

3. The proposal includes encroachment into floodplains and Pima County Regulated Riparian Habitat that are identified on the Regional Hydrology Maps, which is in non-conformance with Pima Prospers and the intent of PCC Title 16. Unless justified, Resource Areas shown on the Regional Hydrology Maps including floodplains and riparian habitat shall be avoided, contained within open space and dedicated to the District if determined necessary during the platting process. Modified Development Standards process should be employed to maintain lot yield. Post-development floodplains shall be included in the Pima Prospers Regional Hydrology Maps.

4. The western wash is proposed to be re-routed from a diagonal course from northeast to southwest to a perimeter channel along the north and west boundaries of the site. No documentation that the proposed design complies with Section 404 of the Clean Water Act has been provided. The exit point of the proposed channel at Magee Road does not align with the existing dip section within Magee Road designed to convey flow to the constructed drainage channel to the south. Instead, this site's proposed channel exits immediately north of private property walls, and a proposal for directing flow to the dip section has not been provided.

5. During the inter-departmental Site Analysis Completeness Review, the District recommended revising the design to reduce the encroachments and natural drainage alterations. The applicant has declined to do so.

6. A Preliminary Integrated Water Management Plan (PIWMP) has been included. In addition to meeting the Site Analysis Requirements, and in order to address the Pima Prospers Water Element, the applicant included Metropolitan Water's "Annual Water Level Monitoring Report" dated March 9, 2015. This report provided well location and more detailed groundwater trends information. This information facilitates the following staff review for compliance with the Water Policy.

7. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:

- a. The site is within the Metropolitan Water District service area. They *do not utilize a renewable source*.
- b. Per the ADWR Well Inventory, those wells within one mile had depths to groundwater between 225' and 782' however dates tested range from 1982-1989. Furthermore most of these exceed 400' with those few in the 200s closest to the Canada del Oro Wash. Per "Mason, Dale, 2014, Technical Memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment Model Projection, Arizona Department of Water Resources", between the years 2010 and 2025 groundwater depth at the site is predicted to change between minus 10 feet to minus 20 feet and be 450 to 600 feet below the surface by 2025.
- c. The site is within a mapped subsidence zone. Between 1987 and 2005, 0 - 1 inch of subsidence was detected.
- d. The nearest Groundwater-Dependent Ecosystem to the site is the perennial section of the Santa Cruz River 2.2 miles away.
- e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1,600-3,200 feet. Pima County's Water Resources Impact Assessment finds that the proposed **project will not have access to renewable water**. Project demand is estimated to be 34.54 acre feet per year. While no demonstration that hydrogeologic connectivity does not exist to the Santa Cruz River, Shallow Groundwater Area has been submitted as required by the Site Analysis Requirements. Based upon the distance to shallow groundwater areas, the additional water use **is not likely to have significant adverse impacts on groundwater dependent ecosystems**. Per Resolution 2008-72, the District does not recommend denial. Per Pima Prospers Policy 9c and 9d, additional offsets would be required to reduce the increased water use to that of existing zoning. This method has not yet been formalized and use of conservation measures committed to and identified on Table B accomplishes this offset under current policy.

In conclusion the District finds that the project **meets concurrency requirements; however the eastern drainage proposal remains problematic.** If the rezoning is approved, the District recommends conditions under #4 of the Standard and Special Conditions in this report.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the rezoning request and offers the following comments for your use. Approval of the rezoning would allow for the construction of a single-family and multi-family residential development at the northwest corner of Thornydale and Magee Roads.

The PCRWRD has no objection to the rezoning request, subject to the rezoning conditions recommended under #5 of the Standard and Special Conditions in this report.

