



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 21, 2017

Title: P16RZ00011 AJO CAMINO DE OESTE LLC - W. AJO HY. REZONING

Introduction/Background:

The applicant requests a rezoning of approximately 34.13 acres from SR (Suburban Homestead)(BZ)(GZ1)(TDR-RA) to CR-4, CB-1, TR and SR on property located at the southeast corner of S. Camino de Oeste and W. Ajo Hy. for a mixed use project that includes commercial and residential uses. The property lies outside of the Maeveen Marie Behan Conservation Lands System.

Discussion:

Current SR zoning allows for single family residences on minimum lot sizes of 144,000 square feet (3.3 acres). The Comprehensive Plan land use designates the property as Community Activity Center (CAC) and Medium Low Intensity Urban (MLIU). CAC plans for medium and higher intensity mixed use districts that provide a full range of goods and services. MLIU provides for a mix of medium density single family residences with a density between 2.5 and 5.0 residences per acre.

Conclusion:

The requested rezoning conforms to the Comprehensive Plan; the proposal is compatible with the commercial and residential uses of the surrounding properties.

Recommendation:

Staff and Planning & Zoning Commission recommend approval of the rezoning subject to standard and special conditions.

Fiscal Impact:

None

Board of Supervisor District:

1 2 3 4 5 All

Department: Development Services Department - Planning Telephone: 520-724-6675

Department Director Signature/Date: *[Signature]* 2-27-17

Deputy County Administrator Signature/Date: *[Signature]* 2/28/17

County Administrator Signature/Date: *C. P. [Signature]* 2/20/17



PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Richard Elias, Supervisor, District 5

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

DATE: February 27, 2017

SUBJECT: P16RZ00011 AJO CAMINO DE OESTE LLC – W. AJO HY. REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MARCH 21, 2016** hearing.

REQUEST: For a rezoning of approximately 34.13 acres from the SR (Suburban Ranch) (BZ) (GZ-1) (TDR-RA) zone to the CR-4 (Mixed Dwelling Type) (BZ) (GZ-1) (TDR-RA) (7.24 acres) and CB-1 (Local Business) (BZ) (GZ-1) (TDR-RA) (9.02 acres) and TR (Transitional) (BZ) (GZ-1) (TDR-RA) (1.86 acres) and SR (Suburban Ranch) (16.01 acres) (BZ) (GZ-1) (TDR-RA) zone, on property located at the southeast corner of S. Camino de Oeste and W. Ajo Hy.

OWNER: AJO CAMINO DE OESTE LLC
2850 E. Skyline Dr. Suite 100
Tucson, AZ 85718-8013

AGENT: MJM Consulting Inc.
7002 E. 4th St.
Tucson, AZ 85710

DISTRICT: 5

STAFF CONTACT: Tom Drzazgowski

PUBLIC COMMENT TO DATE: As of February 27, 2017, staff has received three emails of concern.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (8 – 0; Commissioners Peabody and Bain were absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (MMBCLS).

TD/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P16RZ00011

Page 1 of 5

FOR MARCH 21, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: February 27, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P16RZ00011 AJO CAMINO DE OESTE LLC – W. AJO HY. REZONING

Request of **Ajo Camino de Oeste LLC** represented by **MJM Consulting Inc. (Mike Marks)** for a rezoning of approximately 34.13 acres from the SR (Suburban Ranch) (BZ) (GZ-1) (TDR-RA) zone to the CR-4 (Mixed Dwelling Type) (BZ) (GZ-1) (TDR-RA) (7.24 acres) and CB-1 (Local Business) (BZ) (GZ-1) (TDR-RA) (9.02 acres) and TR (Transitional) (BZ) (GZ-1) (TDR-RA) (1.86 acres) and SR (Suburban Ranch) (16.01 acres) (BZ) (GZ-1) (TDR-RA) zone, on property located at the southeast corner of N. Camino de Oeste and W. Ajo Hy. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center (21.69 acres) and Medium Low Intensity Urban (12.44 acres). On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Peabody and Bain were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 5)

PLANNING AND ZONING COMMISSION HEARING SUMMARY (January 11, 2017)

Staff presented information from the staff report to the commission with a recommendation of approval with conditions.

A commissioner asked if the comprehensive plan designates this property as an area where growth and development should occur. Staff replied that comprehensive plan supports the uses that are proposed in the development.

A commissioner asked about the bank protection along the development and the portion of the property that is Important Riparian Habitat (IRA). Staff and the applicant discussed the location of the back protection and other barriers that restrict access. Staff discussed the amount of disturbance allowed in IRA which was later discussed by the applicant.

The applicant presented additional information. Some of the additional information provided by the applicant including where access points are to be located, improvements to roads adjacent to the site that will be required, the design and layout of buildings, bufferyard with and dimensions, connectivity of the project with the adjacent residential use.

Speaker #1 spoke in opposition to the request stating concerns for increased transportation and the density of the residential component of the project. In addition, the speaker wanted to ensure that no access would be permitted to the east.

Speaker #2 spoke in opposition to the request stating concerns about how the traffic flow will be changes and the increase in traffic generated by the project. The speaker is concerned that there will be an increase in traffic in the lower density subdivision to the east.

The public hearing was closed and discussion occurred.

Commissioner Gavin made a motion to recommend a **CONTINUANCE** of the rezoning for 30 days.

Commissioner Gungle gave a second to the motion.

The motion to continue the case was not granted (3 – 5, Commissioners Matter, Membrila, Cook, Mangold and Johns voting **NAY**)

Commissioner Johns made a motion to recommend **APPROVAL** of the rezoning subject to standard and special conditions as amended.

Commissioner Membrila gave second to the motion.

The commission voted to recommend **APPROVAL** of the rezoning subject to standard and special conditions as amended. (8 – 0, Commissioners Peabody and Bain were absent)

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 and subdivision as 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. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.
 - B. The property shall be limited to 5 access points, two serving the commercial site on SR-86, two serving the commercial site on Camino de Oeste, and one access point serving the residential site on Camino de Oeste.
4. Regional Flood Control District condition:
 - A. Water conservation measures that provide 15 points per the Preliminary Integrated Water Management Plan methodology in place at the time of development shall be submitted by the applicant with the Site Construction Permit for approval by the Pima County Regional Flood Control District.
5. Regional Wastewater Reclamation conditions:
 - A. The owner (s) 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(s) to that effect.
 - B. The owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

6. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
7. Cultural Resources condition: 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. Natural Resources, Parks and Recreation conditions:
 - A. Construct Ajo Way Greenway G003 with a 30-foot buffer along Ajo Way for the multi-use path, a decomposed path being 15-foot width on the east property line to the wash and 20-foot width along Camino de Oeste to the wash, and a 20-foot path from the eastern boundary to western boundary between the commercial development and residential subdivision, using the Pima County Greenway cross-section details.
 - B. Construct a pedestrian link from the residential subdivision to the commercial development.
9. Adherence to the preliminary development plan as approved at public hearing.
10. The property is subject to both Gateway Overlay Zone and Buffer Overlay Zone.
11. No access is permitted from Avenida Paisano to the residential or commercial development.
12. The area rezoned to SR-@ shall remain natural as depicted on the Preliminary Development Plan (exclusive of the bank protection along the commercial and residential edges as well as the equestrian trail). The applicant shall provide adequate signage and barriers to restrict access to the natural area from the west and east. In addition, barriers are required, where necessary to prevent access to the natural area, along the subdivision lots to the south and commercial areas to the north that abut the natural area.
13. For development of retail stores in excess of 40,000 square feet as outlined in a development agreement recorded at Book 12939 Pages 7309-7306 shall be required. Should the development agreement be extinguished, this requirement would not apply.
14. During the development plan process, the applicant shall contact Tucson Unified School District concerning the provision of adequate space for safe bus stops, bus turnarounds and pedestrian access to the appropriate schools.

