



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 2, 2018

Title: P17RZ00006 Wong Family, LP - W. Sumter Drive Rezoning

Introduction/Background:

The applicant requests a rezoning of approximately 77.95 acres from the SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) zone for residential infill development of a 200-lot single-family residential subdivision located within the Maeveen Marie Behan Conservation Lands System.

Discussion:

Current SR zoning allows for 23 single-family residences to be developed. The Comprehensive Plan designation of Medium Low Intensity Urban plans for a minimum of 2.5 up to a maximum of 5 residences per acre.

Conclusion:

The requested rezoning conforms to the Comprehensive Plan; the rezoning would allow subdivision development similar to most of the residential density and zoning of surrounding neighborhoods with on-site and off-site natural open space preservation.

Recommendation:

Staff recommends approval of the rezoning subject to standard and special conditions. The Planning and Zoning Commission also recommends approval subject to standard and special conditions.

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

Department: Development Services - Planning Telephone: 520-724-9000

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

Department Director Signature/Date: [Signature] 12/4/17

Deputy County Administrator Signature/Date: [Signature] 12/4/17

County Administrator Signature/Date: C. DeLooney 12/5/17



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District 1
FROM: Chris Poirier, Planning Official *Tom Draszowski*
Public Works-Development Services Department-Planning Division
DATE: December 1, 2017
SUBJECT: P17RZ00006 WONG FAMILY LP - W. SUMTER DRIVE REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 2, 2018** hearing.

REQUEST: For a **rezoning** of approximately 77.95 acres from SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone, parcel codes 224-44-060A and 224-44-0710 on the south side of W. Sumter Drive, between N. Thornydale Road and N. Shannon Road.

OWNERS: Wong Family Limited Partnership
5975 E Speedway Blvd.
Tucson, AZ 85712

AGENT: MJM Consulting, Inc.
Attn: Michael Marks, AICP
6401 E. Shepherd Hills Dr.
Tucson, AZ 85710

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of December 1, 2017, staff has received one public comment in support of this request.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (7 – 0; Commissioners Becker and Cook were absent).

STAFF RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Land System (MMBCLS) classified as Important Riparian Area, Multiple Use Management Area and Special Species Management Area.

TD/TT/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P17RZ00006

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FOR JANUARY 2, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: December 1, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P17RZ00006 WONG FAMILY LP - W. SUMTER DRIVE REZONING

Request of Wong Family LP, represented by MJM Consulting, Inc., for a rezoning of approximately 77.95 acres from SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone, parcel codes 224-44-060A and 224-44-0710 on the south side of W. Sumter Drive, between N. Thornydale Road and N. Shannon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Medium Low Intensity Urban designation. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Becker and Cook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (November 29, 2017)

Staff presented information from the staff report to the commission with a recommendation of approval with modified conditions #2C and D, and #5B.

A commissioner asked about the modified condition #2D and the changes. Staff replied that the modification of the condition demonstrates the required dedication more clearly and presented a map to be included as part of the preliminary development plan.

A commissioner asked about the change of the right-of-way dedication through the modified condition #2C. Staff clarified that the right-of-way dedication will occur at the subdivision platting stage or within 45 days of Department of Transportation request.

A commissioner asked if the off-site mitigation property for the MMBCLS has been determined. Staff stated that a similar resource value will be utilized and clarified that the subdivision plat will not be approved if the MMBCLS off-site mitigation set asides have not been negotiated and approved.

A commissioner asked if there was a neighborhood compromise based upon a letter submitted by the applicant. Staff stated that there had been ongoing communication with one neighbor which appeared to be resolved as the neighbor is not present.

The applicant's representative spoke. He presented additional information for the proposed development and discussed the neighborhood meeting.

A commissioner asked if the church to the north of the subject properties had any concerns with the proposed location of the driveways. The applicant stated that the church was notified of the request and there has been no communication and the driveway meets the separation standards.

The public hearing was closed.

Commissioner Matter made a motion to **APPROVE** the rezoning subject to standard and special conditions with modified conditions #2C and D, and #5B as presented.

Commissioner Bain gave second to the motion.

The commission voted to **APPROVE** the rezoning (7 – 0, Commissioners Becker and Cook were absent) with the following conditions:

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. The developer shall dedicate 45 feet of right-of-way (ROW) for the north half of Linda Vista Boulevard. Beginning approximately 600 feet east of Thornydale Road and going east, the ROW dedication may be reduced to more fully utilize the existing road and 75 foot ROW, provided that the minimum ROW is 90 feet and the developer provides a roadway alignment that is acceptable to the Department of Transportation.
 - B. The developer shall dedicate 15 feet of right-of-way for Shannon Road as shown on the preliminary development plan.
 - C. The developer shall dedicate 45 feet of right-of-way for Thornydale Road as shown on the preliminary development plan. This dedication shall be completed within 90 days of Board of Supervisors approval of the rezoning made as part of the subdivision plat, or by separate instrument within 45 days upon request by Pima County, if such a request is made prior to the subdivision plat being recorded.
 - D. The developer shall dedicate 40 feet of right-of-way for Sumter Road from the intersection of Shannon Road to the west 250 feet right-of-way for Sumter Drive in the amount of 40 feet from the Shannon Road intersection (i.e. the westerly edge of the future 90-foot Shannon Road right-of-way) westerly for 150 feet and 20 feet for the next 100 feet.

- E. The two legs of Linda Vista Boulevard shall align across the intersection at Shannon Road.
 - F. The developer shall be required to construct the north half Linda Vista Boulevard for the entire frontage of the rezoning site in accordance with standard detail 10 in the Subdivision and Development Street Standards.
 - G. If the improvements to Linda Vista Boulevard are phased, roadway improvements shall be constructed in such a way that regional needs for circulation, access and continuity are addressed. Improvements shall also be coordinated with adjacent development.
 - H. It is understood that Pima County Department of Transportation may request improvements to Linda Vista Boulevard beyond those required by the rezoning conditions or the traffic study. Such improvements will be paid for by waiving impact fees. The developer shall fully document the cost of any additional improvements requested by Pima County.
 - I. All of this project's obligated Linda Vista Boulevard improvements shall be completed prior to release of final assurances for the project.
3. Regional Flood Control District conditions:
- A. Encroachment into Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be avoided.
 - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
- A. The owner shall not construe any 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 to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) 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, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing 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 PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.

F. The owner 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.

5. Environmental Planning conditions:

A. The property owner shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (MMBCLS) conservation guidelines by providing a total of 175.6 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the PDP, the property owner shall provide a minimum of 4 acres of natural open space for every acre developed to achieve full compliance with the MMBCLS conservation guidelines. No less than 23 acres NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Preliminary Development Plan. The difference between the total 175.6 acres (or less depending upon developed area) NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11 of Conservation Lands System Mitigation Lands) and comply with all of the following:

- 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
- 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.

B. 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

6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to the preliminary development plan as approved at public hearing.
8. 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.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ar
 Attachments

cc: Wong Family Limited Partnership, 5975 E Speedway Blvd., Tucson, AZ 85712
 MJM Consulting, Inc., Attn: Michael Marks, AICP, 6401 E. Shepherd Hills Dr.
 Tucson, AZ 85710
 Tom Drzazgowski, Chief Zoning Inspector
 P17RZ00006 File

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING November 29, 2017

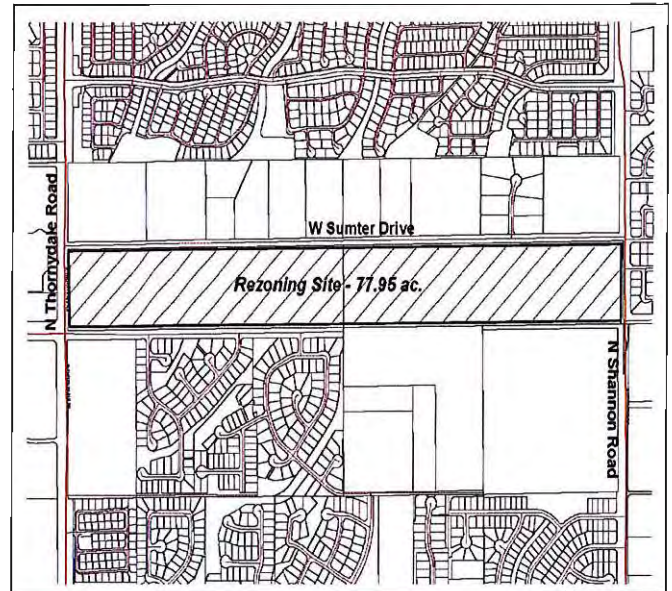
DISTRICT 1

CASE P17RZ00006 Wong Family, LP – W. Sumter Drive Rezoning

REQUEST Rezone from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) zone (77.95 acres)

OWNER Wong Family Limited Partnership
5975 E Speedway Blvd.
Tucson, AZ 85712

APPLICANT MJM Consulting, Inc.
Attn: Michael Marks, AICP
6401 E. Shepherd Hills Dr.
Tucson, AZ 85710



APPLICANT'S PROPOSED USE

The 77.95-acre site will be developed as a 200-lot, single-family residential subdivision.

APPLICANT'S STATED REASON

"The entire property will be developed into a single family detached residential subdivision. Within this subdivision there will be set-asides for open space, mostly for the purposes of floodplain, riparian habitat and preservation, recreation, and detention purposes."

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CR-4 (Mixed-Dwelling Type) zone on approximately 77.95 acres for a 200-lot residential subdivision with approximately 23.86 acres of on-site natural open space and 151.7 acres of future off-site natural open space to meet the policies of the Maeveen Marie Behan Conservation Lands System. There are two private recreational trails consisting of approximately 2.15 acres planned for the western portion of the site adjacent to Thornydale Road, connecting to the internal access street abutting Linda Vista Boulevard and a smaller trail located at the southeast corner of the site connecting to the internal access street abutting Shannon Road. One public trail is planned through one of the westerly wash corridors to provide connectivity to the Lambert Lane Trail. The site is an infill project and is consistent with the density of the nearby and surrounding neighborhoods.