ENVIRONMENTAL PLANNING REPORT

Site Conservation Values and Landscape Context:

- Nearly the entire 17.7-acre site lies within the CLS; designations are Special Species Management Area (0.3 acres), Multiple Use Management Area (4.8 acres), Multiple Use Management Area w/Special Species Management Area (11.7 acres). Approximately 0.9 acres is Outside the CLS.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, or Pima pineapple cactus. It does lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl.
- On-site resource conditions: Riparian areas are largely intact. Saguaros (309) and ironwood trees (263) occur on the site in significant numbers.
- The site is not within nor is it adjacent to any Pima County Preserve properties. The County owns and manages two properties in this area for conservation – Arthur Pack Regional Park and an approximately 20-acre PCDOT mitigation property. Both are nearly ¾ mile from the subject property as is The Tucson Audubon Society's Mason Center.
- The site is not identified for acquisition under the 2004 Open Space Conservation Bond Program. Neither is it identified for acquisition under the proposed 2015 Open Space Conservation Bond Program.
- Landscape context: Land uses in the vicinity of the subject property are predominantly residential with some business uses along Thornydale. Residential uses south of Cortaro Farms are more intense in nature with most areas built out at CR-4 and CR-3. The adjoining property to the north, however, is the one notable exception at Suburban Homestead. While there are significant areas north of Cortaro Farms that are preserved as open space or developed at densities more compatible with retaining native biological resources, resources of the subject property are not physically connected and are making only a limited contribution to landscape permeability for biological resources.

Potential Impact to Biological Resources and CLS:

According to the preliminary development plan, approximately 6.5 acres will be retained as natural open space including nearly all of the riparian area, 27% of the saguaros (including 5 of the 7 saguaros over 18' tall) and 31% of the ironwood trees. Impacts to on-site resources will occur at

later stages in the development process. Namely, the riparian area will likely be addressed by the *Watercourse and Riparian Habitat Protection and Mitigation Requirements (Title 16; Ch. 16.30)*; impacts to native vegetation and specifically saguaros and ironwood trees will be addressed when the proposed development is subject to the applicability of the *Native Plan Preservation Ordinance (Title 18; Ch. 18.72)*.

In keeping with Rezoning Policies established for this proposed project, a total of 38 acres of natural open space will be provided in a combination of on- and off-site areas. The preliminary development plan proposes on-site natural open space of approximately 6.5 acres; the balance is to be provided off-site.

In summation, given the site's on-site resources, landscape context, and the mitigation to occur on-site and off-site as specified in the rezoning conditions recommended under #6 of the Standard and Special Conditions in this report, this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS.

CULTURAL RESOURCES REPORT

The Site Analysis can be considered complete for Cultural Resources. The subject property is located within a half-mile of the River Confluence and Middle Santa Cruz Priority Archaeological Site Complexes and within a zone of high archaeological sensitivity (Sonoran Desert Conservation Plan). Staff recommends the rezoning condition found under #7 of the Standard and Special Conditions in this report.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

NRPR finds the site analysis complete.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

In the attached comment dated October 26, 2015, the USFWS reports concerns related to the site and states:

FWS concerns remain the same as submitted earlier under the proposed Comp Plan Amendment. We strongly urge compliance with the Special Species Management Area guidelines as outlined in the Comp Plan Amendment, Section 2 C.

The species potentially impacted is 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 amendment occurs in an area where lesser long-nosed bats have been documented foraging and moving between roosts and foraging areas. It is our recommendation that, if there (are) saguaros occurring within the parcel, (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 an area where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. This parcel has 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 aside as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. The pygmy-owl is a proposed 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 CLS 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 this parcel complies with the CLS guidelines for the special species management designation through either on-site or off-site natural open space set asides. Given the proposed configuration of potential development on this site, it appears that off-site natural open space set asides will need to be included.”

WATER DISTRICT REPORT

Staff has not received a response to a request for comments from Metropolitan Domestic Water Improvement District.

[A letter dated July 14, 2014 from Metropolitan Domestic Water Improvement District (contained in the rezoning site analysis, Page 78) indicates that it will provide water service to the project site.]

SCHOOL DISTRICT REPORT

Marana Unified School District did not respond to a staff request for comments pertaining to the rezoning.

[A letter dated June 23, 2015 from Marana Unified School District (contained in the rezoning site analysis Page 81) indicates that for all four concurrent rezonings, inclusive of the subject property, the District has the capacity to accommodate the future students at the District schools serving the area. One of the four rezonings proposes a commercial development with no residential component.]

FIRE DISTRICT REPORT

Staff has not received a response to a request for comments from Northwest Fire District.

PUBLIC COMMENT

As of the writing of this staff report, staff has not received any written public 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. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. The property owner/developer shall dedicate 45 feet of right-of-way for Magee Road.