15. 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.
16. 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/ar
Attachments

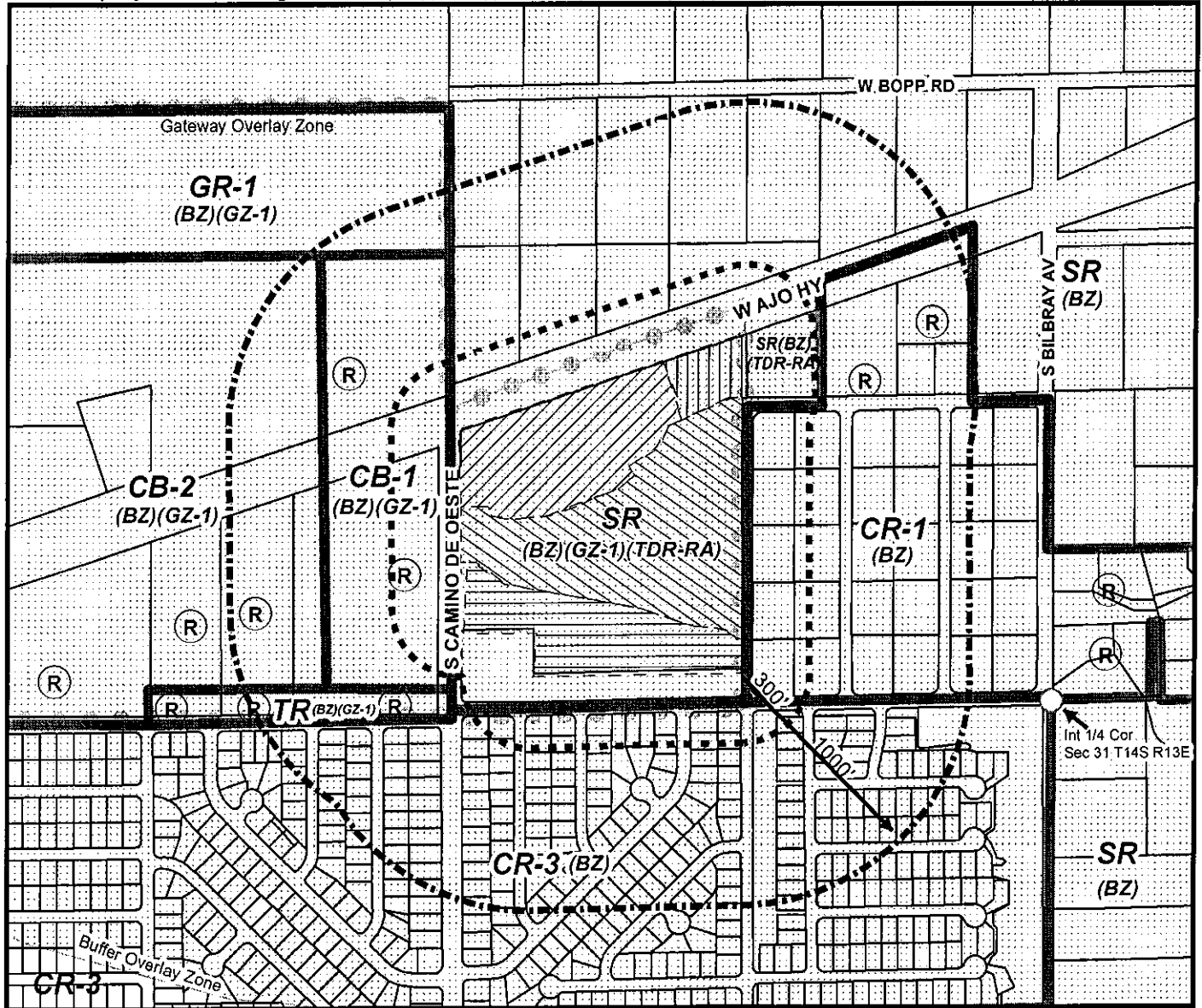
cc: AJO CAMINO DE OESTE LLC, 2850 E. Skyline Dr. Suite 100, Tucson, AZ 85718-8013
MJM Consulting Inc., 7002 E. 4th St., Tucson, AZ 85710
Tom Drzazgowski, Principal Planner
P16RZ00011 File

Case #: P16RZ00011

Case Name: AJO CAMINO DE OESTE LLC - WEST AJO HIGHWAY REZONING

Tax Code(s): 119-45-013A

- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to TR (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to CB-1 (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to CR-4 (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to SR^R (BZ)(GZ-1)(TDR-RA)



- TDR Overlay Zone
- Zoning Boundary
- 1000' Notification Area
- 300' Notification Area
- Buffer Overlay Zone
- Gateway Overlay Zone (GZ-1)

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Sealed survey and/or legal descriptions required for ordinance.

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 01/11/17 (scheduled)

Board of Supervisors Hearing: 03/21/17 (scheduled)

Base Map(s): 17

Map Scale: 1:8,000

Map Date: 02/15/2017 - ds



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

HEARING January 11, 2017

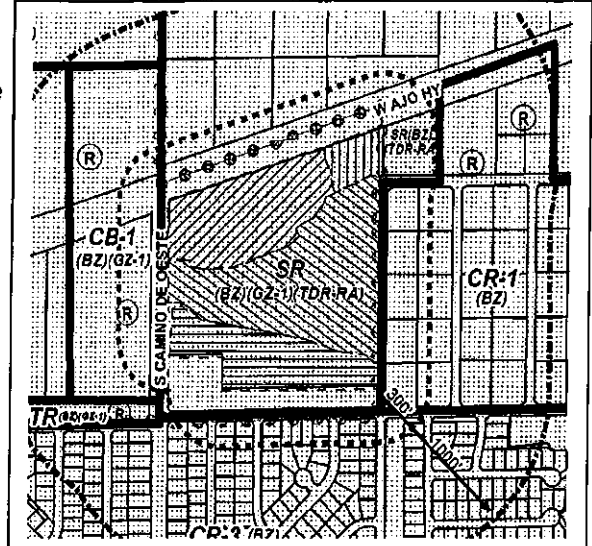
DISTRICT 5

CASE P16RZ00011 Ajo Camino De Oeste
- W. Ajo Hy. Rezoning

REQUEST SR (Suburban Ranch) to CR-4
(Mixed Dwelling Type) to CB-1
(Local Business Zone) and to TR
(Transitional) for approximately
34.13 acres.

OWNER Ajo Camino De Oeste LLC
2850 E. Skyline Dr Suite 100
Tucson, AZ 85718-8013

AGENT MJM Consulting Inc
7002 E. 4th St.
Tucson, AZ 85710



APPLICANT'S PROPOSED USE

The site is proposed to be divided into three main regions. On the north is a commercial/office use that will encompass approximately 10.88 acres. To the south of the commercial/office use is an approximate 16.01-acre open space area. On the southern portion of the property is a 7.24-acre residential development.