PUBLIC COMMENT

No public comment has been received as of November 15, 2017.

COMPREHENSIVE PLAN

The Pima County Comprehensive Plan designates the subject property as Medium Low Intensity Urban (MLIU) which provides for areas containing a mix of medium density single-family and lower density attached dwelling units and other compatible uses at a minimum residential density of 2.5 up to 5 residences per acre. A Comprehensive Plan amendment in 2016 by case P16CA00002 was approved to change the land use designation from Low Intensity Urban 0.3 (LIU-0.3) to its current designation of MLIU without rezoning policies. A previous request to amend the land use designation to Medium Intensity Urban (MIU) under the 2015 Comprehensive Plan update (*Pima Prospers*) was denied; a 2005 request to amend the land use to Low Intensity Urban 3.0 (LIU-3.0) was withdrawn. No Special Area Policies apply to the site.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR, CR-1, CR-5	Undeveloped/Developed Residential/Church/Developed Residential Subdivision
South:	CR-4, CR-5	Undeveloped Residential/Developed Residential Subdivisions
East:	CR-5	Developed Subdivision
West:	CB-1	Developed Commercial Center

The surrounding area has a high school, middle school, elementary school, charter school, churches, a pistachio nursery, a cactus nursery, and fire station. The nearest services are located adjacent to the subject site at the northwest corner of Linda Vista Boulevard and Thornydale Road. Additional services are located at the southeast corner of Cortaro Farms Road and Thornydale Road providing banking, retail, restaurants, groceries and shopping. Recreational opportunities exist within the Arthur Pack Regional Park approximately 1,200 feet south of the southwest corner of Linda Vista Boulevard and Thornydale Road. The park contains a golf course, ball fields, batting cages, basketball courts, playground, soccer fields, and hiking trails within the Maeveen Behan Desert Sanctuary. The Tucson Audubon Society Mason Center just south of Arthur Pack Park offers bird watching and other educational programs.

PREVIOUS REZONING CASES ON PROPERTY

There have been no previous rezoning requests for the subject site.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity: this region has seen fairly robust rezoning activity in recent years.

- P17RZ00003 N. Shannon Road for SR (Suburban Ranch) to CR-1 (Single Residence) (4.73 acres) zone located approximately one-half mile south of the subject site. The rezoning was approved by the Board of Supervisors August 21, 2017 for five, approximately one-acre lots to be developed with a single family residence on each parcel.
- P16RZ00005 – W. Hardy Road for SR to CR-5 (Multiple Residence) (19.81 acres) zone located approximately three-fourths mile southwest of the subject site. The rezoning was approved September 6, 2016 for a 55-lot, single-family residential subdivision with both on-site and off-site conservation.
- P16RZ00012 – Shannon Road rezoning for SR to CR-2 (CL) (Single Residence – Cluster) (78.6 acres) south of the Linda Vista Boulevard alignment abutting a portion of the subject site. The rezoning was approved November 7, 2017 for a 94-lot single-family cluster development with both on-site and off-site conservation.
- P15RZ00001 – N. Thornydale Road for SR to CR-4 (Mixed-Dwelling Type) (5 acres) and CR-5 (13.01 acres) zones located approximately one-half mile west of the subject site. The

rezoning was approved January 19, 2016 for a 36-lot single family residential infill development with both on-site and off-site conservation.

- P15RZ00003 – W. Hardy Road for SR to CR-5 located approximately three-fourths mile southwest of the subject site. The 30-acre rezoning was approved January 19, 2016 for an 84-lot single family residential infill development with both on-site and off-site conservation.
- P15RZ00004 – N. Thornydale Road for SR to CR-5 located at the northwest corner of N. Thornydale Road and W. Magee Road approximately one mile south of the subject property. The 17.77-acre rezoning was approved January 19, 2016 for a 28-lot single family residential infill development with both on-site and off-site conservation.
- P15RZ00005 – N. Thornydale Road for SR to CB-1 (Local Business) (8.19 acres) and SR @ (46.7 acres) zones approximately one-mile south of the subject property. The rezoning was approved January 19, 2016 for a commercial shopping center (8.19 acres) and natural open space (46.7 acres) to meet the conservation requirements.
- Co9-15-02 - Briar Rose Lane for SR to CR-4 located approximately one-half mile north of the subject property. The 9.79-acre rezoning was approved by the Board of Supervisors October 15, 2015 for a 34-lot residential infill development with both on-site and off-site conservation.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR. An attached map shows properties (in blue) within approximately one mile of the site for which rezoning requests have been made from 1961 to 2006. Most rezonings were approved. Some were withdrawn or denied.

Areas adjacent to and near the site were rezoned in the 1980's and early 1990's to CR-4 and CR-5 with resultant single-family subdivision lot development. There has also been a number of lower density CR-1 (Single Residence) and CR-2 (Single Residence) rezonings in the general area.

Rezonings to the CB-1 zone for shopping centers and professional office uses have also occurred in the area at the northwest corner of Linda Vista Boulevard and Thornydale Road, the southeast corner of Cortaro Farms Road and Thornydale Road, and at the northeast corner of Thornydale Road and Overton Road.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located within the Maeveen Marie Behan Conservation Land System classified as Important Riparian Area, Multiple Use Management Area and Special Species Management Area. The policies of the comprehensive plan address the MMBCLS conservation guidelines and allow both on-site and off-site natural open space set asides to meet the policies. The natural open space provided within this project totals approximately 23.86 acres or 35% of the site. The proposed off-site mitigation of dedicated natural open space will implement the conservation policies requiring four acres of conservation for every acre of disturbed area minus the on-site natural open space. The off-site mitigation will be implemented prior to or during the subdivision platting process when the off-site set aside location has been formally negotiated and approved.

PLANNING REPORT

Staff supports the request because the proposed residential development is compatible with the surrounding existing residential, public recreational opportunities, public schools, and commercial uses. Concurrency of infrastructure exists to serve the use. The subject property is an infill property that will contain a similar density as the surrounding area. Smart growth principles have

been employed by the preservation of open space for floodplain and riparian purposes enhancing the natural beauty of the Sonoran Desert and by the efficient use of existing infrastructure.

The property is relatively flat, is mostly undisturbed and is traversed by several washes. The limitations of the site arise from the MMBCLS designations and riparian areas around the washes. The vegetative qualities of the property contain dense populations of saguaros and ironwood trees. Approximately forty-two percent of the ironwood trees and thirty-four percent of saguaros will be preserved in place in the on-site natural open space. Much of the salvaged vegetation from on-site will be incorporated into the proposed bufferyards and streetscapes within the subdivision. A native plant preservation plan will be submitted with the subdivision plat. Along Sumter Drive, a 20-foot bufferyard "C" is proposed. Natural bufferyards will be employed along the remaining undisturbed areas of the site and adjacent to Thornydale Road and Shannon Road. Adjacent to the disturbed areas of the site, a 10-foot bufferyard "D" along Linda Vista Boulevard is planned. The proposed 200-lot subdivision will be accessed by four driveways onto Linda Vista Boulevard, two driveways onto Sumter Drive, and one driveway onto Shannon Road. The lot sizes range from approximately 5,000 up to 7,000 square feet. The proposal includes one-story and two-story dwelling units with a maximum height of 34 feet.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	Minor concern, no objection subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	Yes	Metro Water "will serve" letter in site analysis.
SCHOOLS		Capacity response letter from Marana USD in the site analysis.

TRANSPORTATION REPORT

The Department of Transportation (DOT) has no objection to the rezoning request subject to the addition of rezoning conditions #2A-I. This project poses a secondary concurrency concern due to the overcapacity situation on Thornydale Road. The Department of Transportation views this project as an infill development and scheduled improvements will alleviate some of the traffic and safety issues in this area. Post development level of service at adjacent intersections is expected to be improved.

The proposed development is in three clusters that are separated by washes running through the site. The western cluster has sixty-seven lots with two access points, one on Linda Vista Boulevard and one on Sumter Drive. The center cluster has sixty-seven homes with access on to Linda Vista Boulevard and Sumter Drive. The eastern cluster has sixty-six lots with access onto Linda Vista Boulevard and Shannon Road.

The project will generate approximately 1,904 average daily trips (ADT) with 150 a.m. peak hour trips and 200 p.m. peak hour trips with primary access to Linda Vista Boulevard. Linda Vista Boulevard is only partially constructed between Thornydale Road and Shannon Road. The final cross section for Linda Vista Boulevard will be *Standard Detail #10, Major Collector Street Urban Residential Subdivision* as shown in the Pima County Subdivision and Development Street Standards. It will consist of three travel lanes with curb and sidewalks in a 90 foot right-of-way. Existing traffic on Linda Vista Boulevard between Camino de Oeste and Thornydale Road is 10,516 ADT. West of Thornydale Road, Linda Vista Boulevard is a two-lane medium volume arterial with a two-way left turn lane. East of Thornydale Road, Linda Vista Boulevard is reduced to a two lane road that dead ends ½ mile east of Thornydale Road. The road continues on the east side of Shannon Road.

Thornydale Road has an existing traffic count of 18,256 ADT between Lambert Lane and Overton Road. Thornydale Road is a two-lane arterial road with a two-way left turn lane in the vicinity of the rezoning site. It is classified as a medium volume arterial with a 150 foot right-of-way on the Pima County Major Streets Plan. It is also a scenic route. The posted speed is 45 miles per hour (mph). The capacity of Thornydale Road is 16,600 ADT.

Shannon Road is a two-lane roadway classified as a low volume arterial with a 90 foot right-of-way on the Pima County Major Streets Plan. The posted speed is 40 mph. The current traffic volume is 7,513 ADT between Overton Rd and Magee Rd. The capacity is 15,930 ADT. There is approximately 7,200 ADT on Overton between Thornydale and Shannon, and a capacity of 15,930 ADT.