- B. The property is limited to two access points as depicted on the preliminary development plan. No direct access to Thornydale Road shall be permitted.
4. Flood Control conditions:
- A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. This requirement shall be made a condition of the Site Construction Permit.
 - B. If improvements modify the Special Flood Hazard Area, a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) will be required.
 - C. Flows from the eastern drainage channel shall be directed to the public drainageway in Orangewood Estates, and required infrastructure within the right-of-way or at the entrance to the drainageway shall be completed at no cost to Pima County.
 - D. Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning subdivision plat. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.
 - E. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management Plan shall be submitted to the District for review and approval at the time of development. The FIWMP shall include a demonstration that no hydrologic connectivity exists between the wells serving the project and shallow groundwater areas per the Site Analysis requirements or additional conservation measures shall be identified to offset the increased use per Pima Prospers Policy.
5. Wastewater Reclamation conditions:
- A. The owner/developer 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/developer to that effect.
 - B. The owner/developer 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/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 PCRWRD.
 - C. The owner/developer 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/developer 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/developer 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/developer 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.

6. Environmental Planning conditions:

- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) conservation guidelines by providing a total of 38 acres as Natural Open Space (NOS). No less than six acres of NOS will be provided on-site; the difference between the total 38 acres of 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 Conservation Lands System Mitigation Lands) and comply with all of the following:
 - 1) The site areas of plan amendment cases Co7-13-03, 04, and 06 are not eligible to serve as off-site NOS;
 - 2) Off-site NOS is acceptable to the Pima County Planning Director or their designee; and
 - 3) 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 Director 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.

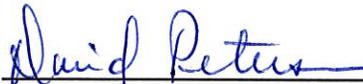
Invasive Non-Native Plant Species Subject to Control:

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
Schinus spp.	Pepper tree
Schismus arabicus	Arabian grass
Schismus barbatus	Mediterranean grass
Sorghum halepense	Johnson grass
Tamarix spp.	Tamarisk

7. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
8. Adherence to the preliminary development plan as approved at public hearing.
9. The property owner shall execute and record the following disclaimer regarding Prop 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)."
10. 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.

