



MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Honorable Ally Miller, Supervisor, District # 1

FROM: Arlan M. Colton, Planning Director *AMC*

DATE: June 19, 2013

SUBJECT: Co9-12-05 SABINO CANYON GATEWAY LLC – SABINO CANYON ROAD
REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JULY 2, 2013** hearing.

REQUEST:

A request for a rezoning of approximately 5.91 acres from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type), on property located on the southwest corner of the intersection of River Road and Sabino Canyon Road.

OWNER:

Sabino Canyon Gateway LLC
574 Newark Avenue
Jersey City, NJ 07306-2323

AGENT:

Star Consulting of AZ, Inc.
5405 E. Placita Hayuco
Tucson, AZ 85718-4645

DISTRICT:

1

STAFF CONTACT: Chris Poirier

PUBLIC COMMENT TO DATE: As of June 13, 2013, staff has received six letters of support and thirty-seven letters/emails of objection. Twenty members of the public addressed the commission. Two spoke in support, eighteen were opposed.

PLANNING AND ZONING COMMISSION RECOMMENDATION: DENIAL (5 – 3; Commissioner Neeley was not present, Commissioner Spendiarian recused)

STAFF RECOMMENDATION: APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The subject property lies outside of the Maeveen Marie Behan Conservation Lands System (MMBCLS).

CP/ar
Attachments



Board of Supervisors Memorandum

Subject: Co9-12-05

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FOR JULY 2, 2013 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan M. Colton, Planning Director 
Public Works-Development Services Department-Planning Division

DATE: June 19, 2013

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

Co9-12-05 **SABINO CANYON GATEWAY LLC – SABINO CANYON ROAD REZONING**
Request of Sabino Canyon Gateway LLC, represented by Star Consulting of AZ Inc., for a rezoning of approximately 5.91 acres from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type), on property located on the southwest corner of the intersection of River Road and Sabino Canyon Road. The proposed rezoning substantially conforms to the Pima County Comprehensive Plan (Co7-00-20). On motion, the Planning and Zoning Commission voted 5-3 to recommend **DENIAL** (Commissioner Neeley was not present, Commissioner Spendiarian recused). Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (May 29, 2013)

Staff presented the staff report to the commission. Staff clarified that the same development group is applying for a comprehensive plan amendment across the street, but the commission will only decide on the rezoning before them today. Staff also clarified that the applicant applied for and received a grading exception from the Design Review Committee to increase the total site grading from 80% to 95%. Staff explained that this was required because the property is subject to the Hillside Development Overlay Zone. Staff recommended approval of the rezoning subject to conditions because the proposed use and density of casita apartments is appropriate for this intersection. Staff stated that there is a secondary concurrency concern related to transportation because segments of Sabino Canyon and River Roads are over capacity.

Staff reported that they had received four letters of support and eight letters of protest.

A commissioner asked the distance between this rezoning and the streets that are deemed over capacity. Staff responded that the traffic capacity issues are very close to the project boundaries.

A commissioner asked about the staff report regarding ground water levels, and why staff is reporting that the ground water levels are rising. Staff clarified that Tucson Water is using less well- water in the watershed and the ground water levels are rising.

A commissioner asked who will provide water service. Staff responded that Metro Water will provide service.

A commissioner asked about the recreation requirement for the site. Staff responded that the on-site recreation requirement appears to be met with the proposal.

The applicants addressed the commission. They clarified the ownership, the history of the ownership, and previous proposed uses for the site. They then described the casita rental product and the project lay-out.

Speaker #1 from the audience addressed the commission and expressed concerns regarding the commercial nature of the apartment project, on-site retention, the amount of grading on the property, the location of the entrance to the project, and potential crime.

Speaker #2 from the audience addressed the commission in opposition to the rezoning and expressed concern regarding the traffic hazards and congestion of intersection at River and Sabino Roads.

Speaker #3 from the audience spoke in support of the request because the property will be better taken care of, drainage will be improved, and the applicant has worked closely with the neighborhood to the west.

