

August 13, 2015

Mr. Chris Poirier
Pima County Development Services
201 N. Stone 2nd Floor
Tucson, AZ 85701-1207

Tax Code Numbers: 101-~~09~~-012J, 101-~~09~~-012K, 101-~~09~~-012L, 101-~~09~~-012C (Property) ^{12 320}

Re: Co9-~~05~~-24 Catalano, Et Al – Mona Lisa Road Rezoning – 9.92 Acres

This letter is to formally request a time extension for the Co9-~~05~~-04 Catalano, Et Al –Mona Lisa Rezoning. This is 9.93 Acre parcel being rezoned from SR to CR-1, expired on August 18, 2013. We did not request an extension at that time because of the down turn in the economy. At that time we needed to put this project on hold. Since the expiration the only progress that has been made was to acquire engineering proposals and cost estimates to move forward with the work.

I would like to receive the extension based on the conditions that were approved by the Board of Supervisors in the ordinance 2008-112 without any changes to the approved ordinance.

Sincerely,


Vincent Catalano

David Petersen

From: Vince Catalano <vince@vvcdesign.com>
Sent: Wednesday, September 02, 2015 2:47 PM
To: David Petersen
Cc: Jennifer Nunn; Steve Nunn; Donna Catalano
Subject: Re: Co9-05-24 Catalano, Et Al – Mona Lisa Road Rezoning – 9.92 Acres

David

As per our conversation today I would like to acknowledge that the owners are aware that the Board of Supervisors could close this item but we are requesting a 5 year extension.

There have been no changes to the site that would impact the Biological Impact Report.

The members of the Catalano Revocable Trust are Vincent and Donna Catalano.

Please let me know if you need additional information.

Thank you

Vince

--

Vince Catalano, R.A.
VVC Design P.L.L.C.
Architectural Design and Consulting
(520) 400-4226

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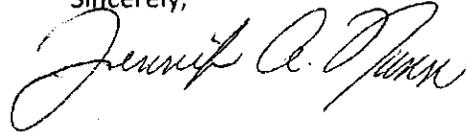
Tax Code Numbers: 101-09-012J, 101-09-012K, 101-09-012L, 101-09-012C (Property)

Re: Co9-05-24 Catalano, Et Al – Mona Lisa Road Rezoning – 9.92 Acres

This letter is to formally request a time extension for the Co9-05-04 Catalano, Et Al –Mona Lisa Rezoning. This is 9.93 Acre parcel being rezoned from SR to CR-1, expired on August 18, 2013. We did not request an extension at that time because of the down turn in the economy. At that time we needed to put this project on hold. Since the expiration the only progress that has been made was to acquire engineering proposals and cost estimates to move forward with the work.

I would like to receive the extension based on the conditions that were approved by the Board of Supervisors in the ordinance 2008-112 without any changes to the approved ordinance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer A. Plunk".

Pima County Comprehensive Plan
Tortolita Plan Area
Plan Designation: Medium Intensity Urban
(MIU)