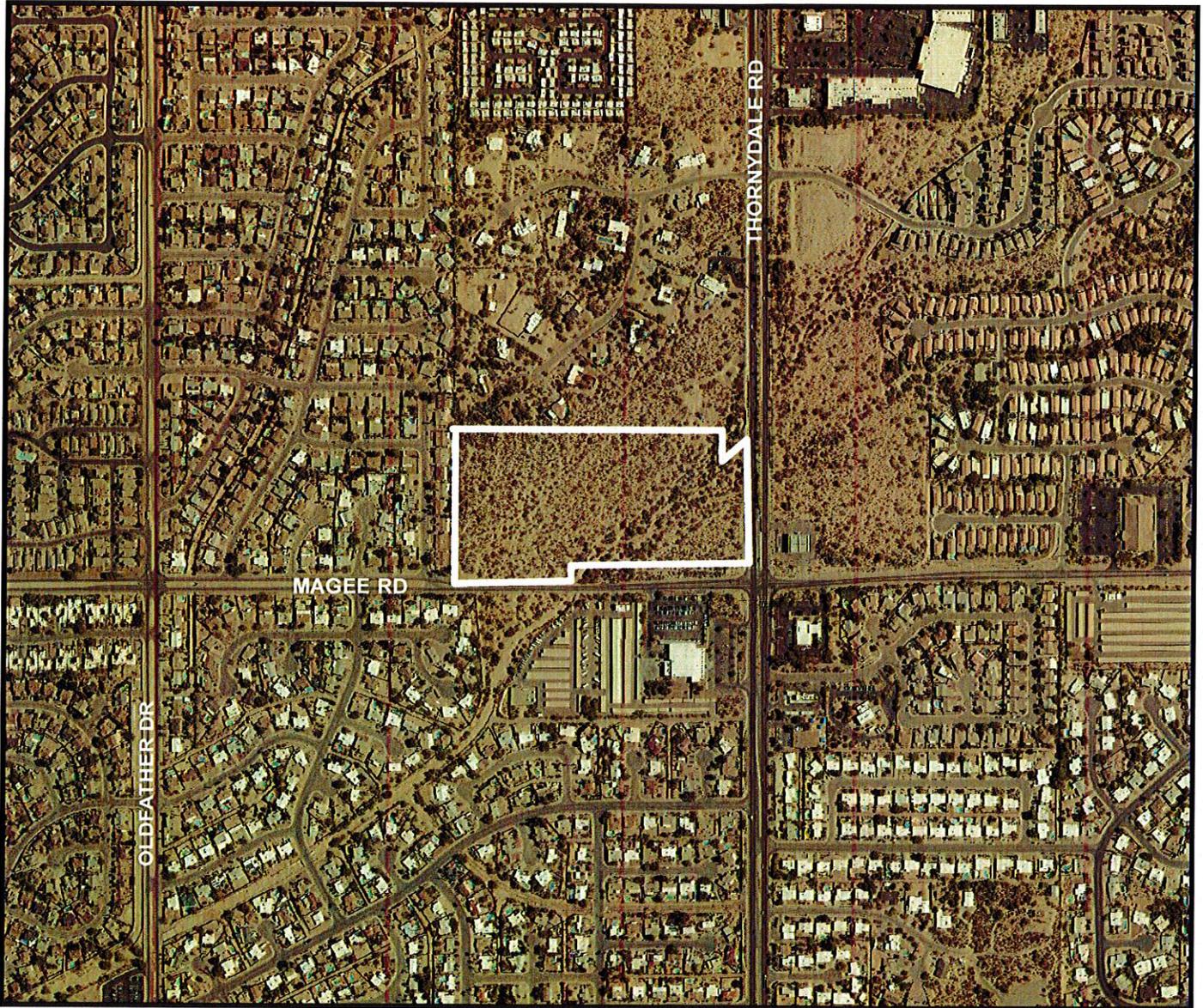
Respectfully Submitted,



David Petersen, AICP
Senior Planner

- c: Mandarin Associates, % Lawrence Leung, 8710 N. Thornydale Road, Ste. 120, Tucson, AZ 85742-5032
Projects International, Inc., Attn: Jim Portner, Principal, 10836 E. Armada Lane, Tucson, AZ 85749-9460

Case #: P15RZ00004
 Case Name: MANDARIN ASSOCIATES - N. THORNYDALE ROAD REZONING
 Tax Code(s): 225-33-066A