The developer will be responsible for constructing the north half of the future cross section of Linda Vista Boulevard. In addition, the traffic study indicates turn lanes will be required in several locations including Thornydale Road/Linda Vista Boulevard, Thornydale Road/Sumter Drive, Shannon Road/Sumter Drive, Shannon Road/Linda Vista Boulevard, and Shannon at the driveway adjacent to Chalfont Drive. As this project will likely be phased, it is likely that all of Linda Vista Boulevard will not be built at the same time. DOT will work with this developer, as well as other developers in the area to ensure that adequate circulation and continuity are maintained throughout construction of Linda Vista Boulevard.

Noting the likelihood of improvements being required beyond the north half of the right-of-way, DOT is agreeable to waiving roadway development impact fees to accommodate additional improvements above and beyond those required in the Subdivision and Development Street Standards or the traffic study. Because the development will provide approximately \$1.2 million in roadway development impact fees, the developer will need to provide documentation showing the estimated cost of additional roadway improvements prior to the approval of waiving the impact fees.

Traffic issues surrounding the school have been a consistent issue in the neighborhoods surrounding Ironwood Elementary School. The adjacent development to the south will be proving an easement to the school onto the new portion of Linda Vista Boulevard. This should alleviate

the cut-through traffic to the school. Future roadway projects in the vicinity of this rezoning site include improvements to Thornydale Road from Cortaro Farms Road north to the Pima County/Town of Marana jurisdictional line. The extent of this project is to be determined, but is currently shown as a pavement preservation project between Cortaro Farms Road and Linda Vista Boulevard.

FLOOD CONTROL REPORT

1. Flood Control Resource Areas (FCRA) identified on the Pima Prospers Regional Hydrology Maps, which include regulatory floodplains and Regulated Riparian Habitat, have been avoided.
2. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. Metropolitan Water District will serve the project with Renewable and Potable Water.
 - b. Per the ADWR Well Inventory one well located north of the site across Sumter Drive had water at 187 feet when drilled in 1982. An adjacent private well had water depth recorded of over 400 feet. The Tucson Water well immediately downstream of the site has water at a depth of 375 feet. Per the Tucson Active Management Area modeled by the Safe Yield Task Force the projected water table depth for 2025 is over 450 feet.
 - c. The site is not located within a covered subsidence zone.
 - d. The nearest Groundwater Dependent Ecosystem is the Santa Cruz River 3.5 miles away.
 - e. The site not within an isolated basin, and the depth to bedrock ranges from 1600-3200 feet.

In conclusion the project is not expected to have adverse impacts on groundwater dependent ecosystems.

3. The applicant has agreed to meet the Water Conservation Measure performance standards established by this review at the time of development. To this end staff has projected water demand associated with the site under current zoning and as proposed. Under SR zoning total potential demand is estimated to be 162.42 acre feet per year; under the proposal, 73.96 acre feet per year, a net decrease. The site is to be served by Renewable and Potable Water, is greater than one mile from a Groundwater Dependent Ecosystem and is not in a subsidence area or isolated basin. Therefore at the time of development Water Conservation Measures sufficient for 15 points shall be included.

The District has no objection subject to recommended conditions #3A-B.

WASTEWATER RECLAMATION REPORT

The rezoning area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. Capacity for the proposed development is currently available in the 15" public sewer G-84-024, downstream from manhole 4201-23-2 in Linda Vista Blvd (No. 2017-182 Type I, dated August 22, 2017).

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has no objection to the request subject to the addition of rezoning conditions #4A-F.

ENVIRONMENTAL PLANNING REPORT

Site Conservation Values and Landscape Context:

- The approximately 78-acre site lies entirely within the Maeveen Marie Beehan Conservation Land System (CLS), with Important Riparian Area and Multiple Use Management Area designations. The entire site is designated as a Special Species Management Area.

- The subject property is considered to be of medium to high value as potential habitat for the cactus ferruginous pygmy-owl (CFPO) and it lies within the Priority Conservation Area (PCA) for this species (Priority 1); however, none have been detected in Northwest Tucson since 2006 when the last known CFPO was captured and placed in a captive breeding program.
- The subject property is considered to be of medium value as potential habitat for Lesser long-nosed bats (a federally-endangered species); however, it lies outside the PCA for this species.
- The subject property is considered medium value as potential habitat for the Western burrowing owl, but it lies outside the PCA for this species.
- The subject property lies outside the range of the Pima pineapple cactus and needle-spined pineapple cactus.
- There are a total of 500 saguaros on-site; 242 are 6 feet or less, and 258 are greater than 6 feet. There are 420 ironwood trees onsite.
- The un-named washes that cross the site are resource features that have both on- and off-site importance; they support and are tributaries to Hardy Wash. (Disturbances to these resources are regulated by the Regional Flood Control District according to the Watercourse and Riparian Protection and Mitigation Requirements of Pima County Code Title 16.)
- The subject property was identified for acquisition as "High Priority Private" under the 2004 Open Space Bond Program.

The site is in an area of Northwest Tucson that is transitioning from low density residential uses to higher intensity commercial and residential uses. Existing land uses in the immediate vicinity of the subject property are predominantly residential. Adjacent properties to the north are low density residential, properties to the east are planned for higher density residential uses, and properties to the southeast and southwest contain a mixture of low to high density residential and commercial land.

The subject property does not occur within or near any CLS Critical Landscape Connection or any wildlife linkage or movement area identified by the Arizona Dept. of Transportation or Arizona Game and Fish Dept. The County owns and manages two properties in this area for conservation; Arthur Pack Regional Park and an approximately 20-acre Pima County Dept. of Transportation (PCDOT) mitigation property. The subject site lies approximately ½ mile east of the PCDOT mitigation property and is directly northeast of Arthur Pack Regional Park. The property is also approximately 1 mile north of Tucson Audubon's Mason Center. Generally, landscape connectivity is limited to the south, west, and north of the site due to high intensity residential uses that are less friendly to retaining native biological resources. However, there is moderate connectivity east of the site, which is predominately low intensity residential uses that are more compatible with retaining native biological resources. This moderate connectivity may allow some wildlife movement to the east, potentially providing a connection to the CDO wash.

Potential Impact to Biological Resources and CLS:

According to the Preliminary Development Plan (PDP), the gross acreage of the project area is 77.95, which will be reduced by 10.2 acres for a right-of-way (ROW) required by PCDOT, resulting in a net project area of 67.75 acres. According to the PDP, approximately 43.9 acres will be disturbed. In keeping with the applicant's stated intent to fully comply with the CLS Conservation Guidelines ratio of four (4) acres of conservation for every acre of development within the SSMA designation, a total of 175.6 acres of natural open space will be provided, in a combination of on- and off-site areas. The PDP proposes on-site natural open space of approximately 23.9 acres; the balance of 151.7 acres is, therefore, to be provided off-site.

There are a total of 500 saguaros on site, 173 of which will be preserved in place; this includes 96 saguaros greater than 6 feet and 77 saguaros 6 feet or less. There are a total of 420 ironwoods

on site, 177 which will be preserved in place. Impacts to native vegetation and specifically saguaros and ironwoods will be addressed when the proposed development is subject to the applicability of the Native Plan Preservation Ordinance (Pima County Code 18.72)

Given the site's on-site resources, landscape context, and the proposed on-site and off-site set-aside of natural open space in conjunction with the following recommended Special Conditions, this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS.

Should the Board of Supervisors approve this rezoning request, staff recommends the addition of conditions #5A-B.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of condition #6.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no objection/comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service has concerns related to habitat loss and fragmentation from development in an area designated as Special Species Management Area within the Pima County Comprehensive Plan and the Sonoran Desert Conservation Plan.

The species potentially impacted are the lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), an endangered species listed under the Endangered Species Act, and the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), a species formerly listed under the Endangered Species Act and a species proposed for coverage under Pima County's Multi-Species Conservation Plan (MSCP). The proposed rezoning occurs in an area where lesser long-nosed bat have been documented foraging and moving between roosts and foraging areas. It is our recommendation that, if saguaros occur within these parcels, that they be preserved in place or salvaged and replanted within the parcels or within conservation lands in this general area. By so doing, there should be no net loss of lesser long-nosed bat forage resources.

With regard to the pygmy-owl, this parcel occurs in the general area historically occupied by pygmy-owl and where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Without on-site or off-site natural open space set asides as required by the MMBCLS guidelines, the proposed rezoning has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a Special Species Management Area for the pygmy-owl under the existing comprehensive plan. We strongly recommend that the guidelines outlined within the MMBCLS and comprehensive plan be applied to this parcel if this rezoning application approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that these parcels comply with the MMBCLS guidelines for the Special Species Management Area designation through either on-site or off-site natural open space set asides.

METRO WATER DISTRICT REPORT

Metro Water District has no comment. A will-serve letter is contained within the site analysis.

SCHOOL DISTRICT REPORT

The Marana Unified School District provided a letter of capacity to accommodate future students is contained in the site analysis.