APPLICANT'S STATED REASON

The property portrays a classic mixed use project. The northerly section is made up of commercial and offices uses, with the latter located at the east end. The middle section is made up of the post-development 100-year floodplain and other open space including a riparian area. The southerly section is a single-family detached residential area with 29 lots.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

PUBLIC COMMENT

As of January 5, 2017, staff has not received written public comments.

COMPREHENSIVE PLAN

The subject property is designated a mix of two comprehensive plan designations. The northern portion of the property is designated Community Activity Center (CAC) and consists of approximately two-thirds of the property. The remainder of the property is designated Medium Low Intensity Urban (MLIU) by the Pima County Comprehensive Plan. The rezoning request complies with the two designations. Community Activity Center promotes medium and higher intensity mixed uses designated to provide a full range of goods and services. MLIU promotes areas for a mix of medium density single family and lower density attached dwelling units to provide a mix of housing types in the region. Densities between 2.5 and 5.0 residences per acre are suggested. The proposed residential component of the project yields approximately 4.0 residences per acre.

The property is subject to two Special Area Policies. Special Area Policy S-29, Southwest Infrastructure Plan (SWIP) and Special Area Policy S-35, Retail Enhancement Contribution Area applies to the site. The SWIP is an evaluation of the infrastructure needs for a 70-square mile area defined as Tucson Mountain Park (north), Mission Road (east), Tohono O'odham Nation (south) and Sandario Road (west). The policy also provides criteria for evaluating the sustainability of area planning efforts. Some of the criteria for evaluating sustainability efforts relate to focusing development outside of the Conservation Land System, providing a mix of uses, preserving wildlife habitat and make efficient use of land and materials to reduce undesirable emissions and waste. The proposed development meets many of the goals called out in the SWIP. Additionally, Special Area Policy S-35, Retail Enhancement Contribution Area applies to retail stores of 40,000 square feet or more. From the material submitted it does not appear that any tenant will meet the standards for triggering S-35. A condition is proposed should the development change or a tenant that is over 40,000 square feet be added.

The property is also subject to Rezoning Policy RP-21 – Kinney and Ajo Activity Center. This policy has existed on the property since approximately 2002 and restricts the use of retail uses. The area subject to the policy has changed considerably in the last 10-15 years and is now surrounded by residential development that did not exist 15 years ago. This newer residential development is in need of local goods and services that do not require long drive times. Many of the uses depicted on the preliminary development plan are non-retail in nature and will serve the needs of the immediate residential home owners. These include an office use of approximately 16,500 square feet. In addition, gas station, bank and restaurants are proposed uses. Only a portion of the site is exclusively retail in nature. The remainder will consist of residential, office, other commercial uses and open space.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located outside the MMBCLS.

SURROUNDING LAND USES/GENERAL CHARACTER

North	SR	Residential uses and a Church
South	CR-3	Residential
East	CR-1	Residential
West	CB-1/CB-2	Vacant

The subject property is located at the southeast corner of Ajo Highway and Camino de Oeste. The immediate area surrounding the property can be classified as residential with a state highway on the northern boundary. To the west is a vacant property that is commercially zoned. The property to the west is approximately 32 acres and would permit a mix of commercial and office uses. Properties on the north side of Ajo Highway consist of a church use and other residents on properties that are a minimum of 3.3 acres. In addition, there is a feed store located on the northern side of Ajo Highway. East of the subject property is a residentially zoned subdivision of 30 lots. Homes in the subdivision are on properties that are approximately one acre. The subdivision was platted and the homes appear to have been constructed in the 1970's. To the south, is a higher density subdivision of 150 lots. Homes in the subdivision appear to have been built on the last 15 years. Homes to the south are on smaller lots of approximately 8,000 square feet.

PREVIOUS REZONING CASES ON PROPERTY

There is an old rezoning on this property that was closed from the 1960's. Case C09-63-089 was started for the northern portion of the property. The rezoning was from SR to TR and CB-1. The rezoning was never completed.

PREVIOUS REZONING CASES IN GENERAL AREA

There are numerous previous rezonings in the area. Most of these are on the southern side of Ajo Highway. They include rezonings to the south and east for higher density residential and to the west of the subject site for commercial zoning. Most of the approved rezonings in the area date from the 1960's and 1970's.

CONCURRENCY CONSIDERATIONS		
<i>Department</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	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, Subject to Conditions.
SCHOOL	The development will cause schools to continue to function over capacity.	The applicant has agreed to enter into a voluntary contribution agreement to offset minimal increases in students.

CONCURRENCY CONSIDERATIONS		
WATER	Yes	No Objection

PLANNING REPORT

The request is to rezone an approximately 34.13 acres from SR (Suburban Ranch) to a combination of SR, CR-4 (Mixed Dwelling Type), CB-1 (Local Business) and TR (Transitional) to allow a mixed use project that will include commercial, office, residential and other uses.

The preliminary development plan shows the commercial/office area on the northern portion of the property fronting on Ajo Highway. Six buildings are proposed in this area. Two access points are proposed along Ajo Highway two more access points are to be located along Camino de Oeste for the commercial uses. To the south is a large open space that contains a wash and other natural area. Further to the south is a 29-unit residential development that will access off of Camino de Oeste. The residential portion of the project will also access along Camino de Oeste.

The development will connect to the sewer and water will be provided by Tucson Water. A 30 foot bufferyard is proposed along the commercial/office area adjacent to Ajo Highway. In addition, a 20 foot bufferyard is proposed along Camino de Oeste. Both of these bufferyards are consistent with requirements for Gateway. Other bufferyards are shown along the remaining boundaries and range from 15 feet to 50 feet.

The project is subject to the Gateway Overlay Zone. The Gateway Overlay Zone applies to areas near major entry points to the community that protect and enhance the scenic quality of the area. The Gateway encourages well designed buildings and sites, protect and enhance the southwest character of Pima County, and reduce the visual impact of development on scenic vistas. This project will require approval for Gateway by the Design Review Committee (DRC). Elements considered by the DRC include parking design and flow, landscaping, architectural building design and colors, and freestanding sign review.

The property is also subject to the Buffer Overlay Zone (BOZO). The Buffer Overlay Zone purpose is to preserve and protect the open space characteristics of lands in the vicinity of public preserves while still permitting economically reasonable use of lands. In addition, BOZO goal is the continued existence of adequate wildlife habitat and the unimpeded movement of wildlife. Since this site is near Tucson Mountain Park it is subject to the regulations of BOZO. A requirement of 50% of the property shall be preserved as natural open space for this project. For this rezoning a minimum of 17.07 acres would need to be committed to open space. The property owner is committing at a minimum 18.07 acres of the 34.13-acre site be preserved. This demonstrates compliance with the 50% minimum.

Staff supports the proposed development because it should benefit the area by providing a mixed use project that includes commercial, office and residential developments that

are intergraded. The comprehensive plan designations on the property support the uses proposed.

The Community Activity Center (CAC) designation which includes the northern portion of the property proposes medium and higher intensity mixed uses districts designed to provide a full range of goods and services; office and medical uses; hotel; research and development opportunities and other similar uses. The Comprehensive Plan states:

Smaller centers may provide goods and services needed on a more frequent basis. These may include major supermarkets, discount department stores, large variety stores, or special stores such as hardware.