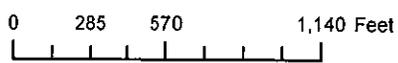
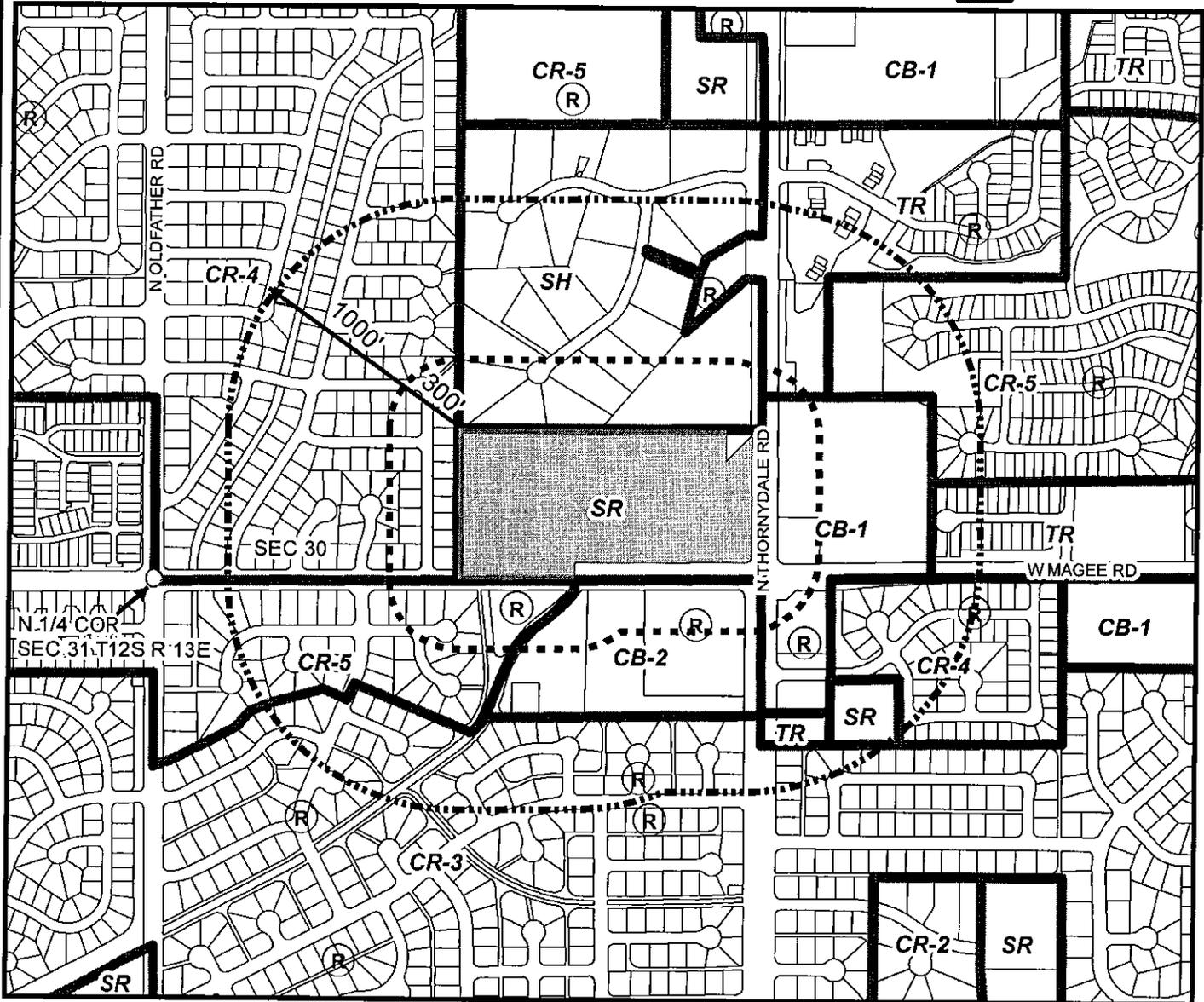
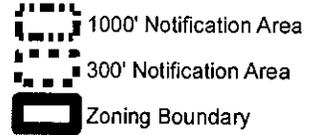
0 285 570 1,140 Feet

Proposed rezoning from SR to CR-5

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes: Ref: CO7-13-05, CO9-78-97, CO9-78-99, CO9-80-5			
	PIMA COUNTY COMPREHENSIVE PLAN CO7-00-20			
	Base Map(s): 114	Map Scale: 1:8,000		Map Date: 10/30/2015

Case #: P15RZ00004
 Case Name: MANDARIN ASSOCIATES - N. THORNYDALE ROAD REZONING
 Tax Code(s): 225-33-066A



Area of proposed rezoning from SR to CR-5

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**



Notes: Ref: C07-13-05, C09-78-99, C09-80-5		
PIMA COUNTY COMPREHENSIVE PLAN C07-00-20		
Planning & Zoning Hearing: 11/25/15 (scheduled)		
Base Map(s): 114	Map Scale: 1:8,000	Map Date: 11/09/2015



PROJECT AREA
 Gross Area: 17.7 AC (Approximate)
 Net Area (Post R.O.W. Dedication): 17.3 AC (Approximate)

PROJECT PARTICULARS
 Existing Zoning: SR
 Proposed Zoning: CR-5
 Comprehensive Plan: MIU

PROPOSED USE(S)
 Single-Family Residential Subdivision (28 Lots)
 Typical Lot Size: 55'x120' (6,600 SF)
 Multi-Family Units/Apartments (Estimated 36 Units Maximum)

BUILDING HEIGHTS
 Maximum 34' Permitted; Project will contain 1-Story and 2-Story Single-Family Residences. Project will contain 2-Story Multi-Family/Apartment Buildings.

ON-SITE STREETS
 Proposed Right-of-Way Width: 50'
 Travel Lanes: Two (2) 12' Lanes
 Total Pavement Width: 36'
 On-Street Parking: Allowed Both Sides
 Sidewalks: 5' Sidewalks Both Sides

PARKING, LOADING, ETC.
 Parking for the Single-Family Subdivision and the Multi-Family/Apartments component will be in accordance with Sec. 18.75. Final demonstration of same, together with provisions for loading, trash collection, etc., will be demonstrated at the time of future Subdivision Platting and Site Development Package review.