Speaker #4 from the audience addressed the commission in opposition to the rezoning on behalf of the subdivision to the north of the site. He expressed concerns about the density of the apartments as it relates to the traffic congestion at the intersection and compatibility with surrounding neighborhoods.

Speaker #5 from the audience addressed the commission and spoke in opposition to the rezoning on the basis of the proposed density.

Speaker #6 from the audience addressed the commission and spoke in opposition due to potential for increased crime rates and traffic concerns.

Speaker #7 from the audience addressed the commission and spoke in opposition due to traffic concerns, impacts on schools, and potential crime rates.

Speaker #8 from the audience addressed the commission and spoke in opposition due to ground water level concerns, traffic concerns, impacts on surrounding neighborhoods, and proposed density.

Speaker #9 from the audience addressed the commission and spoke in opposition due to the proposed density in relation to the surrounding neighborhoods.

Speaker #10 from the audience addressed the commission and spoke in support of the request because the applicant has worked closely with her adjacent neighborhood.

Speaker #11 from the audience addressed the commission and spoke in opposition due to impacts on schools, traffic, water use, crime and setting a precedent on other land-use changes in the area.

Speaker #12 from the audience addressed the commission and spoke in opposition on behalf of his home owner association due to the incompatibility of the proposed density on surrounding neighborhoods.

Speaker #13 from the audience addressed the commission and spoke in opposition of the request due to traffic impacts on surrounding neighborhoods and the method of grading.

Speaker #14 from the audience addressed the commission and spoke in opposition due to concerns regarding property values, traffic at the intersection, the ground water levels, and water run-off.

Speaker #15 from the audience addressed the commission and spoke in opposition due to cumulative impacts on ground water levels, traffic concerns, walls at the intersection, precedent for future land-use changes at the intersection, the look of the same developer's project at Tanque Verde Road and Wrightstown Road and impacts on property values.

Speaker #16 from the audience addressed the commission and spoke in opposition due to property values, impacts on schools, traffic, and setting a precedent for future land-use changes at the intersection.

Speaker #17 from the audience addressed the commission and spoke in opposition due to traffic concerns, impact on schools, and the density of the project.

Speaker #18 from the audience addressed the commission and spoke in opposition due to ground water levels, impact on schools, impact of traffic, and the density of the project.

Speaker #19 from the audience addressed the commission and spoke in opposition due to ground water levels, impact on schools, and impact of traffic.

Speaker #20 from the audience addressed the commission and spoke in opposition due to anticipated traffic flows on surrounding neighbors and the potential impact on the older bridge on River Road due to construction work.

The applicants readdressed the commission. One applicant explained that based on studies traffic impacts will be minimal, local flooding will be improved, and water harvesting shall be utilized. Additionally, she explained they had a letter of support from Tucson Unified School District (TUSD). Furthermore, they explained that there are comparable high-end rentals near the Ventana Canyon development that did not negatively impact property values.

The public hearing was closed.

A commissioner stated that this type of rental housing is in demand, but is not appropriate at this location due to road conditions.

A commissioner stated that this is a nice project but at the wrong location.

A commissioner stated this project is surrounded by similar zoning, the school district is under-capacity, the applicant has worked closely with the most affected neighbors, and it is an appropriate use at the location.

A commissioner stated that this zoning is similar to that in the neighborhood, but ground water levels are diminishing near Sabino Canyon, and traffic capacity would be made worse if this project is approved.

A commissioner stated that if this is not approved here, the use will be located further away and contribute to sprawl. The use is in conformance with the comprehensive plan and is appropriate for this location.

A commissioner stated that traffic and water issues were not resolved.

It was moved and seconded to **DENY** the rezoning.

