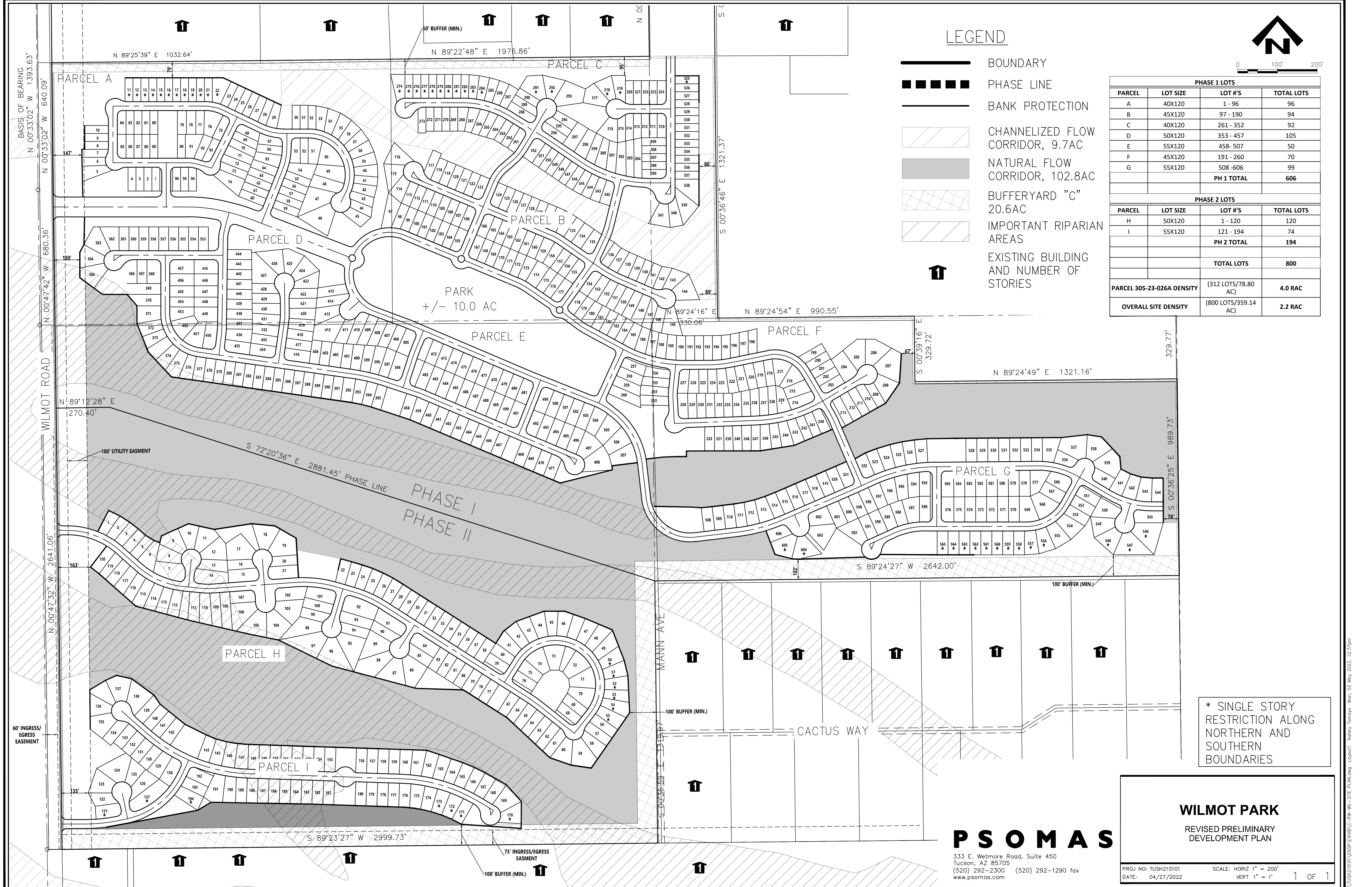
VAIL SCHOOL DISTRICT

The Vail Unified School District has no comment. A rooftop agreement between the owner and the school district is contained within the site analysis.

TD/DS

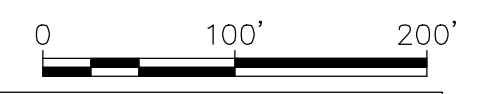
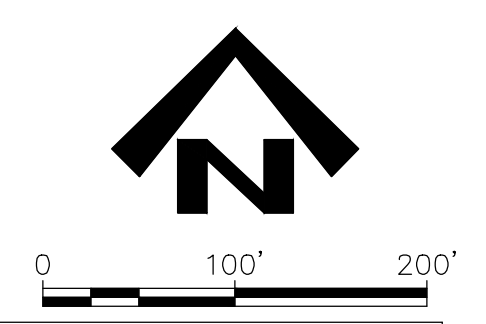
Attachments

c: Engineering and Environmental Consultants, Inc., Attn: William B. Carroll, P.E., President



LEGEND

- BOUNDARY
- PHASE LINE
- BANK PROTECTION
- CHANNELIZED FLOW CORRIDOR, 9.7AC
- NATURAL FLOW CORRIDOR, 102.8AC
- BUFFERYARD "C" 20.6AC
- IMPORTANT RIPARIAN AREAS
- EXISTING BUILDING AND NUMBER OF STORIES



PHASE 1 LOTS			
PARCEL	LOT SIZE	LOT #'S	TOTAL LOTS
A	40X120	1 - 96	96
B	45X120	97 - 190	94
C	40X120	261 - 352	92
D	50X120	353 - 457	105
E	55X120	458 - 507	50
F	45X120	191 - 260	70
G	55X120	508 - 606	99
PH 1 TOTAL			606

PHASE 2 LOTS			
PARCEL	LOT SIZE	LOT #'S	TOTAL LOTS
H	50X120	1 - 120	120
I	55X120	121 - 194	74
PH 2 TOTAL			194
TOTAL LOTS			800

PARCEL 305-23-026A DENSITY	(312 LOTS/78.80 AC)	4.0 RAC
OVERALL SITE DENSITY	(800 LOTS/359.14 AC)	2.2 RAC

* SINGLE STORY RESTRICTION ALONG NORTHERN AND SOUTHERN BOUNDARIES

PSOMAS

333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
(520) 292-2300 (520) 292-1290 fax
www.psomas.com

WILMOT PARK
REVISED PRELIMINARY DEVELOPMENT PLAN

PROJ NO: 7USH210101 SCALE: HORIZ 1" = 200'
DATE: 04/27/2022 VERT 1" = 1'