BUFFER YARDS
 Bufferyard "C" required along north and west boundaries. Bufferyard "D" required along Thornydale and Magee frontages.

CONSERVATION LANDS SYSTEM (CLS)
 Natural Open Space per this PDP: 6.5 AC

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
 10836 E. ARMADA LANE
 TUCSON, ARIZONA 85749
 520 850-0917

LEGEND

PDP Boundary

Existing Condition Topographic Contour (1' Interval)

CLS Set-Aside Area (Natural Open Space)

Approximate 100-Year Post-Development Floodplain Limit

Detention Basin

Mapped Riparian Habitat - Xeroriparian "C"

Vehicular Parking Area

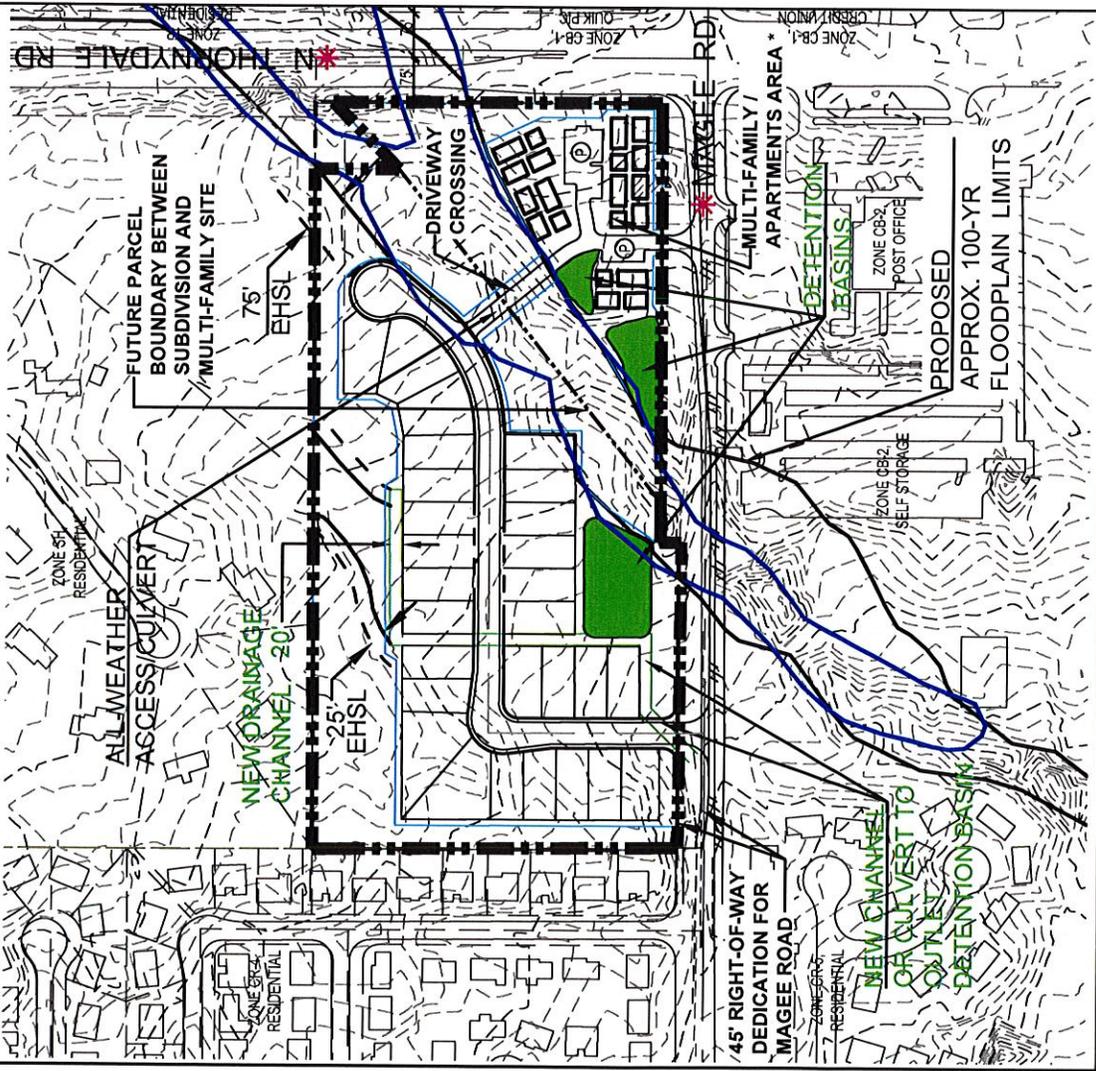
* The multi-family apartments layout depicted here is conceptual only and will be finalized at the time of future Site Development Package.