The Medium Low Intensity Urban (MLIU) designation promotes a mix of medium density single family dwellings with a gross density between 2.5 and 5.0.

TRANSPORTATION REPORT

The Pima County Department of Transportation has no objection to this request, as all roadways in the area are functioning under capacity. The northern portion of the rezoning site is a proposed commercial development with access off both SR-86 (Ajo Highway) and Camino de Oeste. Two access points are shown on Ajo Highway and two on Camino de Oeste. The access points on Ajo Highway will be right-in/right-out only driveways. The northernmost access point on Camino de Oeste will be right-in/right-out only due to a median at the intersection of Camino de Oeste and Ajo Highway. The median is one off-site improvement that is stated in the traffic impact analysis.

Proposed uses include offices, a gas station with a convenience store, pharmacy, restaurants and a bank. The southern portion of the rezoning site is a proposed 29 lot residential subdivision with access onto Camino de Oeste. The two sites are separated by a 16-acre parcel that is to remain undeveloped. The developer is expecting a three year build out, at which time the development is expected to generate approximately 6,821 average daily trips (ADT).

SR-86 is an existing four-lane divided major arterial roadway with a 55 miles per hour (MPH) posted speed. There is 200 feet of existing right-of-way. The current traffic volume for SR-86 is 31,600 ADT, and the capacity is 39,800 ADT. SR-86 is a state highway and thus is under the jurisdiction of the Arizona Department of Transportation (ADOT). A traffic impact analysis has been conducted with coordination between ADOT and the Pima County Department of Transportation Traffic Engineering Division. Both parties are satisfied with the recommendations of the document. Upon submittal of a development plan/subdivision plat, an updated version of this document may be required. At this time, the Department of Transportation does not foresee any issues.

Camino de Oeste is an existing two-lane collector with a planned right-of-way of 80 feet on the Major Streets Plan. There is 90 feet of existing right-of-way, therefore; no additional right-of-way will need to be dedicated as part of this project. The posted speed is 35 MPH. The current traffic count is 4,620 ADT, and the capacity is 13,122 ADT. No public

improvements are planned at this time; however, a few off-site improvements will be provided as indicated in the traffic impact analysis.

In conclusion the Department of Transportation has no objection subject to condition #3A-B.

REGIONAL FLOOD CONTROL DISTRICT (RFCD) REPORT

Flood Control District offer the following comments:

1. FEMA floodplains and locally regulated habitat impact the site. The floodplains shown on the Existing Conditions Hydrology Map within the Site Analysis are refined existing conditions maps already submitted to the District for approval by FEMA. This floodplain and the regulated habitat bisecting the site are avoided with the exception of lots in the southwest corner of the site that are to be removed from the floodplain with bank protection and the western portion of the commercial site. The flows from the culvert under Ajo Highway are proposed to be conveyed across the commercial portion of the site in a pipe. Both floodplain modifications will require an additional map revision which must be approved by FEMA and the District. The Floodplain Administrator has approved the use of underground pipes as proposed.
2. A Preliminary Integrated Water Management Plan has been submitted. The applicant has requested that the conservation measures be identified at the time of development and the District agrees that this conforms to the draft revised requirements currently undergoing stakeholder review as part of Pima Prospers implementation.
3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is to be served by Tucson Water which delivers renewable supplies.
 - b. The site is outside the area modeled by the Tucson Active Management Area Safe Yield Task Force however these maps indicate the site to very close to bedrock associated with the Tucson Mountains. Some of the nearest wells are for fuel remediation. These had depths to water under 50 feet when drilled in 2006. The nearest residential supply well located ¾ mile farther from the bedrock area is screened from 160-200 feet with first water at 125 per the 1997 drill log. Reliable trend data was not found.
 - c. The site is not located within a covered subsidence zone.
 - d. The nearest known groundwater-dependent ecosystem is the intermittent section of the Enchanted Hills Wash over one mile away.
 - e. The site is within the Avra Hydrogeologic Basin, and the depth to bedrock is 1600 feet on average.

The project is not expected to have adverse impacts on groundwater dependent ecosystems.

In conclusion, the District has no objection subject to condition #4A:

WASTEWATER MANAGEMENT REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced request for rezoning and offers the following comments for your use. Approval of the rezoning would allow for the construction of a multi-use development at the southeast corner of Ajo Highway and Camino de Oeste.

Regional Wastewater Reclamation Department has no objection to the request subject to conditions #5A-F

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection to this request subject to the addition of condition #6.

CULTURAL RESOURCES REPORT

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

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no objection subject to conditions #8A-B.

TUCSON WATER

City of Tucson Water has no objection to the request.

FIRE DISTRICT

Drexel heights Fire District has reviewed this request and will approve this rezone request. Drexel Heights would like to be notified of any future reviews of the development plan, building plan and water plan.

All new construction will require water flow for fire protection, with a sprinkler system, access to the building, marking of fire lanes, RPM's (reflective pavement markers) for any hydrants and FDC's at the review of the building plans. Sprinkler plans may be a deferred submittal.

Drexel Heights looks forward to working with the developer and contractor on this project for a smooth transition from review to construction

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 and subdivision as 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. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all its requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.
 - B. The property shall be limited to 5 access points, two serving the commercial site on SR-86, two serving the commercial site on Camino de Oeste, and one access point serving the residential site on Camino de Oeste.
4. Regional Flood Control District condition:
 - A. Water conservation measures that provide 15 points per the Preliminary Integrated Water Management Plan methodology in place at the time of development shall be submitted by the applicant with the Site Construction Permit for approval by the Pima County Regional Flood Control District.
5. Regional Wastewater Reclamation conditions:
 - A. The owner (s) 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(s) to that effect.
 - B. The owner(s) 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(s) 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.

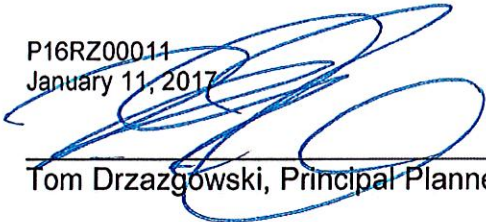
- C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at 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(s) 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(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
6. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
7. Cultural Resources condition: 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. Natural Resources, Parks and Recreation conditions:
- A. Construct Ajo Way Greenway G003 with a 30-foot buffer along Ajo Way for the multi-use path, a decomposed path being 15-foot width on the east property line to the wash and 20-foot width along Camino de Oeste to the wash, and a 20-foot path from the eastern boundary to western boundary

between the commercial development and residential subdivision, using the Pima County Greenway cross-section details.

- B. Construct a pedestrian link from the residential subdivision to the commercial development.
9. Adherence to the preliminary development plan as approved at public hearing.
10. The property is subject to both Gateway Overlay Zone and Buffer Overlay Zone.
11. No access is permitted from Avenida Paisano to the residential or commercial development.
12. The area rezoned to SR-Ⓢ shall remain natural as depicted on the Preliminary Development Plan (exclusive of the bank protection along the commercial and residential edges as well as the equestrian trail). The applicant shall provide adequate signage and barriers to restrict access to the natural area from the west and east. In addition, barriers are required, where necessary to prevent access to the natural area, along the subdivision lots to the south and commercial areas to the north that abut the natural area.
13. For development of retail stores in excess of 40,000 square feet as outlined in a development agreement recorded at Book 12939 Pages 7309-7306 shall be required. Should the development agreement be extinguished, this requirement would not apply.
14. During the development plan process, the applicant shall contact Tucson Unified School District concerning the provision of adequate space for safe bus stops, bus turnarounds and pedestrian access to the appropriate schools.
15. 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.
16. 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(l)."