The motion to deny **PASSED** (5 – 3; Commissioners Smith, Holdridge and Membrila voted Nay, Commissioner Neeley was not present, Commissioner Spendiarian recused himself)

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. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Conditions:
 - A. A Traffic Impact Study shall be submitted to Pima County Department of Transportation for review and approval. Offsite improvements shall be provided by the property owner/developers as determined necessary by the Traffic Impact Study.
 - B. The property owner/developer shall provide a paved trail along the Sabino Canyon Road and River Road frontages.
 - C. Internal pedestrian access shall be provided.
8. Flood Control conditions:
 - A. Drainage design, including underground cisterns and public drainage connections, must meet the requirements in place at the time the development plan is submitted.
 - B. A final Integrated Water Management Plan shall be approved prior to approval of a development plan.
9. Environmental Quality condition:

Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
10. Wastewater Management 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.
11. Office of Sustainability and Conservation condition:
- Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property, and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County 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. In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844).

12. Environmental Planning Condition:

Upon the effective date of the rezoning ordinance associated with this rezoning, 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 current any future 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.

13. Fifty three (53) units are the maximum number allowed on the subject rezoning site. The number of units shall be adjusted, if necessary, to comply with the Pima County Zoning Code.

14. Adherence to the preliminary development plan, as approved at public hearing.

15. Building heights shall not exceed 24 feet.

16. 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.

17. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

CP/ar
Attachments

c: Sabino Canyon Gateway LLC, 574 Newark Avenue, Jersey City, NJ 07306-2323
Star Consulting of AZ, Inc., 5405 E. Placita Hayuco, Tucson, AZ 85718-4645
Chris Poirier, Assistant Planning Director
Co9-12-05 File

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

HEARING May 29, 2013

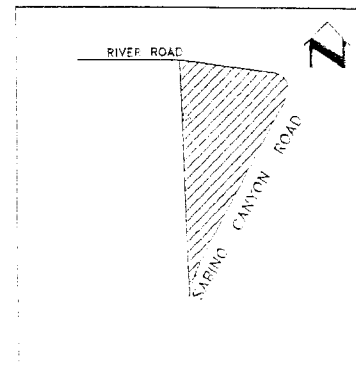
DISTRICT 1

CASE Co9-12-05 Sabino Canyon Gateway LLC –
 Sabino Canyon Road Rezoning

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

OWNER Sabino Canyon Gateway LLC
 574 Newark Avenue
 Jersey City, NJ 07306-2323

AGENT Star Consulting of AZ, Inc.
 5405 E. Placita Hayuco
 Tucson, AZ 85718-4645



APPLICANT'S PROPOSED USE:

"Alta Vista (LLC) is proposing to develop the site as a unique, innovative, and upscale multi-family community in Pima County..."

APPLICANT'S STATED REASON

"Development of the site as an upscale multi-family community is a good use of the property."

COMPREHENSIVE PLAN DESIGNATION

The Comprehensive Plan designation is Medium Intensity Urban (MIU). CR-4 zoning districts are allowed within an MIU planned area. Special Area Policy S-2, (Catalina Foothills), which restricts building heights to 24 feet, applies to this site unless the Board specifically allows a greater height. The maximum number of units allowed by the MIU designation on the 5.91 acre site would be 59. The proposed 53 units comply with the Comprehensive Plan designation.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEMS CLASSIFICATION

The subject property located outside the MIMBCLS.

SURROUNDING LAND USES/GENERAL CHARACTER

North	CR-4, SR	Single-family residential
South	CR-5	Townhouses
East	SR	Vacant
West	CR-4	Townhouses

The surrounding neighborhood has developed primarily as relatively medium-density residential. There are several residential subdivisions surrounding the subject property and located nearby. Most subdivisions date from the 1970's, with one subdivision dating from 1958 and the latest from 1991. The CR-4 zoned River Bend Estates subdivision to the west contains townhouses, as does the CR-5 zoned subdivisions to the south and southeast. The developments beyond the immediately adjacent subdivisions to the east are CR-1 zoned subdivisions. Beyond the parcels directly east of the site, the area has developed as CR-2 zoned subdivisions. There are two un-subdivided single-family residential SR lots northeast of the subject site, north of River Road. One is 5.45 acres and the other is 3.48 acres. Extending north of those are several un-subdivided SR properties. Property owned by the Sisters of the Immaculate Heart of Mary is located approximately 1,500 feet northeast of the subject site on the east side of Sabino Canyon Road. A Comprehensive Plan amendment for that property was approved in 2008 in anticipation of a rezoning or a specific plan request to a commercial zone to allow the development of a "Continuing Care Residential Facility" as listed in Comprehensive Plan Rezoning Policy RP-114. No such application has been submitted to date.