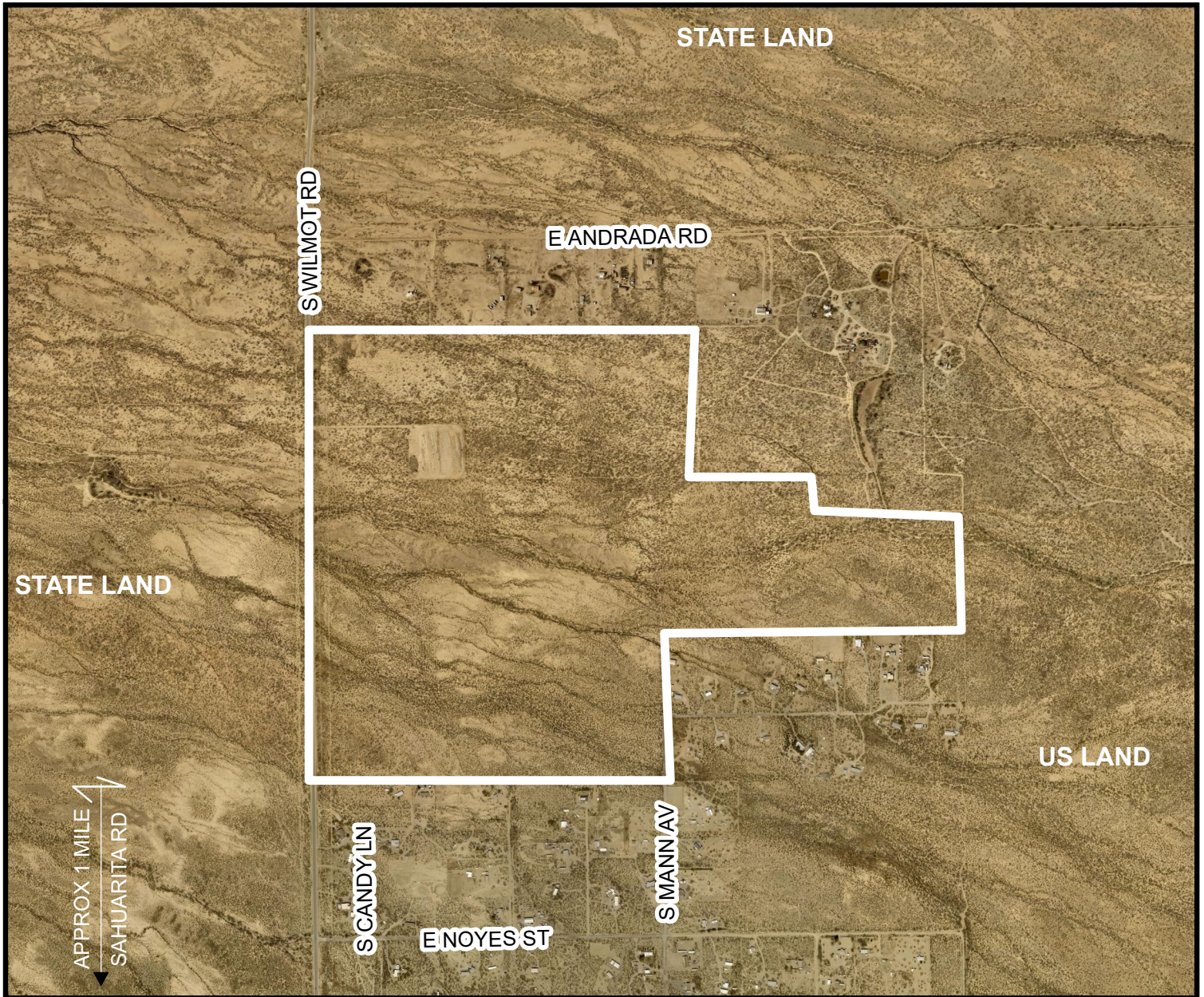
1 OF 1

Case #: P16RZ00007

Case Name: ANDRADA WILMOT 180 LLC - S. WILMOT ROAD REZONING

Tax Code(s): 305-23-018D, 305-23-026A, 305-23-027B & PTN OF 305-23-018A

AERIAL EXHIBIT



0 550 1,100 2,200 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes: Accela Case #: P21SA00013
Map Scale: 1:16,000
Map Date: 1/5/2023 - ds

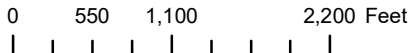
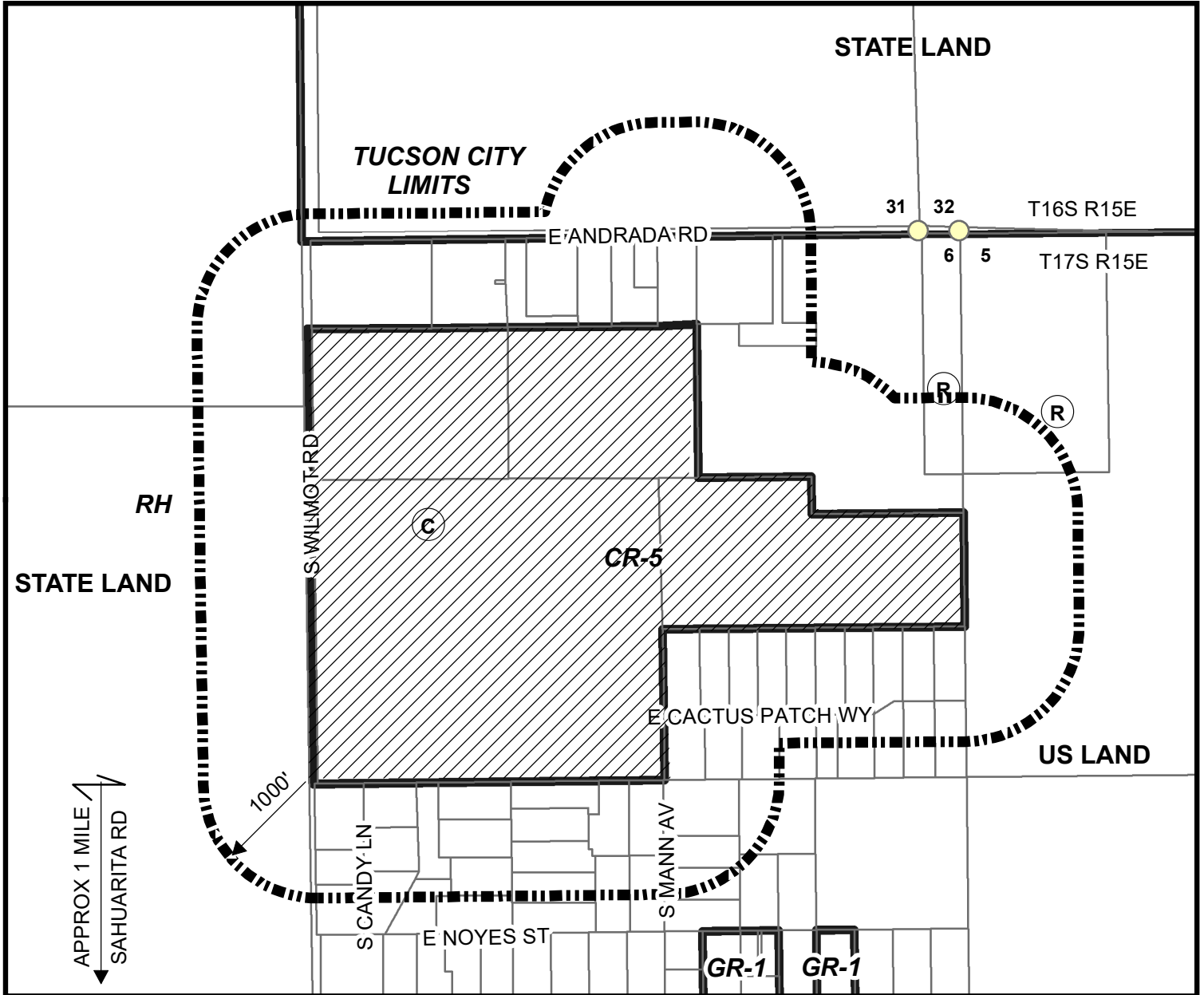
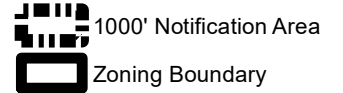