FIRE DISTRICT REPORT

Mountain Vista Fire District has no comment.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. The developer shall dedicate 45 feet of right-of-way (ROW) for the north half of Linda Vista Boulevard. Beginning approximately 600 feet east of Thornydale Road and going east, the ROW dedication may be reduced to more fully utilize the existing road and 75 foot ROW, provided that the minimum ROW is 90 feet and the developer provides a roadway alignment that is acceptable to the Department of Transportation.
 - B. The developer shall dedicate 15 feet of right-of-way for Shannon Road as shown on the preliminary development plan.
 - C. The developer shall dedicate 45 feet of right-of-way for Thornydale Road as shown on the preliminary development plan. This dedication shall be completed within 90 days of Board of Supervisors approval of the rezoning.
 - D. The developer shall dedicate 40 feet of right-of-way for Sumter Road from the intersection of Shannon Road to the west 250 feet.
 - E. The two legs of Linda Vista Boulevard shall align across the intersection at Shannon Road.
 - F. The developer shall be required to construct the north half Linda Vista Boulevard for the entire frontage of the rezoning site in accordance with standard detail 10 in the Subdivision and Development Street Standards.
 - G. If the improvements to Linda Vista Boulevard are phased, roadway improvements shall be constructed in such a way that regional needs for circulation, access and continuity are addressed. Improvements shall also be coordinated with adjacent development.
 - H. It is understood that Pima County Department of Transportation may request improvements to Linda Vista Boulevard beyond those required by the rezoning conditions or the traffic study. Such improvements will be paid for by waiving impact fees. The developer shall fully document the cost of any additional improvements requested by Pima County.
 - I. All of this project's obligated Linda Vista Boulevard improvements shall be completed prior to release of final assurances for the project.
3. Regional Flood Control District conditions:
 - A. Encroachment into Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be avoided.
 - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.

4. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any 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 to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) 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, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing 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 PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner 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.
5. Environmental Planning conditions:
 - A. The property owner shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (MMBCLS) conservation guidelines by providing a total of 175.6 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the PDP, the property owner shall provide a minimum of 4 acres of natural open space for every acre developed to achieve full compliance with the MMBCLS conservation guidelines. No less than 23 acres NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Preliminary Development Plan. The difference between the total 175.6 acres (or less depending upon developed area) NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11 of Conservation Lands System Mitigation Lands) and comply with all of the following:
 - 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
 - 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.

- B. 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

6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to the preliminary development plan as approved at public hearing.
8. 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.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to

give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I).”

Respectfully Submitted,



Terrill L. Tillman, Principal Planner

c: MJM Consulting, Inc., Attn: Michael Marks, AICP, 6401 E. Shepherd Hills Dr., Tucson, AZ 85710

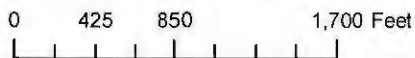
Case #: P17RZ00006

Case Name: WONG FAMILY LP - W. SUMTER DRIVE REZONING



Tax Code(s): 224-44-060A, 224-44-0710



Pictometry International Corp. USDA National Agricultural Imagery Program (NAIP). Pima County Association of Governments (PAG)







PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

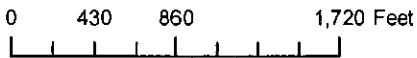
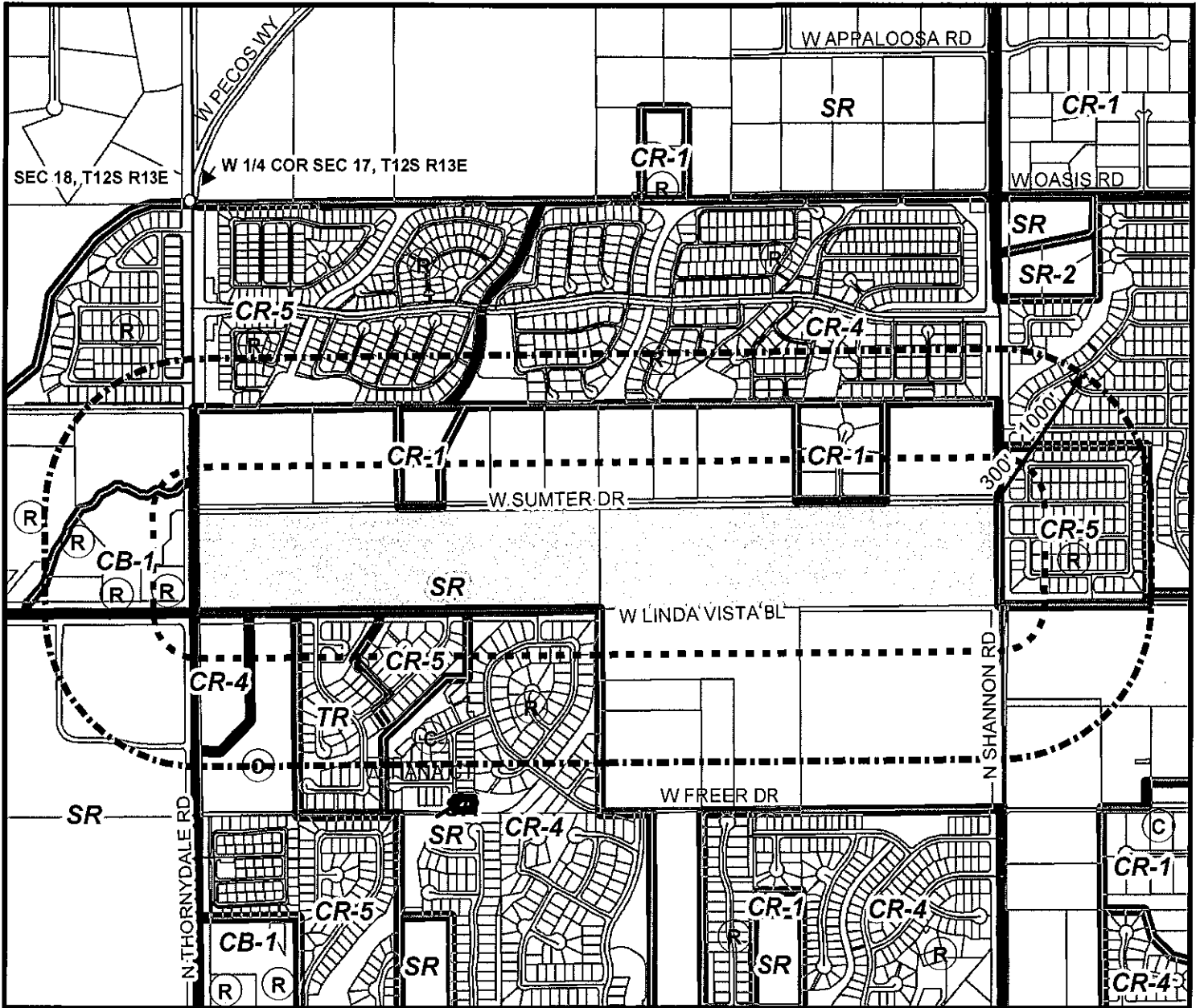
	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN P16CA00002/CO7-13-10		
	Planning & Zoning Hearing: 11/29/17 (scheduled)	Board of Supervisors Hearing: TBA	
	Base Map(s): 161, 162	Map Scale: 1:12,000	

Case #: P17RZ00006

Case Name: WONG FAMILY LP - W. SUMTER DRIVE REZONING

Tax Code(s): 224-44-060A, 224-44-0710



-  1000' Notification Area
-  300 Notification Area
-  Subject Property
-  Zoning Boundary

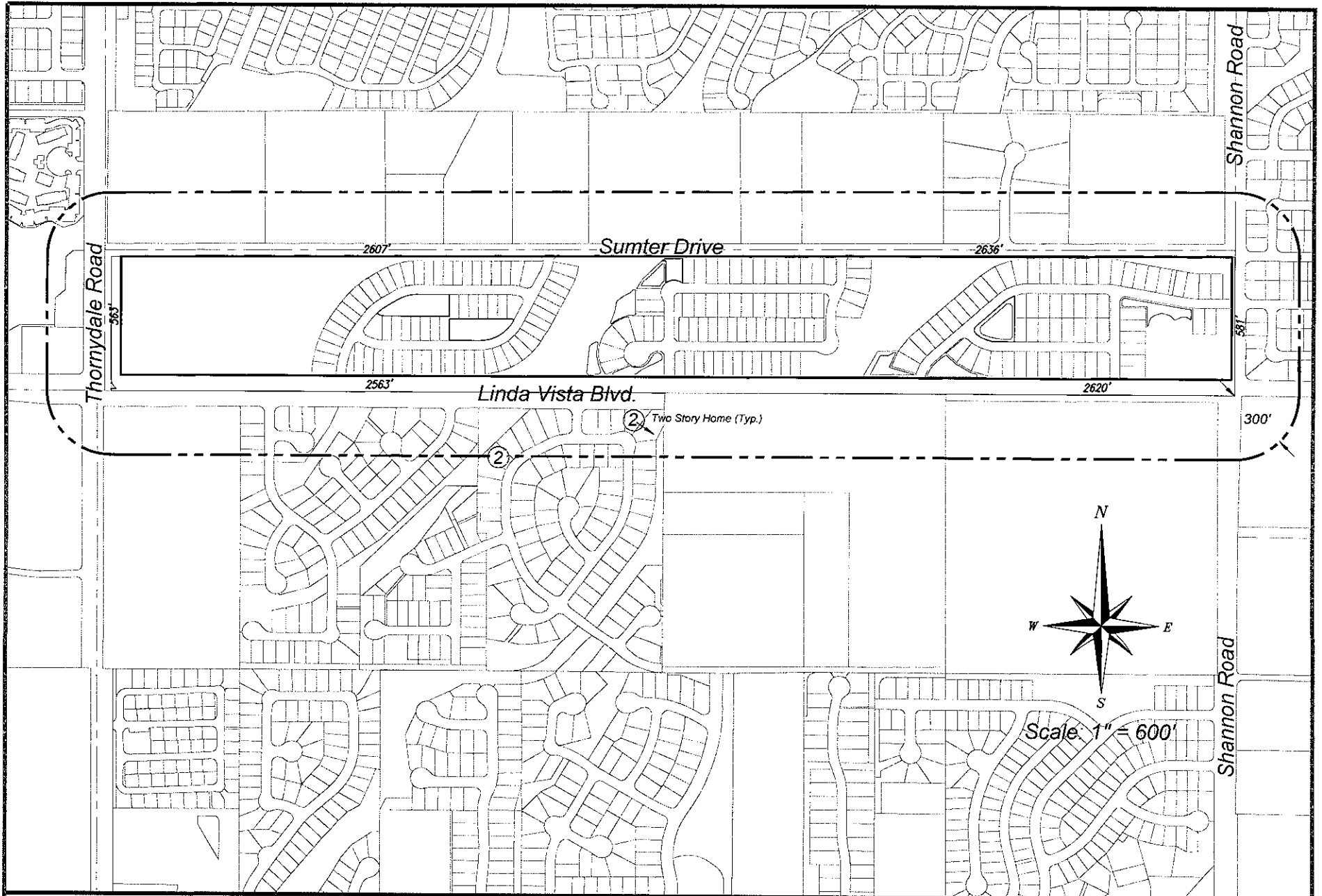


Area of proposed rezoning from SR to CR-4



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN P16CA00002/CO7-13-10		
	Planning & Zoning Hearing: 11/29/17 (scheduled)	Board of Supervisors Hearing: TBA	
	Base Map(s): 161, 162	Map Scale: 1:12,000 Map Date: 11/02/2017 - ds	