PUBLIC COMMENT

As of May 10, 2013 staff has two letters of support. During a related Design Review Committee hearing, a significant number of neighboring property owners expressed concern regarding the proposed rezoning.

PREVIOUS REZONING CASES ON PROPERTY

There are no previous rezoning cases on the subject property.

PREVIOUS REZONING CASES IN GENERAL AREA

There have not been any recent rezonings. All rezoning cases occurred in the 1960's and 1970's, with the exception of a 1991 rezoning from SR to CR-2 and CR-3 north of River Road on the east side of Sabino Canyon Road. The undeveloped 14.82 acre property on the east side of Sabino Canyon Road, owned by the applicant but not part of this rezoning, was once included in the Co13-61-13 Agua Caliente – Sabino Creek Zoning Plan (as was all of the property east of Sabino Canyon Road in this area), which was technically a rezoning that would have allowed the property to acquire CR-1 zoning by platting the property. The Zoning Plan was rescinded in 2006. That property was subdivided into what appears to be CR-3 sized lots as part of the River View Estates subdivision before the County adopted the Zoning Code in 1953.

STAFF REPORT SUMMARY

The Development Services Department recommendation is **approval subject to conditions**.

CONCURRENCY CONSIDERATIONS		
<i>Department</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Secondary Concern	River Road currently at capacity, Sabino Canyon Road currently at or over capacity Conditions recommended
FLOOD CONTROL	Yes	Conditions recommended
WASTEWATER	Yes	Conditions recommended
PARKS AND RECREATION	Yes	No comments

PLANNING REPORT

This is a request to rezone 5.91 acres from the SR zone to the CR-4 zone. The site is located at the southwest corner of the intersection of Sabino Canyon and River Roads. It is currently undeveloped. Approval of the rezoning request will allow the construction of 53 single-family residential units in a mix of two and three-bedroom rentals. Access will be via a gated entry on Sabino Canyon Road. The project will be served by sewer. The subject property is not served by a water service provider at the time of this writing, however, the applicant is seeking a provider. Parking will both be covered and uncovered. The PDP shows a small recreation area and trails meandering through the site. A pedestrian connection will be provided to the bus stop at Sabino Canyon and Cloud Roads.

The request is in keeping with the comprehensive plan. A plan policy calls for building heights below 24' and a density of no more than 10 residences per acre. The proposal for casita-style apartments is an appropriate use for this location at a major intersection and is a similar intensity to the townhome use directly to the west.

During the site analysis review, it was determined by staff that this site is subject to the Hillside Development Zone (HDZ). The HDZ was triggered by a steep slope on the northwest portion of the site. As a result, the applicant redesigned the original concept plan to avoid some of the steep slopes and reduced the number of proposed units from the original 57 to 53 units. HDZ exceptions were requested and granted by the Design Review Committee to: 1) increase allowed site grading from 80% to 95%, and 2) to reduce the required 20-foot wide HDZ landscape bufferyards along the perimeter of the site to a meandering 10-foot wide bufferyard.

TRANSPORTATION REPORT

There is secondary concurrency concern due to the near to overcapacity nature of Sabino Canyon Road, and at capacity of River Road. The 5.9 acre property is located on the southwest corner of Sabino Canyon Road and River Road, with frontage on both Sabino Canyon and River Roads. Cloud Road is approximately 200 feet south of the rezoning site. The applicant proposes a single point of access on Sabino Canyon Road, with no access onto River Rd. There are 53 casitas proposed and could generate 530 average daily trips (ADT).