RD
CAC

LIU-3.0

LIU-3.0

Subject Property

LIU

MIU

LIU-1.2

MIU

-18B

MLIU

RS

HIU

MIU

CAC

MIU

LIU-3.0

CAC

RP-17

MIU

PDC

MIU

LIU-3.0

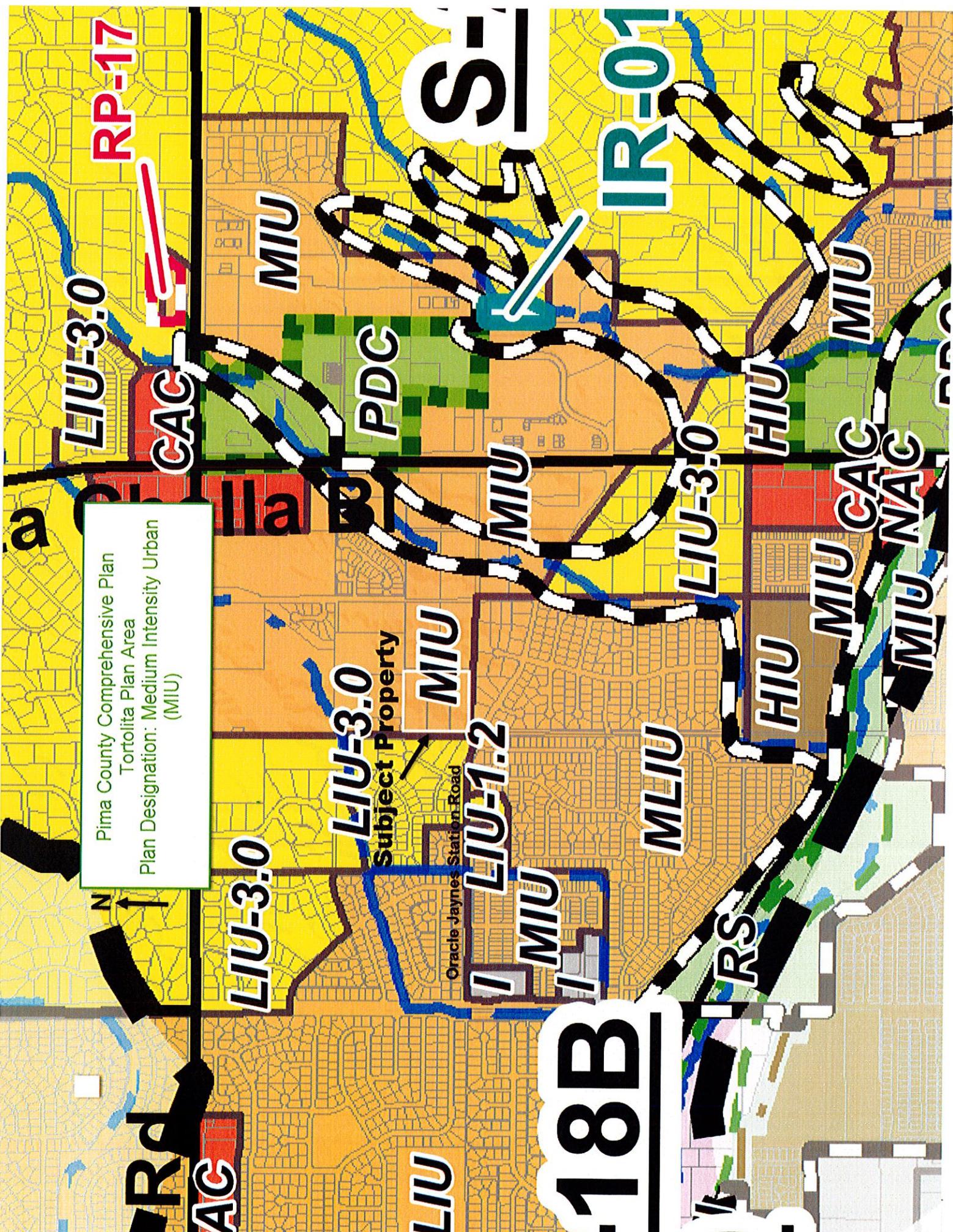
HIU

MIU

S-

IR-01

RP



Pima Prospers Comprehensive Plan Update

Medium Intensity Urban (MIU)

a. Objective: To designate areas for a mix of medium density housing types, such as attached dwellings, garden apartments, and single family, as well as non-residential uses such as offices, medical offices, and hotels. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses. Where possible, pedestrian and bicycle access shall be provided to commercial areas, schools, institutional uses, and other similar uses.

b. Residential Gross Density: Residential gross density shall conform to the following:

- 1) Minimum – 5 RAC
- 2) Maximum – 13 RAC

c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs). Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:

- 1) Minimum – 5 RAC
- 2) Maximum – 10 RAC

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: F
DEPUTY RECORDER
9544 PE-2



DOCKET: 13449
PAGE: 1698
NO. OF PAGES: 8
SEQUENCE: 20082370599
12/08/2008
ORDIN 18:00
PICKUP
AMOUNT PAID \$ 0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

ORDINANCE 2008- 112

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (PARCEL CODES 101-09-012J, 101-09-012K, 101-09-012L & 101-12-032C) FOR APPROXIMATELY 9.90 ACRES FROM SR (SUBURBAN RANCH) TO CR-1 (SINGLE RESIDENCE) IN **CASE Co9-05-24 CATALANO, ET AL - MONA LISA ROAD REZONING**; LOCATED ON THE NORTHEAST CORNER OF MONA LISA AND ORACLE JAYNES STATION ROADS; AMENDING PIMA COUNTY ZONING MAP NUMBERS 45 & 76.

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

Section 1. The 9.90 acres, located on the northeast corner of Mona Lisa and Oracle Jaynes Station Roads, illustrated by the shaded area on the attached rezoning ordinance map (EXHIBIT A), which amends Pima County Zoning Map No's. 45 & 76 is hereby rezoned SR (Suburban Ranch) to CR-1 (Single Residence).