17

MJM CONSULTING, INC.
 Land Planning and Development Services
 6401 E. Shepherd Drive Tucson, AZ 85710 Phone: 520-885-5021

Wong - Linda Vista Blvd.
 APN: 224-44-060A and 224-44-0710
 Section 17, T 12S, R 13E, G&SRM
 Pima County, Arizona

Exhibit II-B.1
PDP with 300' Radius

Keynote Legend

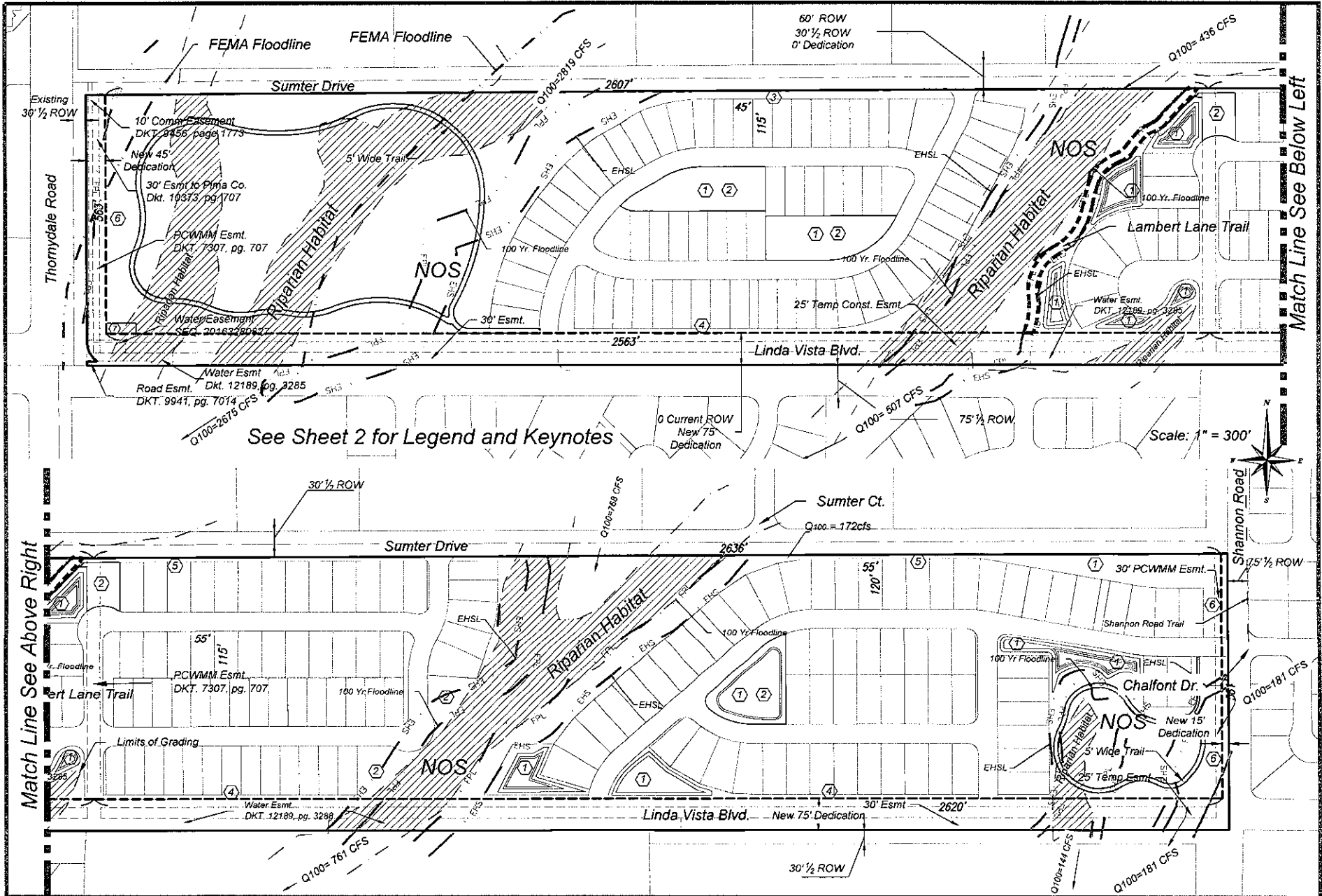
- ① - Detention/Retention Basin
- ② - Recreation Areas
- ③ - 20' Bufferyard C
- ④ - 10' Bufferyard D
- ⑤ - 10' Bufferyard C
- ⑥ - 40' Bufferyard D
- ⑦ - Cell Tower Location (not a part of the rezoning)

Legend

1. NOS = Natural Open Space
2. FPL = Regulatory Floodplain Lines
3. EHSL = Erosion Hazard Setback Line
4. Limits of Grading

Notes:

1. The total number of lots is 200.
2. The Net Density is 2.95 RAC.
3. The total Open Space is 23.86 acres.
4. Compliance with the CLS will be partially by onsite preservation and partially by offset mitigation land.
5. The net area (i.e. 67.75 AC) of offsite mitigation land required is 151.70 acres, based on 43.89 acres of disturbed MU/SS @ 4:1 being 175.56, less 23.86 acres of preserved onsite IRA & MU/SS.