Case #: P16RZ00007

Case Name: ANDRADA WILMOT 180 LLC - S. WILMOT ROAD REZONING

Tax Code(s): 305-23-018D, 305-23-026A, 305-23-027B & PTN OF 305-23-018A

Time Extension
Modification of Rezoning Condition (Non-Substantial Change)



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes: Accela Case #: P21SA00013	
PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10	
Board of Supervisors Hearing: February 7, 2023	
Base Map(s): EPC	Map Scale: 1:16,000
	Map Date: 12/29/2022 - ds

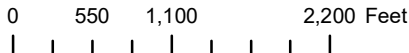
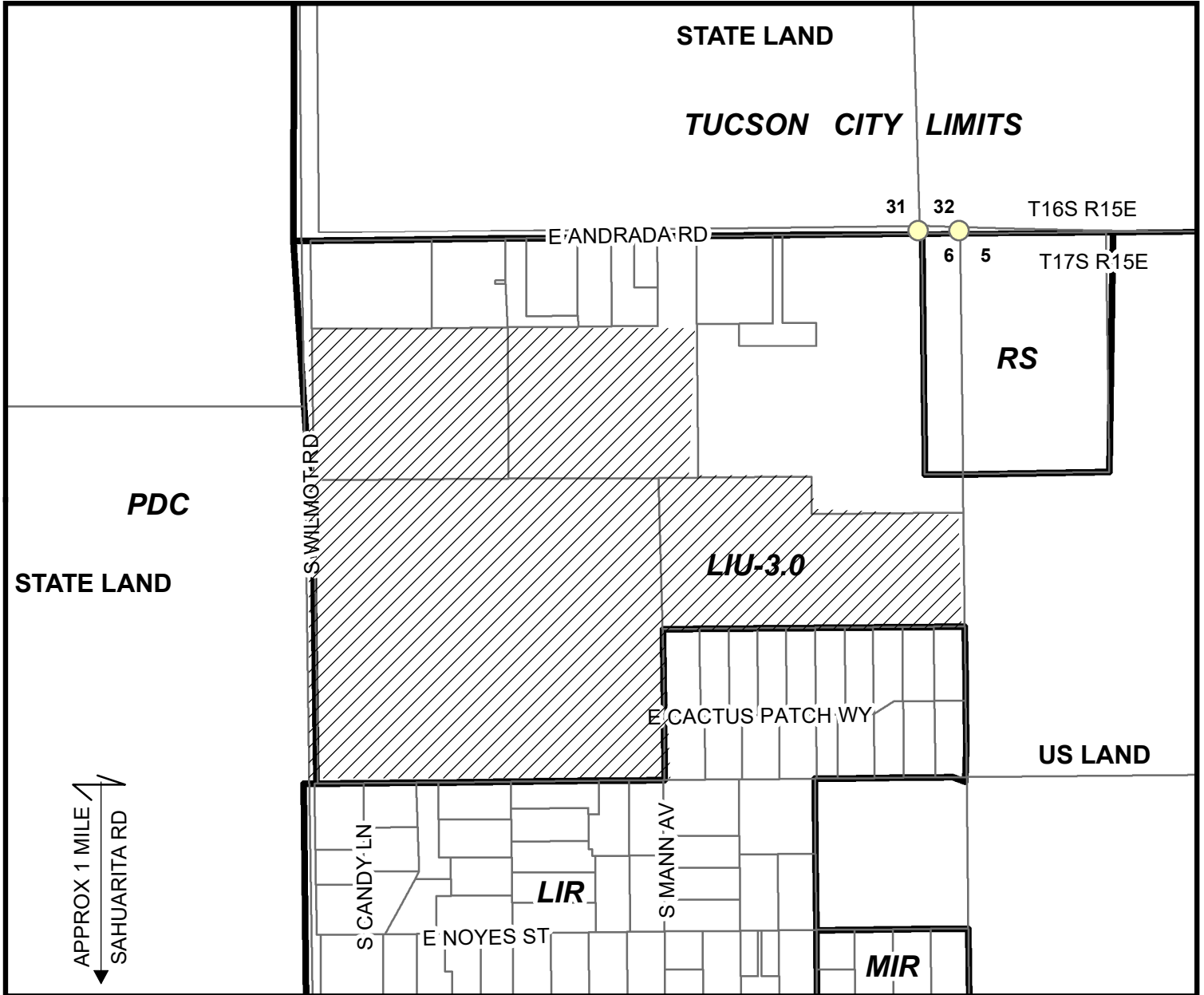


Case #: P16RZ00007

Case Name: ANDRADA WILMOT 180 LLC - S. WILMOT ROAD REZONING

Tax Code(s): 305-23-018D, 305-23-026A, 305-23-027B & PTN OF 305-23-018A

COMPREHENSIVE PLAN EXHIBIT



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes: Accela Case #: P21SA00013
PIMA COUNTY COMPREHENSIVE PLAN C07-13-10
Map Scale: 1:16,000
Map Date: 1/5/2023 - ds





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 3.0 (LIU-3.0)

- Residential Gross Density: Minimum- none; Maximum- 3.0 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 1.5 RAC; Maximum- 3.0 RAC

REZONING POLICY

RP-118 S. Wilmot Road (SE)

General location

On the east side of S. Wilmot Road, approximately 2,400 feet south of E. Andrada Road, in Section 6, Township 17 South, Range 15 East (Ref. Co7-07-25).