Respectfully Submitted,

P16RZ00011
January 11, 2017

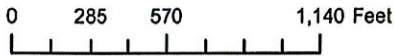


Tom Drzazgowski, Principal Planner

Case #: P16RZ00011

Case Name: AJO CAMINO DE OESTE LLC - WEST AJO HIGHWAY REZONING

Tax Code(s): 119-45-013A



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Sealed survey and/or legal descriptions required for ordinance.

PIMA COUNTY COMPREHENSIVE PLAN C07-13-10

Planning & Zoning Hearing: 01/11/17 (scheduled)

Base Map(s): 17

Map Scale: 1:8,000

Map Date: 12/15/2016 - ds

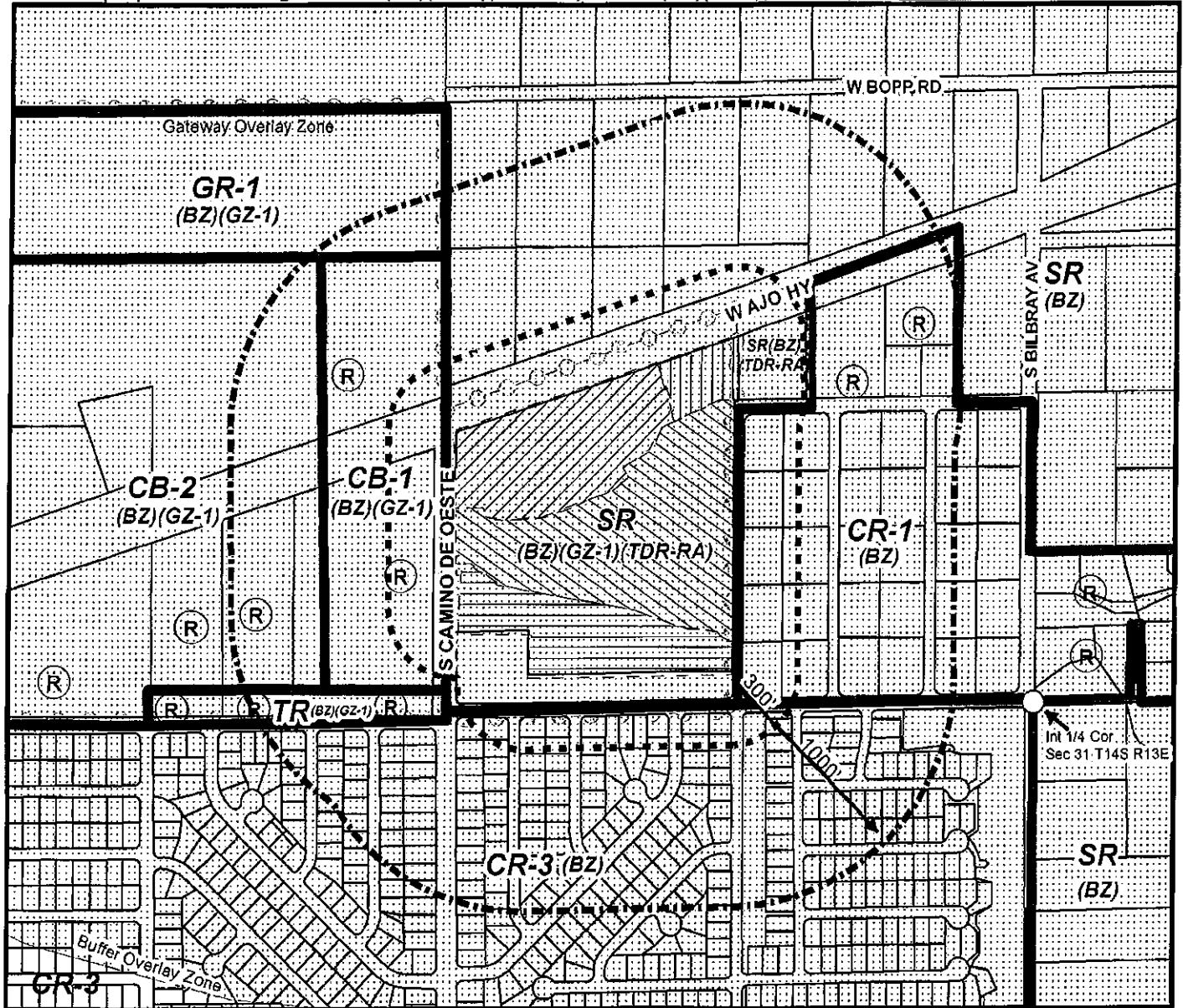


Case #: P16RZ00011

Case Name: AJO CAMINO DE OESTE LLC - WEST AJO HIGHWAY REZONING

Tax Code(s): 119-45-013A

- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to TR (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to CB-1 (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to CR-4 (BZ)(GZ-1)(TDR-RA)
- Area of proposed rezoning from SR (BZ)(GZ-1)(TDR-RA) to SR[®](BZ)(GZ-1)(TDR-RA)



- TDR Overlay Zone
- 1000' Notification Area
- Buffer Overlay Zone
- Zoning Boundary
- 300' Notification Area
- Gateway Overlay Zone (GZ-1)

0 285 570 1,140 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Sealed survey and/or legal descriptions required for ordinance.