Sabino Canyon is a paved, county maintained, four lane, divided, scenic major route between Kolb Road and Tanque Verde Road. Adjacent to the site there is 150 feet existing and planned right-of-way designated by the Major Streets and Scenic Routes Plan. There is a Major Streets and Scenic Routes Plan building setback of 105 feet along Sabino Canyon Road frontage (measured from the road centerline and it is half the right-of-way plus 30 feet). The most recent traffic count on Sabino Canyon Road is 25,000 ADT (from 2013) between Kolb Rd and River Rd, 31,000 ADT between River Road and Cloud Road (from 2013) and 35,300 ADT between Cloud and Tanque Verde Road (from 2013). The traffic capacity is 33,000 ADT; therefore, the segment between Cloud Road and Tanque Verde Rd is operating overcapacity. The posted speed limit for Sabino Canyon Road is 40 mph which allows the minimum distance between driveways to be 185 feet from centerline to centerline. The proposed driveway is proposed further than the required 185 feet from Sabino/River intersection, pavement edge to edge. The Preliminary Development Plan depicts access approximately 380 feet south of River Road. There are no driveways located nearby and Cloud Road is 900 feet or more to the south of the proposed driveway. There is an existing curbed median the entire length of the property on Sabino Canyon Road. There are no northbound U-turns allowed at the River/Sabino intersection and there are dual northbound left turn lanes. There is no secondary access proposed and the buildings are to be sprinkled to accommodate fire department issues.

River Road, west of Sabino Canyon Road, is a paved, county maintained, 2-lane (widened at Sabino/River intersection), undivided, scenic major route per the Major Streets and Scenic Routes Plan. Adjacent to the site there is 125 feet existing and 150 feet planned right-of-way designated by the Major Streets and Scenic Routes Plan. There is a Major Streets and Scenic Routes Plan building setback of 105 feet along Sabino Canyon Road frontage (measured from the planned road centerline and it is half the right-of-way plus 30 feet). The existing configuration of River Road would need to be realigned north so the centerline would be north of the existing centerline on River Road. The most recent traffic count from 2013 is 15,600 ADT and the traffic capacity is 15,000 to 16,000 ADT. There are dual eastbound right turn lanes at the Sabino Canyon Road intersection. River Road ends at Sabino Canyon Road and to the east the road is named Knoliwood Drive, which is a local collector.

Cloud Road is a paved, county maintained, 2-lane, and undivided, scenic major route per the Major Streets and Scenic Routes Plan. The most recent traffic count from 2010 is 7,600 ADT and the traffic capacity is 10,000 ADT.

The construction of Sabino Canyon Road to a 4 lane, divided cross section, between Cloud Road and Kolb Road, was completed in 1996 and the intersection at Sabino Canyon and Kolb Roads was reconfigured, widened and completed in 2002. North from Sabino Canyon Road, Kolb is planned for improvements, to a three lane cross section, in 2017 from 1997 Transportation Bonds. River Road crossing of the Ventana Wash, approximately ¼ mile west of Sabino Canyon Road, is planned for improvements per Regional Transportation Authority's Plan and in 2014. These projects are also targeted for funding from the Catalina Foothills Impact Fees.

The site has an average cross slope of 9.9% and slopes from northeast to southwest, except at the northwestern portion of the site, which drops steeply to a drainage area. There are 15% or greater slopes located in the northern part of the site and the applicant has obtained exceptions to the amount of grading and reduction of hillside bufferyard. There is an existing onsite embankment area along River Road frontage that is within a recorded slope easement which the applicant proposes to release and lower the elevation of the site, thus eliminating most of the embankment as it is today.

A paved trail is proposed along both Sabino Canyon Road and River Road frontages and interior pedestrian ways are planned.

There may be offsite improvements to accommodate this development, such as southbound right turn lanes, drainage, shoulders, etc., although not limited to these types of improvements. A traffic study has been submitted to Department of Transportation that has not been approved.