Thornydale Road and Magee Road are designated Major Streets and Scenic Routes.

Scale: 1"=200'

0 100 200

SCALE IN FEET



Red Point Development, Inc.
 NWC MAGEE & THORNYDALE ROADS
 (Ownership Entity: Mandarin Associates)
 REZONING: SR to CR-5

GRS
 LANDSCAPE ARCHITECTURE

PROJECTS INTERNATIONAL, Inc.
 STRATEGIC GUIDANCE
 ENTIREMENT PROCESSES
 LOCAL ADVICE & COUNSEL

P15RZ00004 Preliminary Development Plan

EXHIBIT II-B.1a-p
 PRELIMINARY DEVELOPMENT
 PLAN
 PAGE 55

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING**

Larry Kreis, GM Red Point Development, Inc. (see attached for contact information)
 Owner Mailing Address Email Address/Phone daytime / (FAX)

Jim Portner, Principal Projects International, Inc. (see attached for contact information)
 Applicant (if other than owner) Mailing Address Email Address/Phone daytime / (FAX)

Portion of Sec. 30, T12S, R13E 225-33-066A

Legal description / property address Tax Parcel Number

17.77 AC SR CR-5 MIU - Northwest Sub-region
 Acreage Present Zone Proposed Zone Comprehensive Plan Subregion / Category / Policies

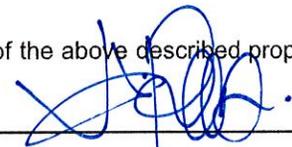
The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ) printout** showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with an **original signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an **original signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, an **original signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit the site analysis fee and eight (8) copies of the site analysis document. If the proposed project will use an on-site wastewater treatment and disposal system (such as a septic system), nine (9) copies of the site analysis document must be submitted. Also submit one CD of the site analysis document.
3. For all rezonings, submit the **entire** rezoning fee.

This application is true and correct 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.

July 30, 2015

 Date



 Signature of Applicant
 Jim Portner

FOR OFFICIAL USE ONLY

Mandarin Associates- N. Thornydale Road Rezoning Co9- P1SRZ00004
 Case name

SR CR-5 114 \$9,269⁰⁰ 1
 Rezoning from Rezoning to Official Zoning Base Map Number Fee Supervisor District

Special Species Mgmt. & Multiple Use Mgmt.
 Conservation Land System category

Co7-13-05 NW/MIU/RP-136
 Cross reference: Co9-, Co7-, other Comprehensive Plan Subregion / Category /Policies

Received by P/4/15 Date T.T. Checked by D.P. Date 8/5/15

RED POINT

DEVELOPMENT INC.

July 24, 2015

Mr. Chris Poirier, Assistant Planning Director
Pima County Development Services Department
Planning Division
201 N. Stone Avenue – 2nd Floor
Tucson, AZ 85701

RE: LETTER OF AUTHORIZATION
Rezoning Application – NWC Thornydale Road @ Magee Road

Dear Mr. Poirier:

As the owner-of-record of the above-referenced property (Assessor's Tax Parcel No. 225-33-066A), Mandarin Associates hereby authorizes Jim Portner of Projects International, Inc. to represent us as the applicant and/or agent in rezoning the property.

In the interests of disclosure, the officers of Mandarin Associates are as follows:

G. Lawrence Schubart, Partner
Lawrence C. Leung, Partner
Daniel K. Leung, Managing Partner
Barbara Chang, Partner
Michael K. Leung, Partner
Edward Louie, Partner