PIMA COUNTY COMPREHENSIVE PLAN C07-13-10

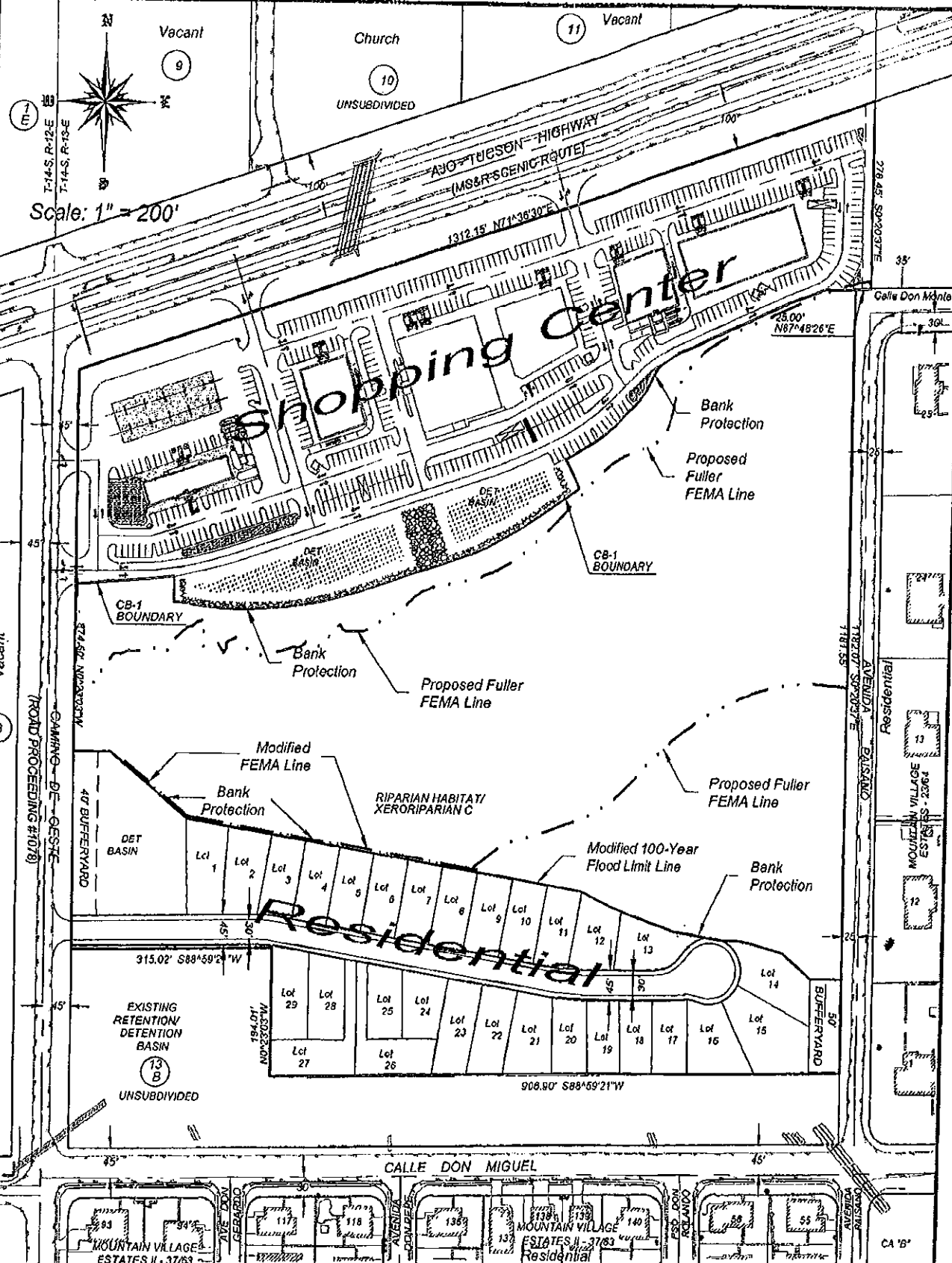
Planning & Zoning Hearing: 01/11/17 (scheduled)

Base Map(s): 17

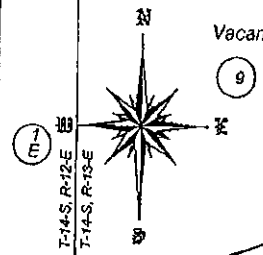
Map Scale: 1:8,000

Map Date: 12/19/2016 - ds





Scale: 1" = 200'



MJM CONSULTING, INC.
 Land Planning and Development Services
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-585-5021

El Portal De Oeste
 Assessor's Parcel #119-45-013A, 34.80
 Acres located in the NW 1/4 of Section 31,
 T-14-S, R-13E, G&SRM, Pima County, AZ.

Preliminary Development Plan

1. **Community Activity Center (CAC)**

Objective: To designate medium and higher intensity mixed use districts designed to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses; and other similar uses as described in the Campus Park Industrial (CPI) zoning district (Section 18.49); and compatible medium to higher density housing. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how it serves to create or enhance the mixed use character of the designated activity center as a whole.

Larger centers may include a regional mall. Smaller centers may provide goods and services needed on a more frequent basis. These may include a major supermarket, discount department stores, large variety stores, or specialty stores such as a hardware/building/home improvement stores. Community Activity Centers may be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods. Community Activity Centers may range from 25 acres to up to 100 acres or more in size depending on the area served and services provided.

8. **Medium Low Intensity Urban (MLIU)**

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.

- Residential Gross Density: Minimum- 2.5 RAC; Maximum- 5 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 2.5 RAC; Maximum- 4 RAC

MEMORANDUM

To: Neighbors
From: Michael Marks, AICP
Re: El Portal de Oeste Neighborhood Meeting held on December 19, 2016
Date: December 22, 2016

As one of those who attended the meeting asked for, here is a memo repeating the key information I addressed at the meeting held on December 19th. First, I want to thank everyone who did attend for being at the meeting. I hope I was clear in my presentation and that you left with a good understanding of the subject. But to whatever extent you might have had some uncertainty I hope that this memo will clear things up. I am also sending you, with this memo, a digital copy of all of the exhibits, including the Preliminary Development Plan, that I used at the meeting.

The neighborhood meeting began at 6:30 pm and was over a little after 8:00 pm. There were 25 people in attendance, according to the sign-in sheet. There were people from the CR-1 development east of Avenida Paisano, from the subdivisions to the south, and at least one person from north of Ajo Hwy. Also, there was one person representing the Mt. Zion Church, to the north.

I started by showing a Location Map so that it would be clear what property we would be talking about. I then showed the Rezoning Map which made clear the boundaries of the proposed CB-1 & TR & CR-4 zoned areas, as well as the area which will remain as SR. I then showed the Aerial Photo of the site and surrounding area which I used to talk about the existing conditions within the subject property and in the surrounding area.

I then showed a map of the Pima Prosper Land Use plan for the subject property and surrounding properties. I pointed out that the northerly portion of the subject property (actually 21.7 acres) is planned for CAC and the southerly portion (actually 12.4 acres) is planned for MLIU. I indicated that this is the plan prepared for and adopted by Pima County. I then indicated that the proposed rezoning classifications conform with that Pima Prosper Plan. Specifically, I pointed out that the CB-1 & TR are allowable in the CAC plan designation and that the CR-4 is allowable in the MLIU plan designation, provided that the density would fall within the acceptable range of 2.5 to 5 residences per acre.

I then displayed a copy of the Preliminary Development Plan. It showed the commercial development in the planned CB-1 area and the office building in the planned TR area. It showed the open space in the area to remain SR. It also showed the residential lot layout in the CR-4 area. I indicated that the CB-1 & TR would make up about 11 acres, the CR-4 would make up about 7.25 acres, and the area to be left as SR & be left as open space would be about 16 acres.

Here are a few other issues I addressed either by my original presentation or in response to a question:

1. The Building Height of the Commercial & Office would be one story. I indicated that the maximum height allowable in the CB-1 & TR zones is 34 feet, but due to the Gateway Overlay Zone there is a requirement that the average height not exceed 28 feet, but I added that I expected the actual height to be even less than that due to the buildings being one story.
2. The homes in the Residential development would be one and two stories in height.
3. The residential plan shows 29 single family detached homes/lots.
4. There will be no access to the Commercial or the Residential from Avenida Paisano.
5. ADOT has approved a Traffic Study for the project but has required that there be improvements to Ajo Highway and to Camino de Oeste at the Ajo Hwy intersection.

MEMORANDUM

6. The 16 acres in the center of the site is to be left as SR and designated as open space.
7. The current plan is for the residential homeowner's association to be responsible for the large/central piece of open space, however, there may be some overlapping responsibility placed on a commercial property owner's association.
8. After the meeting, while talking to one of the attendees privately, I clarified that the proposed TR land would be used for an office development, and not apartments as is also permitted in the TR zone.