Policies

- A. The planning and development of the subject site shall occur such that transportation, wastewater, recreational, and other major infrastructure, and the protection of riparian areas and other natural resources are integrated and coordinated.
- B. The property shall be developed at an overall density of four residences per acre.
- C. A mix of housing types shall be provided to ensure a diverse community. Residential densities shall support multi-modal transportation opportunities including public transit even if such transit facilities are not currently in close proximity.
- D. Lands subject to this Comprehensive Plan amendment will be surveyed for presence of the Pima pineapple cactus and its habitat. Surveys shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish and Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services as part of any subsequent rezoning application(s). The date of the survey should not exceed one year prior to the submittal of any subsequent rezoning. If Pima pineapple cacti are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game and Fish Department's Heritage Data Management System.
- E. To the best extent possible, the northwest and southwest quadrants of the subject property, outside of the land impacted by the Important Riparian Areas, shall be developed at a minimum density of five residences per acre to promote transit opportunities, with adequate buffers to the south, which will be determined during the rezoning/specific plan phase.
- F. The developer will cooperate with Vail School District to formulate mutually beneficial and acceptable agreements addressing the needs of the District.
- G. The developer shall submit a Master Traffic Impact Study that identifies existing conditions and capacity, needed construction and expansion to achieve necessary infrastructure. Phasing, implementation and the regional impacts of this development shall also be addressed. The Study shall be submitted with the Rezoning Site Analysis.

H. Wastewater policies:

1. The owner/developer shall construe no action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner/developer to that effect.
 2. The owner/developer shall prepare a study of the sewer basin at his or her sole expense for the purposes of determining the routing and sizing of all off-site and on-site public sewer facilities necessary to provide both conveyance and treatment capacity and service to the plan amendment area and any tributary properties upstream or downstream of the rezoning area. (This requirement may be waived by the Pima County Regional Wastewater Reclamation Department if it determines that an acceptable study of the sewer basin has been recently completed). The sewer basin study must be approved by the Pima County Regional Wastewater Reclamation Department before any rezonings may be approved within the plan amendment area.
 3. Upon approval of the basin study, the owner/developer shall enter into a master sewer service agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system and their timing.
- I. The owner/developer shall fund, design and construct the necessary wastewater collection, conveyance and treatment facility improvements necessary to serve the plan amendment area, as determined by the basin study, and in accordance with the area wide basin study that is to be prepared for the Swan Southlands project.
- J. A cultural resources survey shall be conducted for any area where one has not been done, with mitigation measures developed for any identified cultural resources, as necessary. If required, a cultural resources mitigation plan will be submitted to the Pima County Office of Sustainability and Conservation– at the time of, or prior to, the submittal of any tentative plat or site specific development plan – fulfilling the requirements prescribed by the Office of Sustainability and Conservation.

SPECIAL AREA POLICY

S-18 Floodplain Management (Multiple Maps)

General Location

There are several sites within eastern Pima County designated as Floodplain Management Special Areas by the Pima County Regional Flood Control District. They are: Upper Santa Cruz River; Rillito Creek Overbank Storage; Cienega Creek; Wakefield and Anderson Washes and Lee Moore Wash, including eight tributaries: Gunnery Range Wash, Sycamore Canyon Wash, Fagan Wash, Cuprite Wash, Petty Ranch Wash, Franco Wash, Flato Wash and Summit Wash.

Policies

- E. Lee Moore Wash Basin Special Area Policy: Development shall be regulated per the Lee Moore Wash Basin Management Study. This study provides hydrology and hydraulics to ensure consistency between land uses, identifies permanent natural flow corridors, and establishes Development Criteria in addition to those contained within Floodplain and Erosion Hazard Management Ordinances. This policy adopts by reference the entire Study including floodplain maps, flow corridor maps, flood hazard data, and development criteria as described in Development Criteria for the Lee Moore Wash Basin Management Study, as adopted by the Pima County Regional Flood Control District Board of Directors on June 1, 2010 (Resolution 2010-FC6).

Mr. Davis stated they had not.

Supervisor Elías asked if the rezoning area fell under the Maeveen Marie Behan Conservation Land System.

Mr. Poirier stated the property was located outside the Maeveen Marie Behan Conservation Land System.

Supervisor Carroll requested the applicant again meet with the neighbors to allow them to examine the declaration of intention and to try to resolve some of the issues to avoid the super majority requirement.

It was moved by Supervisor Carroll, seconded by Supervisor Valadez and unanimously carried by a 5-0 vote, to leave the public hearing open and continue this item to the Board of Supervisors' Meeting of December 13, 2016.

27. **Hearing – Rezoning**

P16RZ00007, ANDRADA WILMOT 180, L.L.C. - S. WILMOT ROAD REZONING

Request of Andrada Wilmot 180, L.L.C., represented by Engineering & Environmental Consultants, for a rezoning of approximately 359 acres (Parcel Codes 305-23-018D, 305-23-026A, 305-23-027B and a portion of Parcel Code 305-23-018A) from the RH (Rural Homestead) zone to the CR-5 (Multiple Residence-Small Lot Option) zone, on property located on the east side of S. Wilmot Road, approximately 754 feet south of E. Andrada Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property as Low Intensity Urban 3.0. On motion, the Planning and Zoning Commission voted 8-1 (Commissioner Bain abstained (abstain counts as a YES vote) Commissioner Gungle voted NAY, Commissioner Cook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 4)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. A master block plat along with the studies and/or plans required by various departments shall be submitted prior to any individual subdivision plats.
4. Transportation conditions:

- A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east. Provision shall also be made for future access to Andrada Road, when and if constructed.
 - B. The property owner shall dedicate 30 feet of right-of-way for Wilmot Road.
 - C. The property owner shall construct half of the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway.
 - D. The property owner shall notify all future home buyers of the lack of all-weather access in the vicinity of this project.
 - E. The property shall be limited to 2 access points on Wilmot Road.
5. Regional Flood Control District conditions:
- A. Flow Corridors equivalent to the Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be created in order to preserve flow conveyance and provide wildlife connectivity. Flow Corridors should minimize encroachment into the Important Riparian Area and shall remain undisturbed open space. Flow Corridors are subject to review and approval by the District.
 - B. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
6. Regional Wastewater Reclamation conditions:
- A. The owner shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with owner to that effect.
 - B. The owner acknowledges and agrees that there is no existing treatment facility for this development in the Southlands Service Basin and that the Corona de Tucson WRF was not designed to provide service for these downstream parcels. Any connection to the Corona de Tucson WRF will require augmentation of the treatment capacity.
 - C. The owner acknowledges and agrees that in order to be served by the Corona de Tucson WRF, a conveyance system must be constructed by the owner. Pima County shall decide whether this system will be conveyed to public ownership, or operated as a private sewer system by the owner.
 - D. The owner shall prepare a study of the sewer basin at his or her sole expense for the purposes of determining the routing and sizing of all off-site and on-site private or public sewer facilities necessary to provide both conveyance and treatment capacity and service to the rezoning area, and/or for the purpose of conceptual phasing of a pump station. The owner shall fund, design and construct the necessary wastewater collection, conveyance and treatment facility improvements necessary to serve the rezoning area, as determined by the basin study.
 - E. If Pima County allows the conveyance system to be public, the rezoning area may be sewered using public sewers, if and only if the owner meets the following conditions:
 - 1) The owner may fund, design and construct the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - 2) Upon approval of the basin study, the owner shall enter into a master sewer service agreement with Pima County that specifies

the improvements to be made to Pima County's public sewerage system and their timing.