Section 2. Rezoning Conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department, Document Services.

1-10-08 0-10-08

9

6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owner(s)/developer(s) shall dedicate 30 feet of right-of-way for Mona Lisa Road adjacent to the subject property.
 - B. The property owner(s)/developer(s) may be required to dedicate additional right-of-way for Mona Lisa Road/Oracle Jaynes Station Road adjacent to the subject property.
 - C. The property owner(s)/developer(s) shall provide offsite improvements to Mona Lisa Road and Oracle Jaynes Station Road as determined necessary by Pima County Department of Transportation.
8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. A drainage report shall be submitted during the platting process for Flood Control District to determine 100-year water surface elevations for all lots, the regulatory status of the wash, erosion hazard setbacks and to analyze detention /retention requirements. Building envelopes shall be shown in a surveyable manner on the tentative plat and cumulative impacts to site drainage and on downstream properties must be evaluated.
 - C. The property owner(s)/developer(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balanced or critical basin.
 - D. The property owner(s)/developer(s) shall provide necessary on-site and off-site drainage improvements at no cost to Pima County and as required by the Pima County Regional Flood Control District, including but not limited to detention, flow dissipaters, and channels as the wash leaves the site.
 - E. All-weather access shall be provided to all lots to meet concurrency requirements.
 - F. A riparian mitigation plan shall be required for development in designated riparian areas.
 - G. A Maintenance Agreement is necessary that identifies the responsibilities and funding of both private and public drainage improvements, and drainageways.

10000-2 10000-2

9. Wastewater Management conditions:

- A. The owner(s)/developer(s) shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.
- B. The owner(s)/developer(s) shall obtain written documentation from the Pima County Wastewater Management Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner / developer shall have the option of funding, designing and constructing 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 Wastewater Management Department.
- C. The owner(s)/developer(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- D. The owner(s)/developer(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, as determined necessary at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.

10. Environmental Quality conditions:

- A. The owner(s)/developer(s) shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit. On-site wastewater disposal shall not be allowed for any of the proposed development.
- B. The proposed "common driveway" to serve the existing residence and two (2) additional home sites shall be improved to meet the paving requirements of Pima County.

1-11-2009 04:40:03

11. Natural Resources, Parks and Recreation condition:
 The preliminary development plan does not provide for the required recreation area, with the development proposing less than 65 lots the developer shall pay the full in-lieu fee for off-site residential recreation areas.

12. Environmental Planning conditions:

A. The developer(s) shall draft an Invasive Plant Eradication Plan as part of the Landscape Plan for the proposed Subdivision, for the annual inspection and removal of invasive non-native plant species, including but not limited to those listed below.

B. The following shall be incorporated into Private Subdivision Covenants, Conditions and Restrictions (CC&Rs) that govern Homeowners' Associations (HOAs) and the actions of private property owners within the Subdivision: Maintenance of Lots by Owners: Obligations of Owners shall include keeping private lots free of invasive non-native plant species including but not limited to those listed below:

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

13. Design conditions:

A. A minimum of 70 percent of all saguaros, greater than six feet in height, which currently exist on the site, shall be protected from disturbance.

- B. The set-aside option listed in Chapter 18.72 of the Pima County Zoning Code shall be used to meet native plant preservation requirements for the subdivision plat for this site. The minimum 30% Natural Open Space required for that method shall include a minimum of 50% of the total of all saguaros within the subdivision and shall be configured to provide contiguous, large areas of natural open space (NOS).
- 14. The owner(s)/developer(s) shall execute and record a document acceptable to the Pima County Community Development and Neighborhood Conservation Department indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.
- 15. In the event the subject property is annexed, the owner(s)/developer(s) 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.
- 16. The property owner(s) 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)."
- 17. Adherence to the preliminary development plan as approved at public hearing (EXHIBIT B).
- 18. Grading shall not exceed 8,000 square feet, excluding driveways, per lot.
- 19. Building heights shall not exceed 24 feet.

Section 3. Time limits, extensions and amendments of conditions.

- 1. Conditions 1 through 19 shall be completed by August 18, 2013.
- 2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.

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3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 19 are satisfied and the Planning Official issues a Certificate of Compliance.
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 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, this 2nd day of December, 2008.