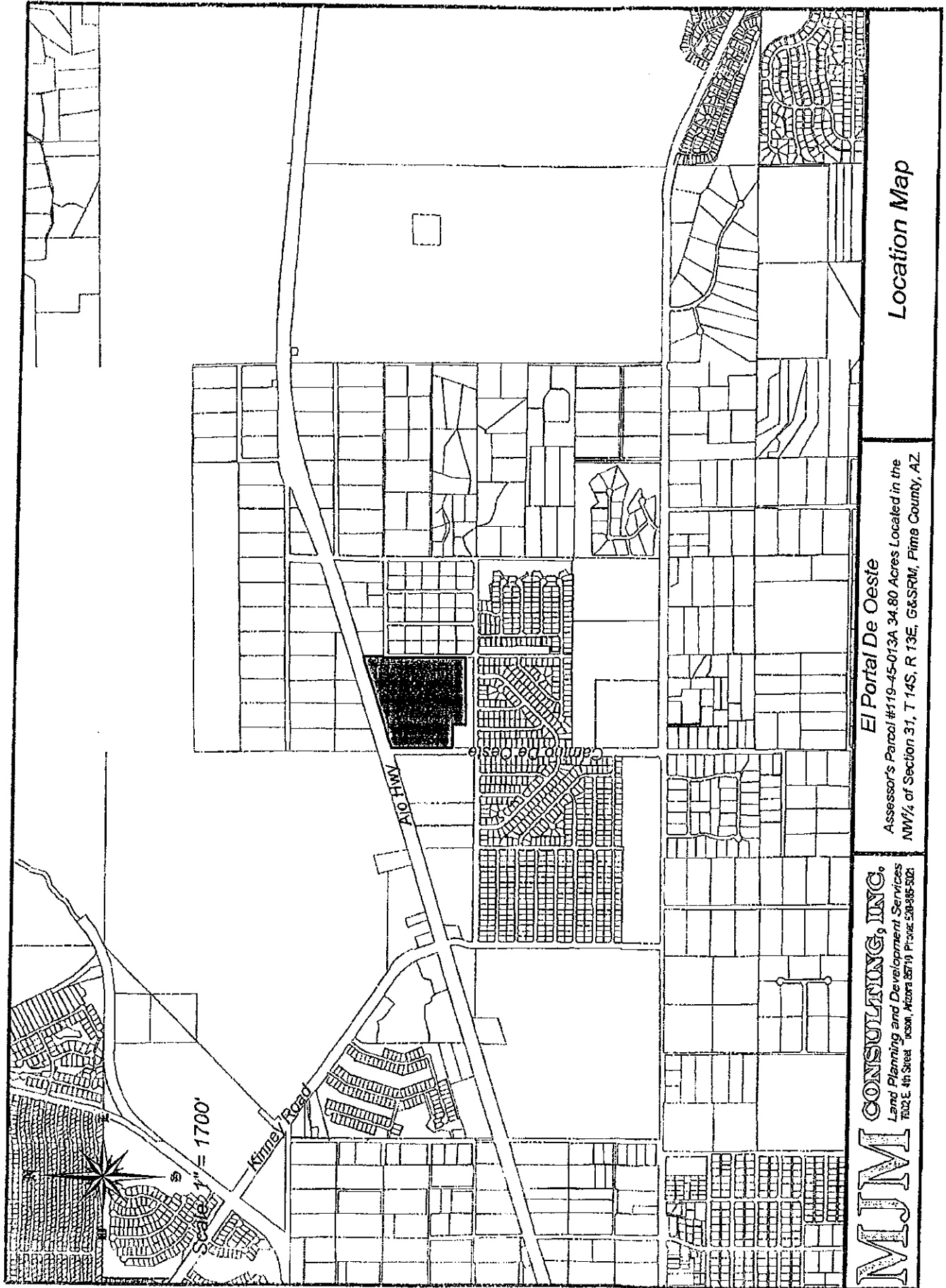
I indicated that the Planning & Zoning Commission hearing is scheduled for January 11th. All those who got a letter from me about the neighborhood meeting will be getting another letter from the County informing you officially about that hearing.

I indicated that I had a copy of the Site Analysis Report which I had submitted to the Pima County Planning Department with me and that anyone who wished, at the end of the meeting, could review that report. No one did ask to look at it at the end of the meeting.

However, if you would still like to look at that report it is now online through a link created by the Pima County Development Services Department (Planning Division). Here it is:
http://webcms.pima.gov/UserFiles/Servers/Server_6/File/Government/Development%20Services/Land%20Planning%20and%20Regulation/Boards,%20Commission%20&%20Committees%20Tab/P&Z/January%2011,%202017/Agd11JANUARY2017.pdf

The only way I was able to open it up is to download the Agenda file to my desktop and then open it up from there. Find Item #7 (i.e. case P16RZ00011) and click the 'Site Analysis' button. You shouldn't have a problem, but if you do please let me know.

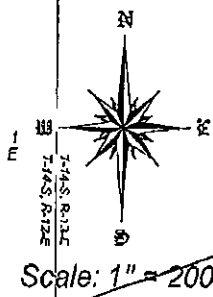
I would be very interested in hearing about your concerns, if you have any remaining ones. Please let me know, by phone or email, if you would want to talk any further. If you would we could arrange to meet again before the January 11th hearing, or afterwards, at your preference.



MJM
CONSULTING, INC.
 Land Planning and Development Services
 702 E. 4th Street Tucson, Arizona 85719 Phone: 520-385-5021

El Portal De Oeste
 Assessor's Parcel #119-45-013A, 34.80 Acres Located in the
 NW¼ of Section 31, T 14S, R 13E, G&SRM, Pima County, AZ