- 3) A sewer master sewer service agreement must be approved by the Pima County Regional Wastewater Reclamation Department prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit.
 - 4) Should the rezoning area be serviced to the Corona de Tucson Wastewater Treatment facility, the owner shall provide all weather, unrestricted vehicular access to all new public sewer manholes within the rezoning area. The owner shall obtain all necessary public sewer easements within the rezoning area prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit at his/her own expense.
- F. No more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review, the owner shall obtain written documentation that sanitary sewerage treatment and conveyance capacity for the proposed development will be available when needed to serve the development.

7. Environmental Planning conditions:

- A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

8. Cultural Resources condition: Archaeological field inspections (submitted with the Site Analysis Appendix C) resulted in a finding of cultural resources on the subject property. The reports did not include a Significance Assessment of sites--However, it appears that the sites may not be eligible for listing in the NRHP. Formal review and submittal of survey report(s) to Office of Sustainability and Conservation will be required at the time of the master block plat.
9. Parks and Recreation conditions:
 - A. Construct the Wilmot Road Greenway G053 trail using the Pima County Greenway cross-section.
 - B. With the submittal of a subdivision plat, a recreation area plan shall be submitted and meet the requirements of the Pima County Zoning Code, Section 18.69.090.
 - C. Construct internal, non-vehicular circulation that will link the residential development blocks.
- ~~9~~.~~10~~. Adherence to the preliminary development plan as approved at public hearing. A maximum of 800 dwelling units is allowed.
- ~~40~~.~~11~~. The planning and development of the subject site shall occur such that transportation, wastewater, recreational, and other major infrastructure, and the protection of riparian areas and other natural resources are integrated and coordinated.
- ~~44~~.~~12~~. Parcel code 305-23-0260 shall be developed at an average density of four residences per acre per the comprehensive plan amendment resolution 2009-240. The density calculation is based upon lot area.
- ~~42~~.~~13~~. A mix of housing types shall be provided to insure a diverse community. Residential densities shall support multi-modal transportation opportunities including public transit even if such transit facilities are not currently in close proximity.
- ~~43~~.~~14~~. The subject site shall be surveyed for presence of the Pima pineapple cactus and its habitat. Surveys shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish and Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services prior to master block plat approval. If Pima Pineapple cactus are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game and Fish Department's Heritage Data Management System.
- ~~44~~.~~15~~. The owner shall provide a 50-foot bufferyard and one row of single-story homes along the northern boundary and a 100-foot bufferyard and one row of single-story homes along the southern boundary of the subject properties and abutting the Mann Avenue frontage in adherence with the preliminary development plan.
- ~~16~~. No recreation areas, parks, playgrounds, bike paths, or walking trails shall be located within the perimeter bufferyards.
- ~~45~~.~~17~~. 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.
- ~~46~~.~~18~~. The property owner shall execute and record 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(l)."

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Carroll, seconded by Chair Bronson and

unanimously carried by a 5-0 vote, to close the public hearing and approve P16RZ00007, subject to standard and special conditions.

28. Hearing – Rezoning

P16RZ00009, KING CONE, L.L.C. - N. ORACLE ROAD REZONING

Request of King Cone, L.L.C., represented by Urban Engineering, for a rezoning of three parcels containing approximately 3.54 acres from the SH (GZ1) (Suburban Homestead-Gateway Overlay) zone to the CB-2 (GZ1) (General Business-Gateway Overlay) zone, on property addressed as 15605, 15621, and 15625 N. Oracle Road located approximately 260 feet west of N. Oracle Road and approximately 300 feet south of the intersection of N. Oracle Road and N. Lupine Place. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property as Multifunctional Corridor. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Cook was absent) to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 1)

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation condition: Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.
4. Environmental Planning condition: Upon the effective date of the Ordinance, the owner 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. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
5. Cultural Resources conditions:
 - A. All work must be within the area as shown on the proposed project maps and plans in the submitted documentation, and
 - B. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during



201 N. Stone Avenue, Tucson, AZ 85701

(520) 724-9000

www.pima.gov/developmentservices

BIOLOGICAL IMPACT REPORT

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

INSTRUCTIONS FOR SAVING FORM: 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

Project ID (case no., APN no., address, or other identifying info):

Part I. Information Provided by Pima County Staff

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections)

2. Is the project within a CLS Special Species Management Area?
3. Is the project in the vicinity of any of the six Critical Landscape Linkages?
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property?
5. Is the project located within a Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl:
 - b. Western burrowing owl:
 - c. Pima pineapple cactus:
 - d. Needle-spined pineapple cactus:

Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property?
If yes, provide a summary of those communications:
2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl			
Western burrowing owl			
Pima pineapple cactus			
Needle-spined pineapple cactus			