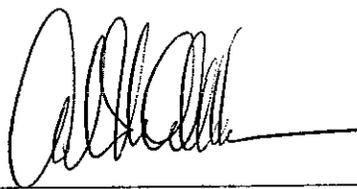

Chairman of the Board of Supervisors
12/2/08

ATTEST:


Clerk, Board of Supervisors

APPROVED AS TO FORM:


Deputy County Attorney
ANDREW FLAGG


Executive Secretary,
Planning and Zoning Commission

CO9-05-24 Original Rezoning Approval BOS Minutes 8-18-08

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and failed by a 2-3 vote, Chairman Elías and Supervisors Bronson and Valadez voting "Nay," to close the public hearing and adopt Ordinance No. 2008-80.

24. DEVELOPMENT SERVICES: REZONING

Co9-07-02, PARK COMPANY OF ARIZONA, INC.--DUVAL MINE ROAD REZONING
Request of Park Company of Arizona, Inc., represented by Tierra Planning Services, for a rezoning of 53.00 acres from RH (Rural Homestead) to CR-4 (Mixed Dwelling Type), on property located on the south side of Duval Mine Road and on north side of the Camino Casa Verde alignment in Green Valley. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrilla was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

Tom Hudson, Acting Senior Planner, stated the applicant requested a continuance to allow time to clarify several technical issues and questions that have arisen.

Supervisor Carroll noted that the delay related to the Green Valley Community Water Company. The water supply assurance was of concern to area residents.

The Chairman inquired whether anyone wished to be heard. No one appeared. On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Day and unanimously carried by a 5-0 vote, to continue the item to September 16, 2008.

→ 25. DEVELOPMENT SERVICES: REZONING

Co9-05-24, CATALANO, ET. AL.--MONA LISA ROAD REZONING
Request of Vincent and Donna Catalano and Stephen and Jennifer Nunn, represented by The Planning Center, for a rezoning of approximately 9.90 acres from SR (Suburban Ranch) to CR-1 (Single Residence), on property located on the west east side of Mona Lisa Road north of Oracle Jaynes Station Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 6-2 (Commissioners Gungle and Matter voting **NAY**, Commissioner Membrilla was absent) to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. Staff recommends **DENIAL**. (District 1)

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

1. Submittal of a development plan or subdivision plat if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owner(s)/developer(s) shall dedicate 30 feet right-of-way for Mona Lisa Road adjacent to the subject property.

- B. The property owner(s) developer(s) may be required to dedicate additional right-of-way for Mona Lisa Road/Oracle Jaynes Station Road adjacent to the subject property.
 - C. The property owner(s) developer(s) shall provide offsite improvements to Mona Lisa Road and Oracle Jaynes Station Road as determined necessary by Pima County Department of Transportation.
8. Flood Control conditions:
- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. A drainage report shall be submitted during the platting process for Flood Control District to determine 100-year water surface elevations for all lots, the regulatory status of the wash, erosion hazard setbacks and to analyze detention/retention requirements. Building envelopes shall be shown in a surveyable manner on the tentative plat and cumulative impacts to site drainage and on downstream properties must be evaluated.
 - C. The property owner(s) developer(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balanced or critical basin.
 - D. The property owner(s) developer(s) shall provide necessary on-site and off-site drainage improvements at no cost to Pima County and as required by the Pima County Regional Flood Control District, including but not limited to detention, flow dissipaters, and channels as the wash leaves the site.
 - E. All-weather access shall be provided to all lots to meet concurrency requirements.
 - F. A riparian mitigation plan shall be required for development in designated riparian areas.
 - G. A Maintenance Agreement is necessary that identifies the responsibilities and funding of both private and public drainage improvements, and drainageways.
9. Wastewater Management conditions:
- A. The owner(s)/developer(s) shall construe no action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner(s)/developer(s) shall obtain written documentation from the Pima County Wastewater Management Department that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing 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 Wastewater Management Department.
 - C. The owner(s)/developer(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
 - D. The owner(s)/developer(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, as determined necessary at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
10. Environmental Quality conditions:
- A. The owner(s)/developer(s), must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit. On-site wastewater disposal shall not be allowed for any of the proposed development.
 - B. The proposed "common driveway" to serve the existing residence and two (2) additional home sites shall be improved to meet the paving requirements of Pima County.
11. Natural Resources, Parks and Recreation condition:
- A. The preliminary development plan does not provide for the required recreation area, with the development proposing less than 65 lots the developer shall pay the full in-lieu fee for off-site residential recreation areas.
12. Environmental Planning condition:
- A. The developer shall draft an Invasive Plant Eradication Plan as part of the Landscape Plan for the proposed Subdivision, for the annual inspection and removal of invasive non-native plant species, including but not limited to those listed below.
 - B. The following shall be incorporated into Private Subdivision Covenants, Conditions and Restrictions (CC&Rs) that govern Homeowners' Associations (HOAs) and the actions of private property owners within the Subdivision: Maintenance of Lots by Owners: Obligations of Owners shall include keeping private lots free of invasive non-native plant species including but not limited to those listed below.