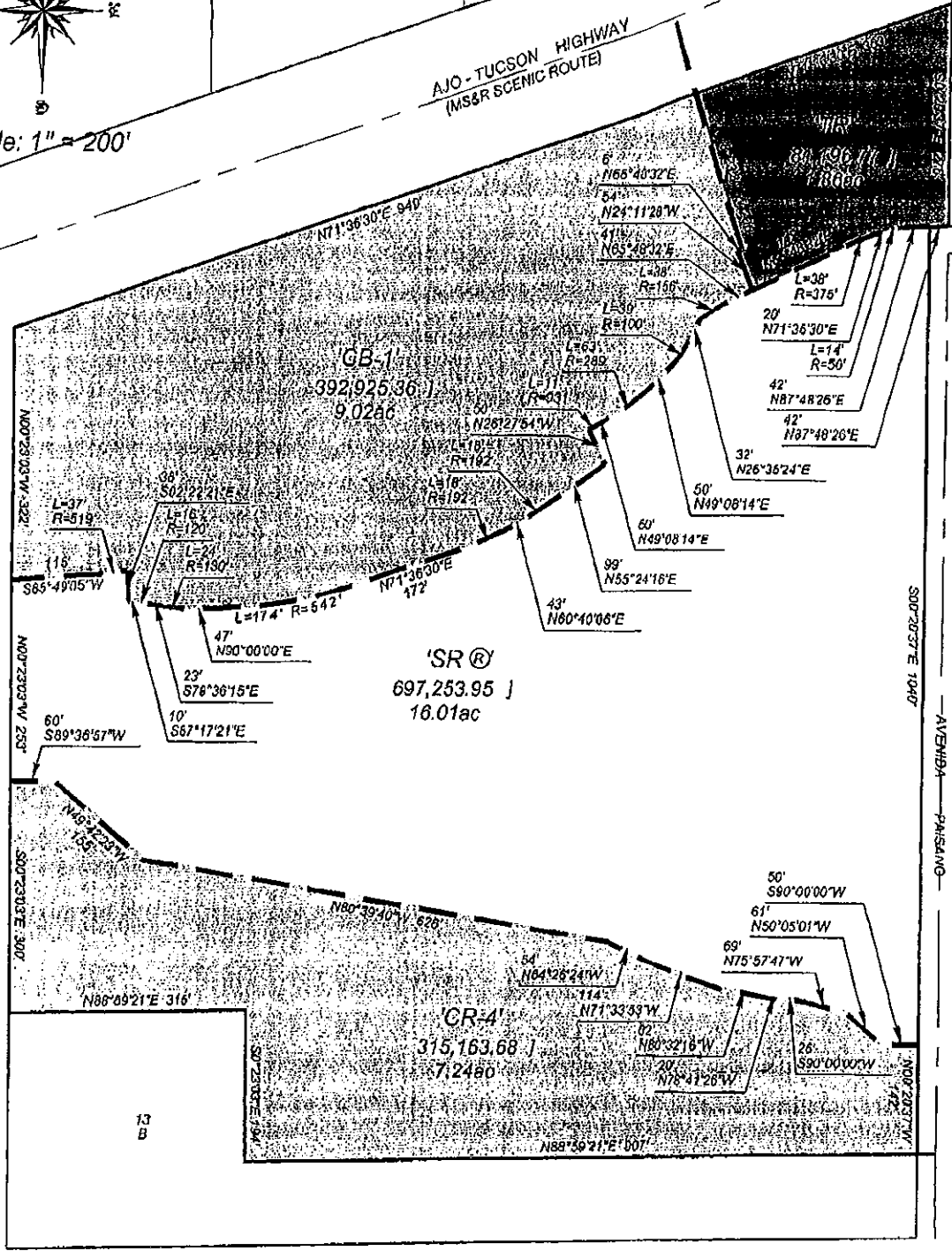
Location Map



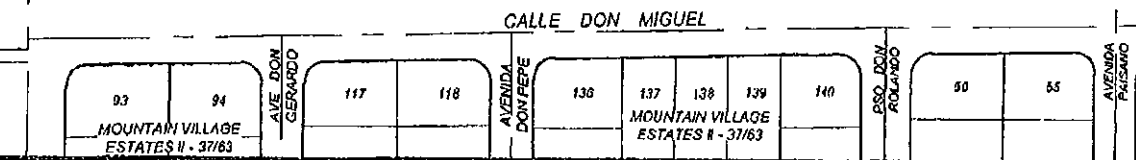
UNSUBDIVIDED

AJO - TUCSON HIGHWAY
(MS&R SCENIC ROUTE)

CAMINO DE OESTE
(ROAD PROCEEDING #1078)
 T-14-S, R-13-E
 G&SRM



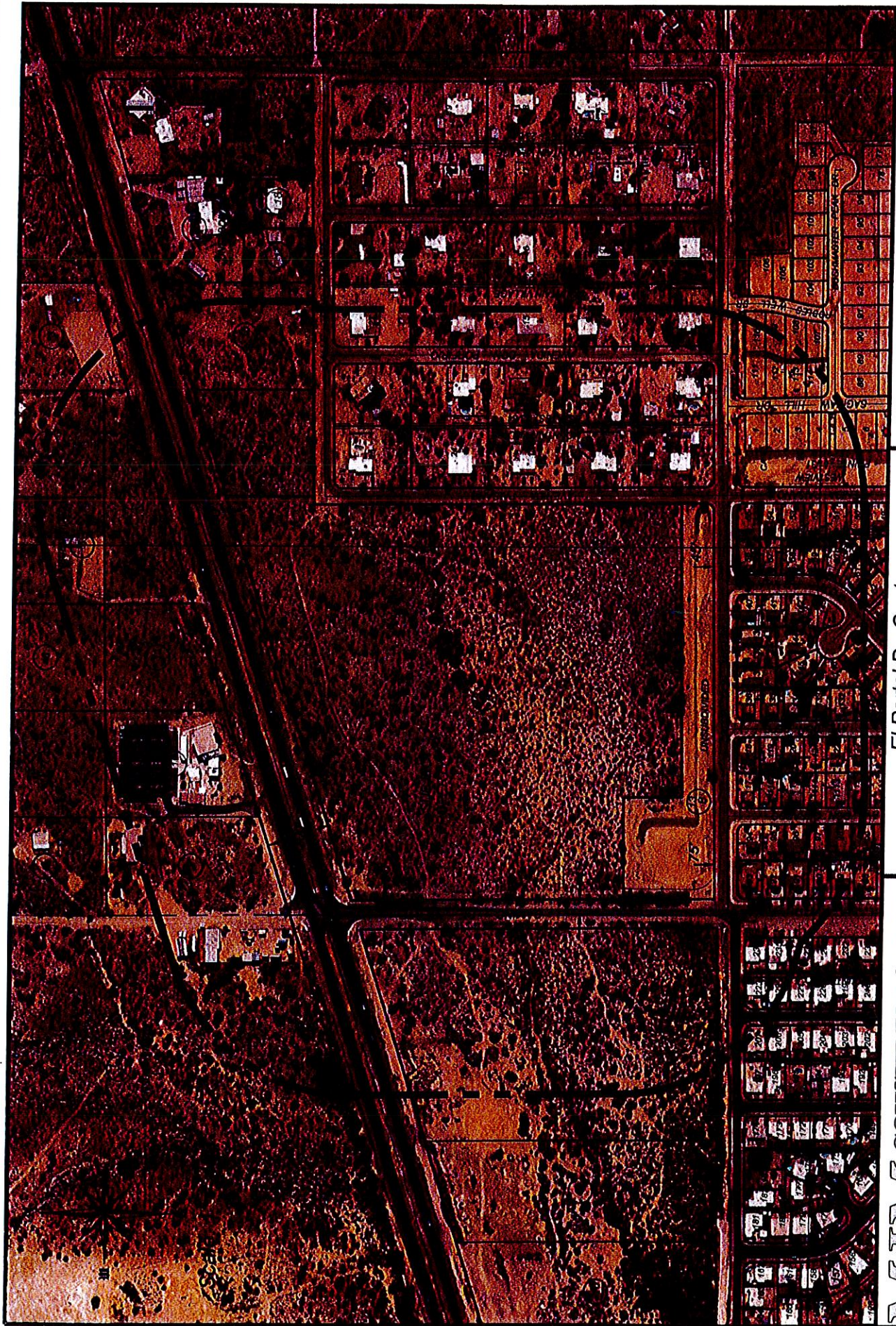
AVENIDA PAISANO
 S00°28'37"E 1040'
 T-14-S, R-13-E
 G&SRM



MJM CONSULTING, INC.
 Land Planning and Development Services
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-395-5021

El Portal De Oeste
 Assessor's Parcel #119-45-013A, 34.80
 Acres located in the NW 1/4 of Section 31,
 T-14-S, R-13-E, G&SRM, Pima County, AZ.

Rezoning Map



MJMI CONSULTING, INC.
Land Planning and Development Services
7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-685-5021

El Portal De Oeste
Assessor's Parcel #119-45-013A, 34.80 Acres Located in the
NW/4 of Section 31, T 14S, R 13E, G&SRM, Pima County, AZ.

Exhibit No. I-A.3
Surrounding Properties Map