**Questions about this form?
Contact the Office of Sustainability and Conservation at (520) 724-6940.**



March 24, 2022

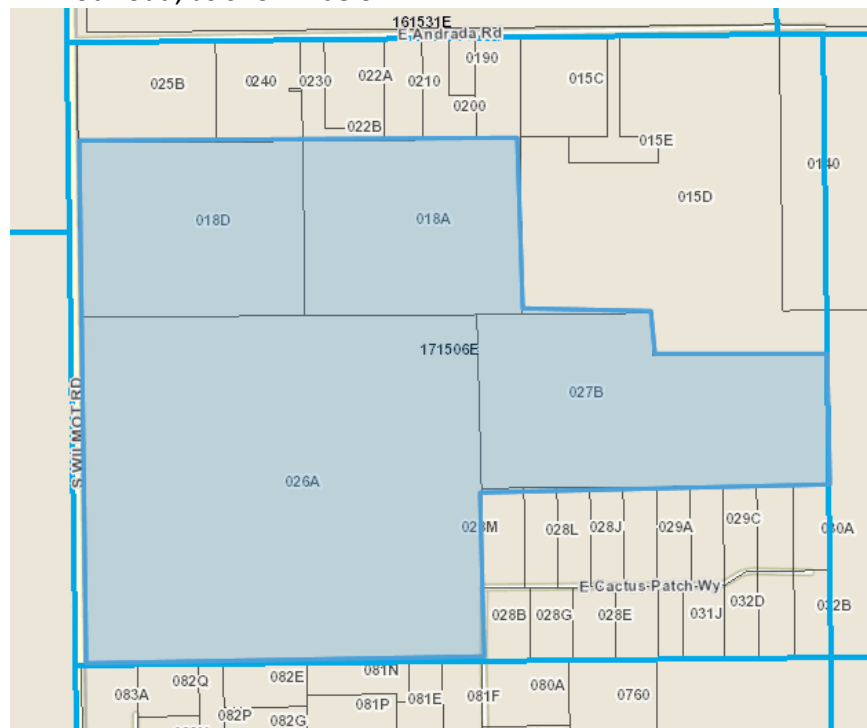
Donna Spicola
Planner
Pima County Development Services
201 N Stone Av
Tucson AZ 85701

RE: Rezoning Extension for Wilmot Park and Request for Change of Zoning Conditions
P16RZ00007, ANDRADA WILMOT 180 LLC - S WILMOT ROAD REZONING

Dear Donna:

We are working on behalf of the owners of the above-named property and submitted a request for an extension of the previously approved rezoning on November 2, 2021.

The property is owned by Andrada Wilmot 180, LLC which is owned by Diamond Ventures, Inc & Diamond Equity Pool VIII, LLC. The property is a total of 357 acres and consists of a total of four parcels. The parcels lie just south side of the Andrada Road alignment along the east right-of-way line of Wilmot Road, as shown below.



Parcel	Acreage	Location
Parcel 305-23-018A	50.01 acres	Section 6 T 17 S, R 15 E
Parcel 305-23-018C	53.31 acres	Section 6 T 17 S, R 15 E
Parcel 305-23-0260	185.64 acres	Section 6 T 17 S, R 15 E
Parcel 305-23-027B	70.00 acres	Section 6 T 17 S, R 15 E
	358.96 acres	

The property was rezoned in 2016 (P16RZ00007). Development of the property requires construction of considerable offsite infrastructure by the owner/developer. Until the last few years, the economic climate in Pima County has been slow and so the development of such infrastructure has been premature. Currently the market for residential development has returned and the owners have been working with Pima County to define the infrastructure requirements and with a national homebuilder who has expressed interest in purchasing and developing the property.

Based on the current economic climate it is anticipated that development of the Wilmot Park project including the required offsite infrastructure can begin in the next couple of years.

As part of this request for extension, the owners would like to proceed with a modification of transportation conditions 4.C and 4.E from the original rezoning. The original conditions included:

- 4.C. The property owner shall construct half the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway.*
- 4.E. The property shall be limited to 2 access points on Wilmot Road.*

In a subsequent 2019 discussion with Yves Khawam and staff from with Pima County Department of Transportation, there was concern that building an additional two lanes for the relatively short Wilmot Park frontage (3900') could create unsafe conditions for motorists and it was agreed that the widening of the roadway in that area was not warranted. In addition, it was also presented that due to the large natural floodprone areas of the Lee Moore Wash that three points of access were needed on Wilmot Road.

We request that these changes be incorporated into the County's approval of our requested rezoning extension. A modified PDP has been included in this submittal.

This letter of request includes the attached documents:

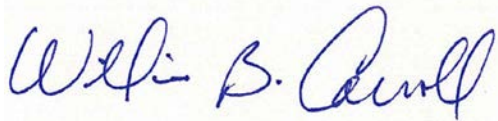
1. REVISED Site plan
2. Letter of authorization
3. Disclosure of ownership (above)

Donna Spicola, Pima County Development Services
Rezoning Extension for Wilmot Park, P16RZ00007, ANDRADA WILMOT 180 LLC
March 24, 2022
Page 3 of 3

4. Biological Impact Report

Sincerely,

ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.

A handwritten signature in blue ink that reads "William B. Carroll". The signature is written in a cursive style with a large, prominent initial "W".

William B. Carroll, P.E.
President



LETTER OF AUTHORIZATION

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

14755 S Wilmot Road (Parcels 30523018D, 30523018A, 30523026A & 30523027B)

Property Address

Extension of Rezoning approval

Type of Permit Applied for: (SFR/MH/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Adult Care/Secondary Dwelling/Assisted Living/Group Home)

William B. Carroll, PE

Digitally signed by William B. Carroll, PE
DN: cn=William B. Carroll, PE, o=Engineering and Environmental
Consultants, Inc., ou, email=bcarroll@eeccorp.com, c=US
Date: 2021.10.21 15:32:20 -0700

October 22, 2021

Signature of Applicant

Date

AUTHORIZED BY:

Signature of Property Owner

10/27/21

Date

F. ANN RODRIGUEZ, RECORDER
Recorded By: KN
DEPUTY RECORDER
4890

PIMA C
PIMA CO CLERK OF THE BOARD
PICKUP



SEQUENCE: 20170740733
NO. PAGES: 7
RES 03/15/2017
18:00:00
PICK UP
AMOUNT PAID: \$0.00

ORDINANCE 2017- 5

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 359 ACRES OF PROPERTY (PARCEL CODES 305-23-018D, 305-23-026A, 305-23-027B, AND A PORTION OF 305-23-018A) FROM THE RH (RURAL HOMESTEAD) ZONE TO CR-5 (MULTIPLE RESIDENCE-SMALL LOT OPTION) ZONE, IN CASE P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING, LOCATED ON THE EAST SIDE OF S. WILMOT ROAD, APPROXIMATELY 754 FEET SOUTH OF E. ANDRADA ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. EPC.