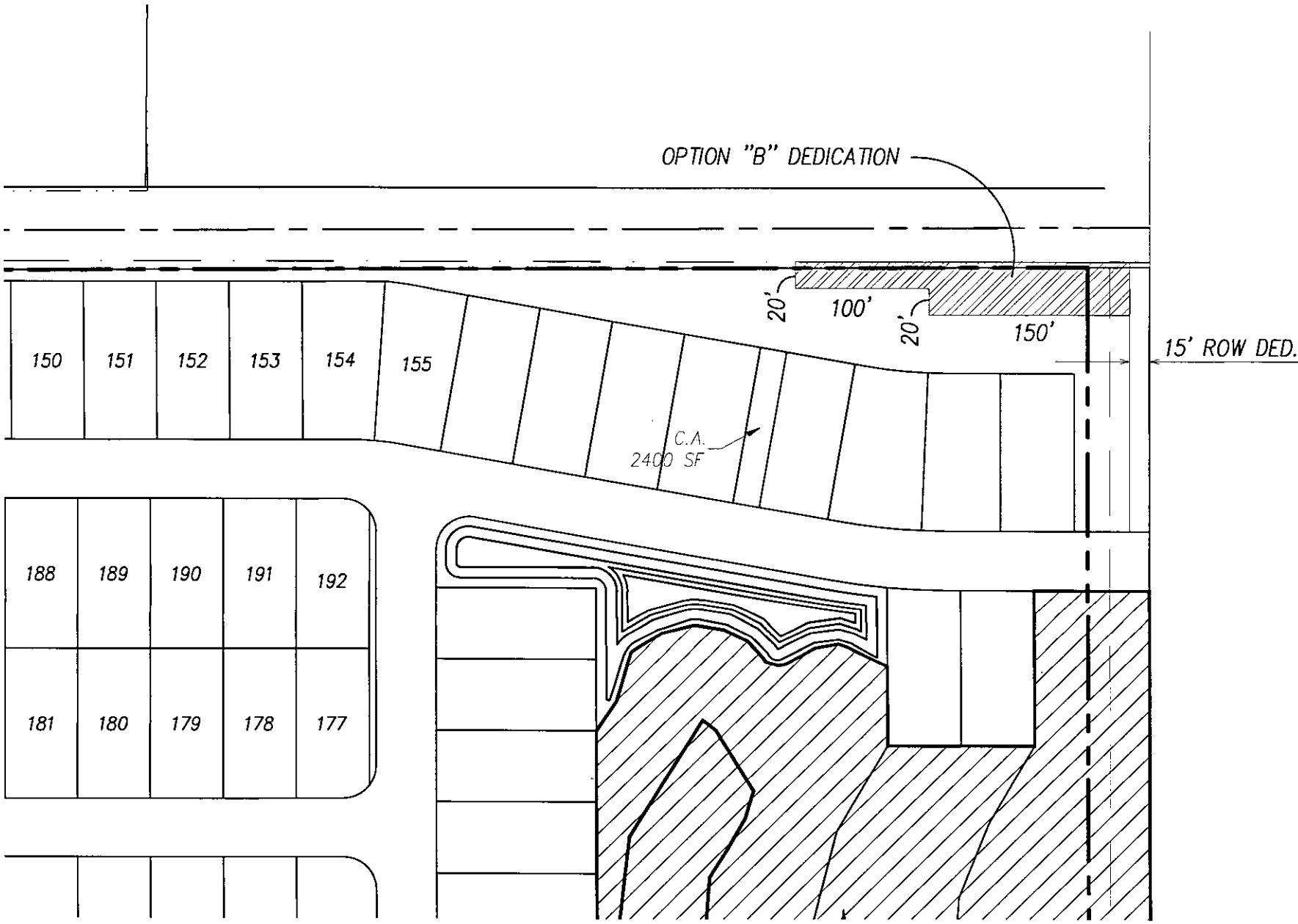


See Sheet 2 for Legend and Keynotes

Match Line See Below Left

Match Line See Above Right

OPTION "B" DEDICATION





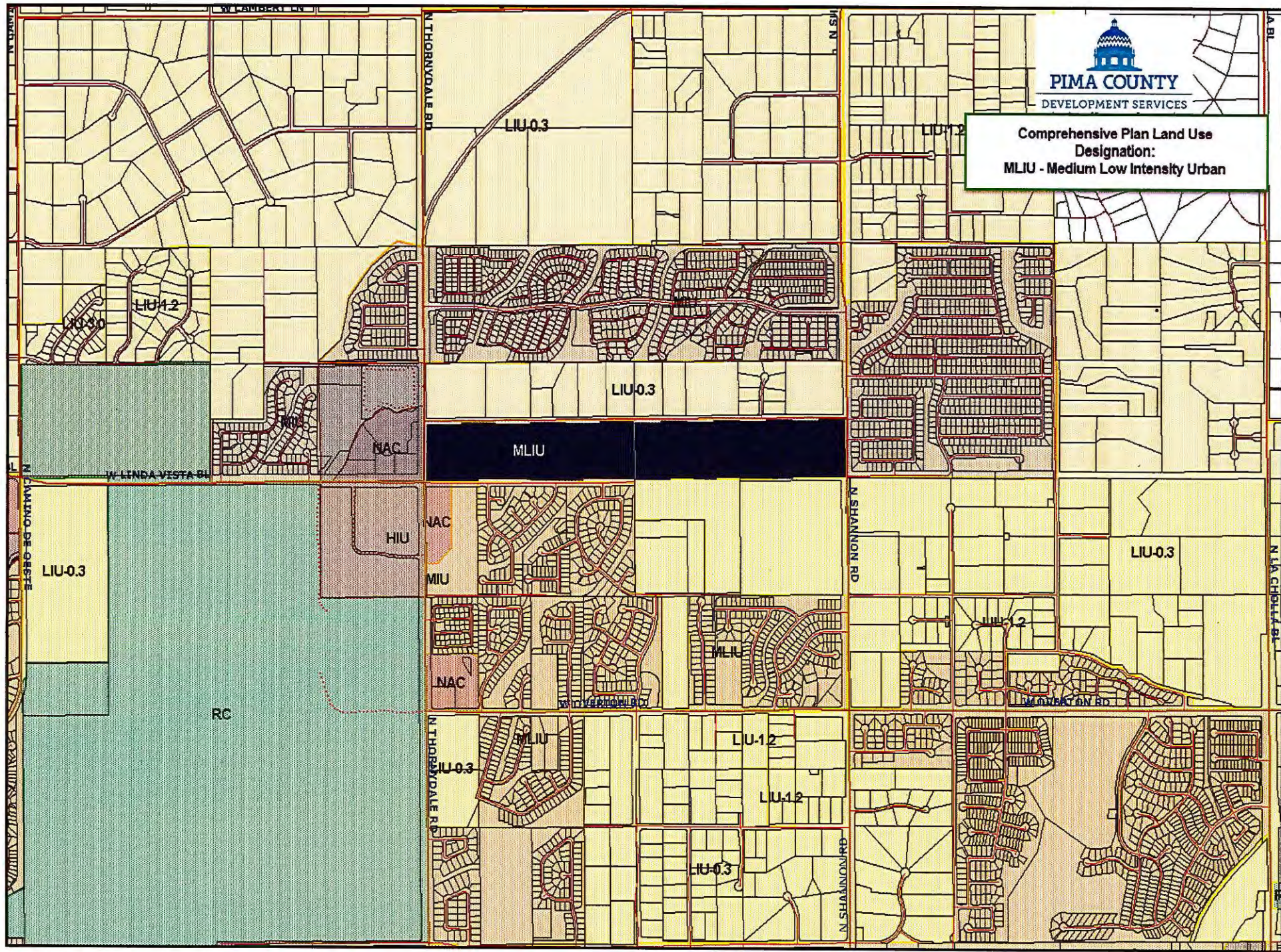
Medium Low Intensity Urban (MLIU)

- a. Objective: To designate areas for a mix of medium density single-family and lower density attached dwelling units; to provide opportunities for a mix of housing types throughout the region.

- b. Residential Gross Density: Residential gross density shall conform to the following:
 - 1) Minimum – 2.5 RAC
 - 2) Maximum – 5 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 – 2.5 RAC
 - 2) Maximum – 4 RAC.

**Comprehensive Plan Land Use
Designation:
MLIU - Medium Low Intensity Urban**





Coalition for Sonoran Desert Protection

758 N. 5th Ave., Suite 212
Tucson, Arizona 85705
520.388.9925 sonorandesert.org

November 28, 2017

Arizona Center for Law in
the Public Interest
Arizona Native Plant
Society
Bat Conservation
International
Cascabel Conservation
Association
Center for Biological
Diversity
Center for Environmental
Ethics
Defenders of Wildlife
Desert Watch
Environmental Law
Society
Friends of Cabeza Prieta
Friends of Ironwood Forest
Friends of Madera Canyon
Friends of Saguaro
National Park
Friends of Tortolita
Gates Pass Area
Neighborhood
Association
Genius Loci Foundation
Native Seeds / SEARCH
Protect Land and
Neighborhoods
Safford Peak Watershed
Education Team
Save the Scenic Santa Ritas
Sierra Club – Grand
Canyon Chapter
Sierra Club – Rincon Group
Sky Island Alliance
Society for Ecological
Restoration
Southwestern Biological
Institute
Tortolita Homeowners
Association
Tucson Audubon Society
Tucson Herpetological
Society
Tucson Mountains
Association
Wildlands Network

Brad Johns, Chair
Pima County Planning & Zoning Commission
130 W. Congress St.
Tucson, AZ 85701

RE: P17RZ00006 Wong Family LP – W. Sumter Drive Rezoning

Dear Chair Johns & Commissioners,

Thank you for the opportunity to provide comments on the proposed W. Sumter Dr. Rezoning (P17RZ00006 Wong Family LP – W. Sumter Drive Rezoning).

This 77.95-acre parcel contains multiple Conservation Lands System (CLS) categories under the Comprehensive Land Use Plan. These include Important Riparian Area (IRA), an underlying Multiple Use Management Area with a Special Species Management Area (SSMA) overlay, with the entire property falling within SSMA.

The CLS categories present on the property have associated open space guidelines: at least 95% open space in IRA and 80% open space in SSMA. CLS guidelines call for on-site conservation and/or off-site mitigation if development commences.

This parcel is also designated as *Highest Priority Private Habitat Protection Priority* in the Conservation Bond Program, which qualifies it for acquisition and is intended to “guide implementation of the county’s Multi-Species Habitat Conservation Plan.” The Bond Implementation Ordinance states,

The objective of developing the Habitat Protection Priorities was to apply a set of biologically based goals and criteria to the Conservation Lands System to: 1) identify the most important lands to protect first; 2) provide recommendations on the sequencing of land preservation efforts; and 3) design a project so that it can be easily incorporated into an adaptive management program to be implemented over the life of the Federal Section 10 Permit using the best scientific information available.

In other words, this is an important parcel and needs to either be protected on-site or the habitat lost needs to be suitably mitigated for by protecting other, biologically-important land.

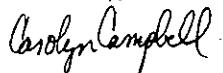
The Coalition for Sonoran Desert Protection supports the applicant’s proposal to comply with CLS guidelines by using on-site conservation and off-site mitigation. Off-site mitigation guidelines have been implemented by Pima County on other projects and are included in the new draft Environment Element in *Pima Prospers*. The guidelines provide direction on how to appropriately select off-site mitigation lands and state the following:

- 1) The location of off-site mitigation properties should be within the same general geographic region of the original project site.
- 2) Off-site mitigation property should provide the same or better resource values as the original project site including, but not limited to:
 - a. Conservation Lands System (CLS) designations inclusive of 2004 Conservation Bond Habitat Protection Priority designations;
 - b. Vegetation community type (s);
 - c. Habitat values for applicable CLS Special Species (e.g., breeding, dispersal);
 - d. Surface water or unique landforms such as rock outcrops; and
 - e. Contribution to landscape connectivity.
- 3) Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

We support the inclusion of Special Conditions #5A-B as outlined in the staff report. We also request that staff work with the Coalition on the suitability of the off-site mitigation parcel(s) for compliance with the off-site mitigation guidelines.

Thank you again for the opportunity to comment. If you have any questions, please do not hesitate to contact me.

Sincerely,



Carolyn Campbell

Director

October 20, 2017

Re: Property at the northeast corner of Thornydale Blvd & Linda Vista Blvd

Dear Property Owner:

You are invited to attend a meeting to be held on Monday, October 30, 2017, at 6:00 pm in the Mountain View Baptist Church at 3500 W. Overton Road. The purpose of the meeting is to discuss the rezoning request that was recently submitted to Pima County affecting the referenced property. The locations of this property and of the Mountain View Baptist Church property are depicted on the map which is enclosed.