Invasive Non-Native Plant Species Subject to Removal:

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

13. Design conditions:
 - A. A minimum of 70 percent of all saguaros, greater than six feet in height, that currently exist on the site shall be protected from disturbance.
 - B. The Set-aside option listed in Chapter 18.72 of the Pima County Zoning Code shall be used to meet native plant preservation requirements for the subdivision plat for this site. The minimum 30% Natural Open Space required for that method shall include a minimum of 50% of the total of all saguaros within the subdivision and shall be configured to provide contiguous, large areas of NOS.
14. The owner(s)/developer(s) shall execute and record a document acceptable to the Pima County Community Development and Neighborhood Conservation Department indicating that the owner /developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.
15. In the event the subject property is annexed, the owner(s)/developer(s) 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.
16. 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 to 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)."
17. Adherence to the preliminary development plan as approved at public hearing.
- 18. Grading shall not exceed 8,000 square feet, excluding driveways, per lot.**
- 19. Building heights shall not exceed 24 feet."**

Tom Hudson, Acting Senior Planner, stated that the published notice contained a typo in the site location. However, all maps and parcel numbers were correct. The number of residents would increase from 3 to 10. The only public comment was one letter of protest. The site was outside the Conservation Lands System. Adding Condition 18 did improve development conditions, made the site more compatible and helped mitigate impacts on vegetation, open space and drainage. Formal review and platting may result in approving fewer lots than the 10 in the submitted preliminary development plan.

In response to Supervisor Day's query about staff's denial, Mr. Hudson replied there was fragmented open space, drainage concerns and too many lots. Supervisor Day stated that the applicant addressed neighborhood concerns, agreed to mitigation and made concessions. She added that staff and some of the Commission preferred a cluster development, but neighbors opposed it.

Vince Catalano, owner/applicant, stated he worked through the process, hired engineers and a hydrologist, worked and continued to work with the neighbors, worked with Tucson Succulents Society and addressed each issue. He agreed to deal with retention. Chairman Elias asked if he would meet with staff to mitigate

items relevant to the denial. Mr. Catalano replied he tried to work with staff but some requests were insurmountable. He did not take their concerns lightly. He was a long-time active neighborhood resident. A 60-foot natural wildlife corridor runs through the site. Most of the hillside was undisturbed. Almost half the lot was untouched. Each property line has 40-foot buffers. Grading was very limited.

Arlan Colton, Planning Official, stated some items can be resolved through platting with additional conditions. Chairman Elías noted that although the site was urban, it was still vital to retain the integrity of the Sonoran Desert. Mr. Catalano agreed with Supervisor Day that he would go above and beyond zoning requirements. He verified for Chairman Elias that he would continue to work with staff.

The Chairman inquired whether anyone wished to be heard.

The following addressed the Board:
Michael Toney

Comments included the following:
The City and County both need open space.

On consideration, it was moved by Supervisor Day, seconded by Supervisor Valadez and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to close the public hearing and approve Co9-07-02, as amended.

26. **DEVELOPMENT SERVICES: REZONING**

Co9-07-27, NOSECK/DAVIS-CAMINO DOROTEA REZONING

Request of Ronald, Denise and Raymond Noseck and Michael Davis, represented by Psomas for a rezoning of approximately 38.46 acres from RH (Rural Homestead) and approximately 12.6 acres from RH (BZ) (Rural Homestead) (Buffer Overlay Zone) to approximately 38.46 acres SR-2 (Suburban Ranch Estate) and approximately 12.6 acres SR-2 (BZ) (Suburban Ranch Estate) (Buffer Overlay Zone), on property located on the north side of the Camino Dorotea alignment and at the southern terminus of Coyote Creek Trail Easement, approximately 1,300 feet east of Camino Loma Alta. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Membrilla was absent) to recommend APPROVAL WITH STANDARD AND SPECIAL CONDITIONS. Staff recommends APPROVAL WITH 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. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
The property owner(s)/developer(s) shall include the reconfiguration of lot(s) and access through the adjoining subdivision as part of the subdivision for this rezoning and the access shall be common area.