Sincerely,



Daniel K. Leung, Manager Partner
Mandarin Associates

Former Comprehensive Plan

Medium Intensity Urban

'MIU' or 'D' on the Land Use Plan Maps

- a. Purpose: To designate areas for a mix of medium density housing types and other compatible uses.
- b. Objective: These areas provide an opportunity for a variety of residential types, including cluster option developments, and single family attached dwellings. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.
- c. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
 - 1) Minimum - none
 - 2) Maximum - 10 RAC
- d. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's). Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements, however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.
 - 1) Minimum – 3 RAC
 - 2) Maximum – 5 RAC
- e. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
 - 1) GC Golf Course Zone
 - 2) CR-1 Single Residence Zone
 - 3) CR-2 Single Residence Zone
 - 4) CR-3 Single Residence Zone
 - 5) SH Suburban Homestead Zone
 - 6) CR-4 Mixed-Dwelling Type Zone
 - 7) CR-5 Multiple Residence Zone
 - 8) CMH-1 County Manufactured and Mobile Home-1 Zone
 - 9) CMH-2 County Manufactured and Mobile Home-2 Zone
 - 10) MR Major Resort Zone
 - 11) TR Transitional Zone



SEQUENCE: 20143380189
NO. PAGES: 4
RES 12/04/2014 13:21
PICK UP
AMOUNT PAID: \$0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

RESOLUTION 2014- 116

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 17.77 ACRES LOCATED AT THE NORTHWEST CORNER OF N. THORNYDALE ROAD AND W. MAGEE ROAD, IN SECTION 30 OF TOWNSHIP 12 SOUTH, RANGE 13 EAST, IN THE NORTHWEST SUBREGION.

IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map, Northwest Subregion, is hereby amended to change the planned land use intensity category for approximately 17.77 acres, as referenced in Co7-13-05 Mandarin Associates – N. Thornydale Road Plan Amendment, located at the northwest corner of N. Thornydale Road and W. Magee Road, in Section 30, Township 12 South, Range 13 East, as shown on the map attached to this Resolution as Exhibit A and incorporated by this reference, from Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Medium Intensity Urban (MIU).

Section 2. The Pima County Comprehensive Plan Regional, Rezoning and Special Area Policies are hereby amended to include the subject site with the following Rezoning Policies:

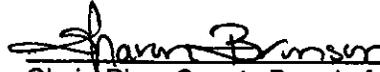
- A. Notwithstanding the land use designation on the Land Use Plan, areas which will not be removed from the 100-year floodplain through implementation of plans approved by the Pima County Regional Flood Control District and areas of Pima County Regulated Riparian Habitat shall revert to Resource Transition at the next appropriate annual plan amendment program period.
- B. Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.
- C. Future development shall be in full compliance with the Special Species Management Areas conservation objectives as established by the Conservation Lands System – Regional Environmental Element. Subsequent rezoning(s) will be considered in conformance with this policy when all of the following are met:
 1. Natural open space set-asides will either be provided entirely within the amendment area or as a combination of on-site and off-site areas;

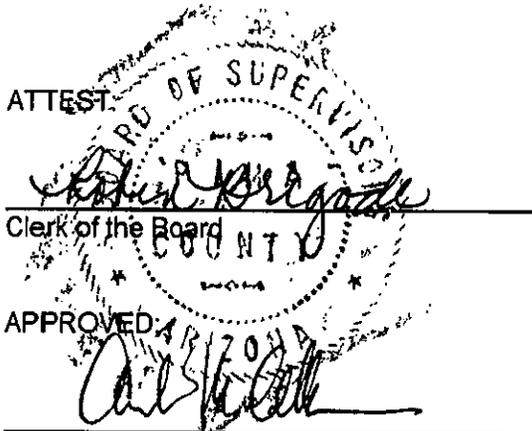
2. The site areas of plan amendment cases Co7-13-03, 04, and 06 are not eligible to serve as off-site set-asides;
3. Off-site set-aside areas are acceptable to the Pima County Planning Official or designee;
4. Off-site set-aside areas are permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or designee; and
5. The approximate minimum total natural open space (NOS) set-aside is 38 acres; the approximate minimum on-site NOS set-aside is 7 acres; and the approximate minimum off-site NOS set-aside is 31 acres (acreage may be adjusted accordingly if more than minimum on-site set-aside acreage is provided).

Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 4. This Resolution shall become effective on the date of adoption.

Passed and adopted, this 2nd day of Dec., 2014.


 Chair, Pima County Board of Supervisors **DEC 02 2014**

ATTEST

 Clerk of the Board
 APPROVED:

 Executive Secretary
 Planning and Zoning Commission