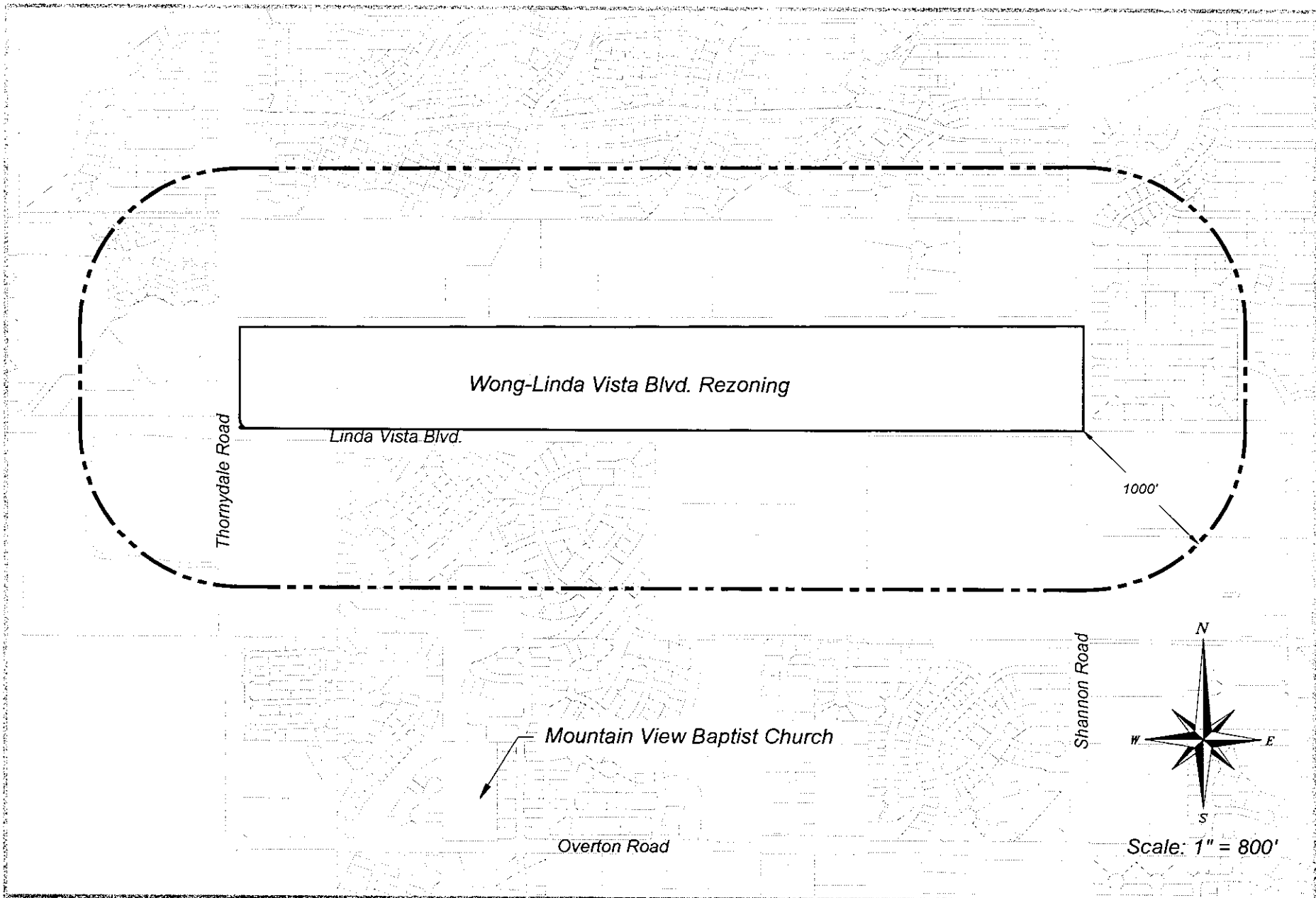
The request we have filed is to change the zoning designation from SR to CR-4 for this property. Along with the application a preliminary development plan was submitted which depicts a single family residential project of 200 lots. This submittal conforms with the Pima Prosper Plan which designates the property as Medium Low Intensity Urban (MLIU).

I look forward to your attendance at the meeting. If you are unable to attend though, and you are interested in getting information on the rezoning request, you may call me at 885-5021, but please wait till after the meeting. Thank you.

Sincerely,



Michael Marks, AICP
President



Wong-Linda Vista Blvd. Rezoning

Thornydale Road

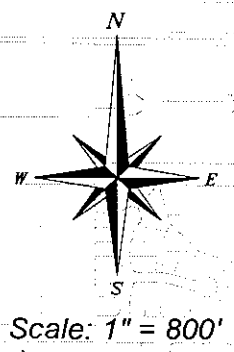
Linda Vista Blvd.

1000'

Shannon Road

Mountain View Baptist Church

Overton Road



MJMJ CONSULTING, INC.
Land Planning and Development Services
 6401 E. Shepherd Drive Tucson, AZ. 85710 Phone: 520-885-5021

Wong - Linda Vista Blvd.
 APN: 224-44-060A and 224-44-0710
 Section 17, T 12S, R 13E, G&SRM
 Pima County, Arizona

Neighborhood Meeting

WONG-LINDA VISTA BLVD REZONING NEIGHBORHOOD MEETING SUMMARY

To: Teri Tillman, Senior Planner
Pima County Department of Development Services, Planning Division
From: Michael Marks, AICP
MJM Consulting, Inc.
Re: P17RZ00006 Wong – Linda Vista Blvd Rezoning
Date: November 2, 2017

On Monday evening, October 30th I held a neighborhood meeting for the referenced rezoning case. The meeting was held in the Mountain View Baptist Church, which is located at 3500 W. Overton Road. Prior to the meeting I sent out letters to all of those within 1000 feet plus two applicable homeowner associations, all amounting to 500+ letters.

At the meeting there were 10 people who signed the sign-in sheet, exclusive of project team members. I am quite certain that there is one other person that attended that did not sign in.

I gave a presentation describing the project. I showed a Location Map to identify where the property is situated and what other land uses are nearby. I showed an Aerial Photo of the subject and surrounding area to further identify the existing land uses. I showed an exhibit of the nearby area identifying the Pima Prosper land use designations, allowing me the opportunity to describe the meaning of those designations. I then showed an exhibit of the nearby with the Existing Zoning designations, allowing me the opportunity to show how much CR-4 & CR-5 zoning is nearby and to describe what the requested CR-4 would allow.

After that I showed the Preliminary Development Plan (PDP). I indicated that there are a total of 200 lots, that the site has a gross acreage of 77.95 acres, and that the proposed density is 2.57 RAC. I indicated that the lot sizes are in the 5,000 and 6,000 square foot range and that the building heights will be one and two-story. I indicated that the washes would be left natural. I pointed out where the project would take access, from Linda Vista Blvd & Shannon Rd & Sumter Dr. I added that the builder will be required to build Linda Vista Blvd so it will be connected from Thornydale Rd. to Shannon Road.

I explained that the PDP would be required to be adhered to as a result of a rezoning condition, and so it would not matter who the builder would be, as any builder who would eventually develop the property would need to comply with that rezoning condition. I also explained the rezoning process, in terms of the Planning Commission hearing and then final Board of Supervisors hearing, and that any approval would be granted subject to standard and special conditions.

I opened up the meeting to questions and comments. Here are the ones, along with my answers, that are most memorable.

1. The exhibits, and in particular the PDP exhibit, displayed on the screen were not very clear. I explained that I had provided the Church the exhibits by email and that they then converted it to a format appropriate for projection. I responded saying I agreed that the exhibits were not sufficiently clear and so I shared the Site Analysis Report and asked that it be passed from one attendee to another, so the original map could be

WONG-LINDA VISTA BLVD REZONING NEIGHBORHOOD MEETING SUMMARY

- understood better. I also committed to emailing each person in attendance a copy of the PDP.
2. One lady from a subdivision south of Linda Vista Blvd, who was active in the PRF3 Rezoning that I was involved with, asked if there could be a limitation of 2-story homes along the perimeter of the project like was agreed to in the PRF3. I responded that in the PRF3 project there were lots/homes that were backing up to existing homes/lots, and said in the current project we had streets along all four sides creating a substantial separation of homes, making the impacts of two-story homes much less significant.
 3. One attendee said it is not a 'positive' thing to extend Linda Vista Blvd so it connects with Shannon Road, since we are happy living along a dead-end street. I explained that the County will require this connection and that it should provide benefits to area wide traffic.
 4. One neighbor asked what change could a builder make to the PDP without going through a substantial change (which I had mentioned previously). I indicated that any change in the number of units greater than 10% would constitute a substantial change.
 5. One attendee said we should consider constructing a walking path along Linda Vista Blvd. I responded that if we are required to build a sidewalk or path we would have to do it on the north side of the roadway.
 6. One neighbor asked about the schools to be impacted and whether there is sufficient capacity. I responded that I received a letter from the Marana School District saying that all three affected schools would have sufficient unused capacity to accommodate the anticipated students from our project.
 7. One or two neighbors asked about the projected traffic on all surrounding streets. I responded that our Traffic Engineer has prepared a Traffic Study and it has been submitted to the County and that the content would be used by the County in determining what roadway improvement related rezoning conditions would be necessary.
 8. One attendee asked what the timeline is. I explained what would happen after a rezoning approval, in terms of the preparation and review of the subdivision plat and engineering and building plans, and the construction of the onsite and offsite improvements. I explained how long all of this would generally take, and that the first homes would not be expected to be built and occupied until the year 2020 and that build-out would not be expected to the year 2024.
 9. One neighbor asked what the difference is between MLIU and CR-4. I explained how one is a land use plan designation and the other a zoning category. I added that they complement each other.

Since the meeting I have emailed all of the exhibits I displayed at the meeting to all people who attended the meeting. Then a day later I mailed a full set of those exhibits to each of those same people.

WONG-LINDA VISTA BLVD REZONING NEIGHBORHOOD MEETING SUMMARY
ADDENDUM

To: Teri Tillman, Principal Planner
Pima County Department of Development Services, Planning Division
From: Michael Marks, AICP
MJM Consulting, Inc.
Re: P17RZ00006 Wong – Linda Vista Blvd Rezoning
Date: November 17, 2017

There is one matter I want to make you aware of involving one of the neighbors who attended the neighborhood meeting. As I indicated in my 'Neighborhood Meeting Summary' the exhibits I used at the Mountain View Baptist Church (MVBC) did not read as good as the attendees and I would have liked. I indicated that I emailed all of the exhibits to the attendees and then I mailed them to those same people as well.