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

Section 1. The 359 acres located on the east side of S. Wilmot Road approximately 754 feet south of E. Andrada Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. EPC, is rezoned from the RH (Rural Homestead) zone to the CR-5 (Multiple Residence-Small Lot Option) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. A master block plat along with the studies and/or plans required by various departments shall be submitted prior to any individual subdivision plats.
4. Transportation conditions:
 - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east. Provision shall also be made for future access to Andrada Road, when and if constructed.
 - B. The property owner shall dedicate 30 feet of right-of-way for Wilmot Road.
 - C. The property owner shall construct half of the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway.
 - D. The property owner shall notify all future home buyers of the lack of all-weather

- access in the vicinity of this project.
- E. The property shall be limited to 2 access points on Wilmot Road.
5. Regional Flood Control District conditions:
- A. Flow Corridors equivalent to the Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be created in order to preserve flow conveyance and provide wildlife connectivity. Flow Corridors should minimize encroachment into the Important Riparian Area and shall remain undisturbed open space. Flow Corridors are subject to review and approval by the District.
- B. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
6. Regional Wastewater Reclamation conditions:
- A. The owner shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with owner to that effect.
- B. The owner acknowledges and agrees that there is no existing treatment facility for this development in the Southlands Service Basin and that the Corona de Tucson WRF was not designed to provide service for these downstream parcels. Any connection to the Corona de Tucson WRF will require augmentation of the treatment capacity.
- C. The owner acknowledges and agrees that in order to be served by the Corona de Tucson WRF, a conveyance system must be constructed by the owner. Pima County shall decide whether this system will be conveyed to public ownership, or operated as a private sewer system by the owner.
- D. The owner shall prepare a study of the sewer basin at his or her sole expense for the purposes of determining the routing and sizing of all off-site and on-site private or public sewer facilities necessary to provide both conveyance and treatment capacity and service to the rezoning area, and/or for the purpose of conceptual phasing of a pump station. The owner shall fund, design and construct the necessary wastewater collection, conveyance and treatment facility improvements necessary to serve the rezoning area, as determined by the basin study.
- E. If Pima County allows the conveyance system to be public, the rezoning area may be sewerred using public sewers, if and only if the owner meets the following conditions:
- 1) The owner may fund, design and construct the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
 - 2) Upon approval of the basin study, the owner shall enter into a master sewer service agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system and their timing.
 - 3) A sewer master sewer service agreement must be approved by the Pima County Regional Wastewater Reclamation Department prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit.
 - 4) Should the rezoning area be serviced to the Corona de Tucson Wastewater Treatment facility, the owner shall provide all weather, unrestricted vehicular access to all new public sewer manholes within the rezoning area. The owner shall

obtain all necessary public sewer easements within the rezoning area prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit at his/her own expense.

- F. No more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review, the owner shall obtain written documentation that sanitary sewerage treatment and conveyance capacity for the proposed development will be available when needed to serve the development.

7. Environmental Planning conditions:

- A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

- 8. Cultural Resources condition: Archaeological field inspections (submitted with the Site Analysis Appendix C) resulted in a finding of cultural resources on the subject property. The reports did not include a Significance Assessment of sites--However, it appears that the sites may not be eligible for listing in the NRHP. Formal review and submittal of survey report(s) to Office of Sustainability and Conservation will be required at the time of the master block plat.

9. Parks and Recreation conditions:

- A. Construct the Wilmot Road Greenway G053 trail using the Pima County Greenway cross-section.

- B. With the submittal of a subdivision plat, a recreation area plan shall be submitted and meet the requirements of the Pima County Zoning Code, Section 18.69.090.
 - C. Construct internal, non-vehicular circulation that will link the residential development blocks.
10. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing. A maximum of 800 dwelling units is allowed.
 11. The planning and development of the subject site shall occur such that transportation, wastewater, recreational, and other major infrastructure, and the protection of riparian areas and other natural resources are integrated and coordinated.
 12. Parcel code 305-23-0260 shall be developed at an average density of four residences per acre per the comprehensive plan amendment resolution 2009-240. The density calculation is based upon lot area.
 13. A mix of housing types shall be provided to insure a diverse community. Residential densities shall support multi-modal transportation opportunities including public transit even if such transit facilities are not currently in close proximity.
 14. The subject site shall be surveyed for presence of the Pima pineapple cactus and its habitat. Surveys shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish and Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services prior to master block plat approval. If Pima Pineapple cactus are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game and Fish Department's Heritage Data Management System.
 15. The owner shall provide a 50-foot bufferyard and one row of single-story homes along the northern boundary and a 100-foot bufferyard and one row of single-story homes along the southern boundary of the subject properties and abutting the Mann Avenue frontage in adherence with the preliminary development plan.
 16. No recreation areas, parks, playgrounds, bike paths, or walking trails shall be located within the perimeter bufferyards.
 17. 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.
 18. The property owner shall execute and record 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 18 of Section 2 shall be completed no later than November 22, 2021.

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 Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this 7th day
of March, 2017.

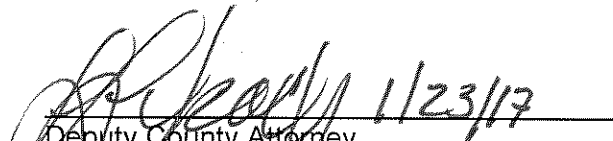

Chair, Pima County Board of Supervisors

MAR 07 2017

ATTEST:


Clerk, Board of Supervisors

Approved As To Form:


Deputy County Attorney
Lesley M. Lukach

Approved:



Executive Secretary
Planning and Zoning Commission

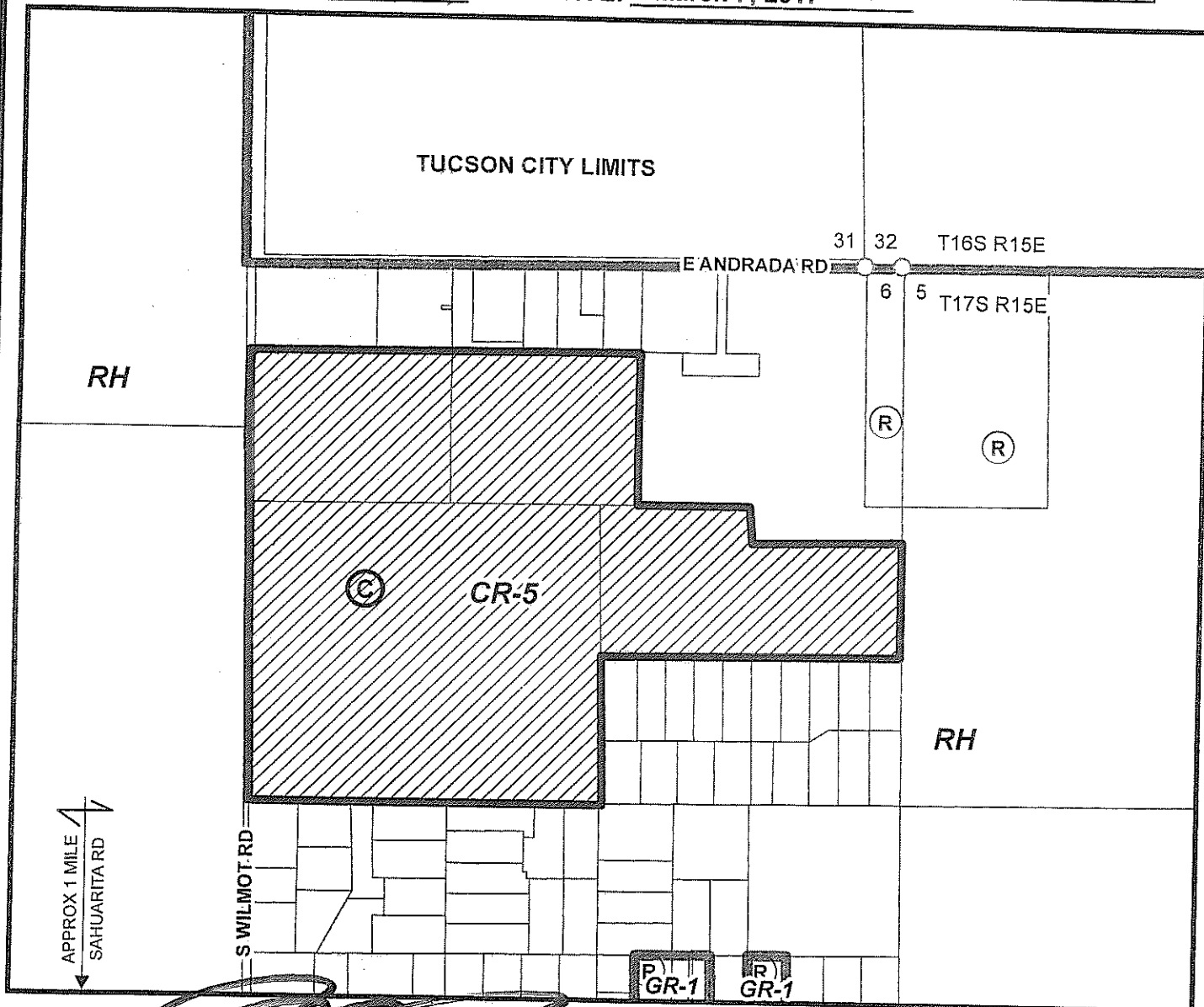
EXHIBIT A

AMENDMENT NO. 137 BY ORDINANCE NO. 2017-005
TO PIMA COUNTY ZONING MAP NO. EPC TUCSON AZ.
PARCELS 18D, 26A, 27B. AND PTN OF 18A OF SEC 6 T17S R15E.



ADOPTED: March 7, 2017 EFFECTIVE: March 7, 2017

0 320 640 1,280 Feet



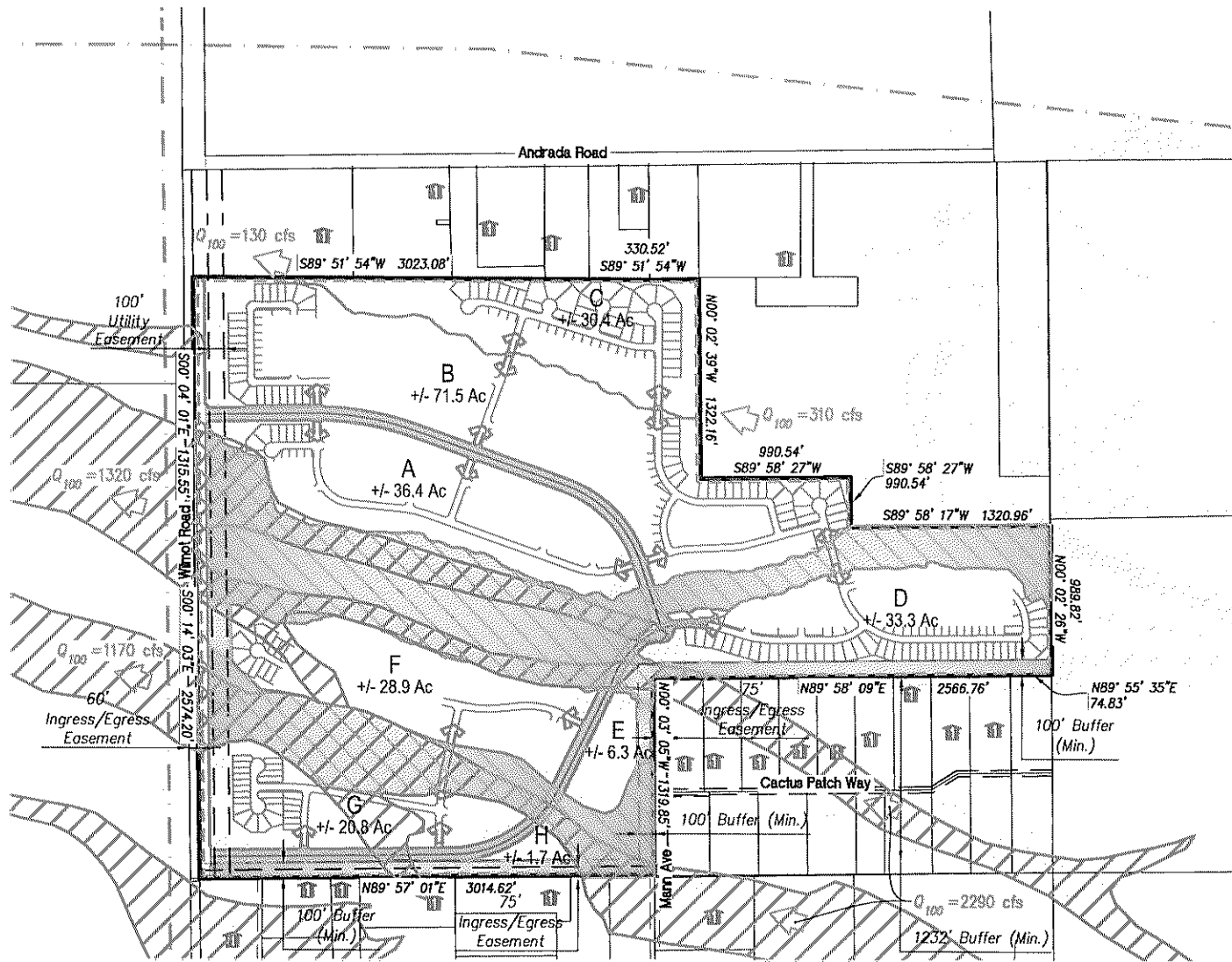

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM RH 359.0 ac
ds-January 10, 2017



P16RZ00007
Co7-13-10/Co7-07-25
305-23-018D, 026A, 027B
and Ptn of 018A

FIGURE II-B.1 PRELIMINARY DEVELOPMENT PLAN



- LEGEND**
- Existing Building and Number of Stories
 - Planned Future Greenway
 - 100-year Floodplain
 - Important Riparian Areas
 - Bufferyard "C"

Note: The internal circulation system shown on this PDP is conceptual. The final configuration will be determined at the time of future plat submittals subject to Street Layout and Connectivity provisions in the Pima County Subdivision Street Standards.