Subsequently I got an email from one of those attendees, a Mr. Jim Livings who owns property on the north side of Sumter Drive. His email, dated November 3rd, said the following:

"We got the email with the pictures, but in the email and the letter, the visual you had up for most of the meeting that was showing more open space and we were saying that that wasn't at all like the layout in the book wasn't included."

In response I wrote an email on November 6 to Mr. Livings. It said:

"I want to respond to your comment. The open space shown on the different versions of the Preliminary Development Plan (PDP) you saw at the neighborhood meeting is exactly the same. Attached are several versions of the PDP plus a file with the Open Space highlighted.

The 'PDP.NeighMeeting.1' file shows the Plan I showed on the screen. The 'PDP.Report.Draft.1' file shows the Plan as it was in the Site Analysis Report that you looked at. The 'PDP.Report.Final' shows the Plan as it was subsequently revised, to make changes per comments I received from the staff. And, lastly the 'PDP.Open Space' shows all three different versions with the open space highlighted.

The 'PDP.Open Space' file highlights the open space in green, on all three PDP versions. The area in each is exactly the same. I'm sorry for any confusion resulting from the quality of the plan that was shown on the screen. I hope this clarifies the matter. Please let me know if you have any remaining comments.

You asked about getting the Site Analysis Report. It will be put up online by staff some time prior to the public hearing. When I know it is online I will send you an email with directions on how to find it."

In response Mr. Livings wrote an email back that same day, and it said:

"None of those are what you had up on the screen. You were saying how many units in each of the 3 areas and the # didn't make sense with the visual shown. The ones you sent show the other lots but that's not what you presented to the group."

In response to that email I wrote another one on November 6 which read:

"The map entitled 'PDP.NeighMeeting.1' is the one I showed at the meeting. If this is a problem you still need help understanding there is just one more thing I can do, and that would be meeting you at the Church, when a Church official is available, and having the Church official showing the exhibits for both of us. I would go to that length to help you through this, if it is necessary. Thanks."

Mr. Livings agreed to meet me at the Church. I then made arrangements with the Church pastor. On November 15th, at 10 am, I met Mr. & Mrs. Livings and Pastor Mark at the MVBC. The Pastor showed the Livings the all of the exhibits I sent to the Church on a monitor which displayed the exhibits clearly. He then displayed those same exhibits on the large screen and again, like at the neighborhood meeting, the exhibits did not read as clearly as they should have. Mr. Livings seemed to accept the explanation that the lack of clarity of the exhibits on the large screen was not a result of anything that I did, intentionally or unintentionally. In any event the Livings have had the correct PDP since November 6th since receiving my email.

WONG-LINDA VISTA BLVD REZONING NEIGHBORHOOD MEETING SUMMARY
ADDENDUM #2

To: Teri Tillman, Senior Planner
Pima County Department of Development Services, Planning Division
From: Michael Marks, AICP
MJM Consulting, Inc.
Re: P17RZ00006 Wong – Linda Vista Blvd Rezoning
Date: November 28, 2017

Since sending you the Neighborhood Meeting Summary Addendum #1 there is one more, and only one more, issue that has come from the neighborhood, and more specifically from Mr. Livings. On November 15th, at the conclusion of my meeting with Mr. & Mrs. Livings at the Mountain View Baptist Church, Mr. Livings asked about the outdoor lighting to be used at the planned project. He specifically asked if the lighting would comply with the Dark Sky regulations. I said I did not know, but that I could say that the project would comply with the Pima County Outdoor Lighting Code, to the extent that it applied. Since that discussion I have pursued information on the subject and exchanged emails with Mr. Livings on the lighting issue.

On November 15, Mr. Livings sent me an email with information with links to different web sites about the IDA (i.e. the International Dark Sky Association) approval. On November 16, I spoke face to face with Charlie Bard, a Pima County Building & Site Development Plans Examiner, who said the Pima County Outdoor Lighting Code (i.e. the OLC) was strong and he then pointed out how it applied to residential projects. He added that if I wanted more detail on the subject I could call another Buildings Codes official, who was not in at the time.

I spoke with the builder about its typical outdoor lighting. I was told that as part of the model home permit process a set of calculations were prepared to demonstrate compliance with the OLC. On November 20 I sent Mr. Livings an email which read as follows:

“The Outdoor Lighting Code does affect residential projects as it does commercial ones. I’ve spoken with the builder and I’ve been told that the model home permits applications include a lighting (i.e. lumens) calculation to demonstrate compliance. So, that will happen here as well. The outdoor home lights are shielded and are called ‘coach lights’.”

On the same day, November 20, Mr. Livings sent me an email which said:
“But are the(y) IDA approved fixtures? Jim”

I spoke with the builder again who said they comply with the OLC and do not know about the IDA approval standards. I also spoke with Chris Anderson, the County’s Building Codes lighting expert, and then sent Mr. Livings this email.

“I talked again to the builder and also to the Pima County Building Codes Department (PCBCD). I can’t say for sure whether the outdoor house fixtures to be installed by the builder will be IDA approved or not, but I can say they will comply with the Pima County Outdoor Lighting Code (PCOLC). Chris Anderson of the PCBCD explained to me that the PCOLC will allow 39,000 total lumens per developable acre, with only 9,000 of them allowed to be unshielded. He went on to say that the County’s ordinance is quite strict. I hope this helps.”

I then got an email from Mr. Anderson, which said:

“This property (parcel 224-44-060A) is located in lighting district E3a which is one of the least restrictive areas.

Per the Outdoor Lighting Code Table 401.1: 39,000 total lumens (both fully shielded and unshielded) are allowed per acre of developed area. We generally interpret “developed area” as the graded area on a site. Of the 39,000 total lumens per acre of developed area only 9,000 lumens can be unshielded. Here are some definitions in the OLC:

Shielded. An Outdoor Light Fixture having shields permanently installed to provide full cutoff photometric performance.

WONG-LINDA VISTA BLVD REZONING NEIGHBORHOOD MEETING SUMMARY
ADDENDUM #2

Full Cutoff Light Fixture. A full cutoff light fixture is a luminaire where no candela occur at or above an angle of 90 degrees above the nadir. This applies to all lateral angles around the luminaire. Such candela information shall be as determined by a photometric test report from a nationally recognized independent testing laboratory and as certified by the manufacturer. Any structural part of the luminaire providing full cutoff angle shielding shall be permanently attached.

In other words, the lamp or lens in the light fixture cannot extend below the solid housing so that light is emitted at an angle above 90-degrees from the housing bottom. Also, the light fixture housing below the lamp cannot be reflective. This would allow the light to refract above 90-degrees to the horizontal.

We have seen light fixtures labeled by the manufacturer "Dark Sky compliant" which do not meet these requirements. This leads me to suspect that the City of Tucson/Pima County Outdoor Lighting Code is more stringent than the National Dark Sky Code. As I said, I have not heard of the national code and really do not know if the COT/PC OLC complies with it in all details.

My guess is that three unshielded coach lights with 60 watt incandescent lamps (900 lumens each) will probably be ok; however a calculation using the developed area in each parcel in the subdivision will need to be submitted to verify.

Hope this answers your questions.

Christopher Anderson, RA
Pima County Development Services
Building Site Review Project Manager

I think I have pursued this subject as far as should be necessary. I believe that compliance with the Pima County Outdoor Lighting Code should satisfy the matter.

Terri Tillman

From: noreply@server.mailjol.net on behalf of allForms <noreply@server.mailjol.net>
Sent: Friday, September 22, 2017 1:45 PM
To: DSD Planning
Subject: Application For Rezoning or Specific Plan
Attachments: 10615822.zip

Form Results	
Disregard	***>>> DISREGARD The message above the Form Results ROW <<<***
Note about attachments	***>>> Pima County virus software CYLANCE automatically scans files. There IS NOT a right mouse scan this file option. Attachments are scanned by our email appliance when received, then again by Cylance when saved or opened. <<<***
Owner Name	Wong Family Limited Partnership
Owner Address	5975 E. Speedway Blvd
Owner City	Tucson
Owner State	AZ
Owner Zipcode	85712
Owner Phone	(520) 870-5872
Owner_Email	dantenpro@aol.com
Applicant Name	Michael Marks, AICP
Applicant Address	6401 E. Shepherd Hills Dr
Applicant City	Tucson
Applicant State	AZ
Applicant Zipcode	85710
Applicant Phone	(520)241-8876
Applicant_Email	mjmconsulting@cox.net
Property Address	Not Assigned
Property Parcel Number	220-44-0710 & 220-44-060A
Property Acreage	77.95
Property Present Zone	SR
Property Proposed Zone	CR-4
Policies	Tortolita Planning Area/MLIU/No Policies
FTP-Link	

Signature	I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)
Application Date	22-Sep-2017
More Information about this submission and submitter	
Submission ID	10615822
Date & Time	22nd Sep 2017 1:45 PM
Form Location	http://web1.pima.gov/applications/rezoning/
IP Address	68.228.227.36
Browser info	Mozilla/5.0 (Windows NT 10.0; WOW64; Trident/7.0; rv:11.0) like Gecko
Predicted Country	United States

September 14, 2017

Thomas Drzazgowski
Assistant Planning Director
Pima County Department of Development Services -
Planning Division
201 N. Stone, 2nd Floor
Tucson, AZ 85710

Re: Property at the northeast corner of Thornydale Road & Linda Vista Blvd

Mr. Drzazgowski:

Please consider Michael Marks, AICP of MJM Consulting, Inc. as duly authorized to act on behalf of the ownership in processing a rezoning application for the referenced property (i.e. Parcels 224-44-060A & 224-44-0710). If you have any questions please do not hesitate to call. Thanks.

Sincerely,

Daniel Wong

Daniel Wong
Manager of the Wong Family Limited Partnership