Staff recommends the following conditions:

- A. A Traffic Impact Study shall be submitted to Pima County Department of Transportation for review and approval. Offsite improvements shall be provided by the property owner/developers as determined necessary by the Traffic Impact Study.
- B. The property owner/developer shall provide a paved trail along Sabino Canyon Road and River Road frontage.
- C. Provision of internal pedestrian access.

FLOOD CONTROL REPORT

- 1. The site contains a small area of FEMA Special Flood Hazard Area Zone AE in the northwest corner.
- 2. There is no Pima County Regulated Riparian Habitat on the site.
- 3. The application proposes use of water harvesting basins and underground cisterns as well as direct connection of outlets to an underground storm drain, a culvert and catch basin within the Sabino Canyon Road ROW to meet drainage requirements. It should be noted that the applicant has agreed to address drainage concerns expressed by neighbors. Their intent is to redirect sheet flows from the southern portion of the property which currently flow toward Riverbend Estates and redirect this flow to Sabino Canyon Road via underground pipe drains. While flows are not large, careful design and coordination with PCDOT will be required. The District is currently developing standards for underground cisterns including overflow and sizing requirements. Because

routing and volume calculations have not and are not typically provided at the rezoning stage of development, feasibility including size and location of the cisterns cannot be determined. It is possible that site configuration changes may be required.

Recommended Condition:

- A. Drainage design including underground cisterns and public drainage connections must meet the requirements in place at the time the Development plan is submitted.

In conclusion the District has no objection to this application subject to the recommended special and standard conditions.

WATER RESOURCES REPORT (Regional Flood Control District)

A Water Supply Impact Analysis and review of the Preliminary Integrated Water Management Plan (PIWMP) has been conducted on the proposed Rezoning and the Site Analysis for Co9-12-05, Aerie at River and Sabino Canyon Roads, rezoning 5.9 acres from SR to CR-4. Pima County conducts a Water Supply Impact Analysis on Rezoning regarding how the proposal would affect five critical issues.

PIMA COUNTY'S WATER SUPPLY IMPACT ANALYSIS		
	CRITICAL ISSUE	RESPONSE
1.	Water Service and Renewable Water Supply Options	The applicant has indicated that they have received a letter from Tucson Water (TW) that they will not serve this parcel, despite being immediately adjacent to the TW obligated service area. Metropolitan Domestic Water Improvement District (MDWID) will provide water to the site once improvements to lines are made. MDWID does not have access to renewable and potable water supply in this portion of its service area unless it uses it's interconnect with TW. Presently, TW does have access to a renewable and potable water supply (CAP in the Avra Valley). In this area, TW may pump from local ground-water wells due to system limitations in boosting a blend of CAP and groundwater from the Avra Valley (Clearwater). However, a blend of Clearwater and local groundwater could be provided.
2.	Current and Projected Depth to Groundwater and Groundwater Trend Data	The average depth to groundwater in this area is approximately 50 feet. Groundwater at this depth is likely to support vegetation or aquatic ecosystems. Groundwater levels have declined in the area between 1960 and 2010 as much as 1 foot/year. Groundwater levels are projected to recover by 15 feet over the next 15 years.

3.	Proximity to Areas of Known or Potential Ground Subsidence	The proposed rezoning is in an area of low subsidence ,
4.	Proximity to known Groundwater-Dependent Ecosystems	The proposed rezoning area is immediately adjacent to the Tanque Verde shallow groundwater area. The provider wells (MDWID) are within a groundwater dependent ecosystem.
5.	Location within a Hydrogeologic Basin, including Depth to Bedrock	The proposed rezoning is located in the Tucson Hydrogeologic Basin area. This sub-basin has been identified as being sensitive to groundwater removal. Depth to bedrock in this area is estimated at greater than 1000 feet.

Pima County's Water Supply Impact Analysis finds that, under existing conditions, the Plan Amendment property does not have access to renewable and potable water unless MDWID uses its interconnect with Tucson Water in this area. Tucson Water may in the future provide more water that is from a renewable source when infrastructure can boost the Avra Valley groundwater-CAP blend (Clearwater) to the area. For now, groundwater and the Clearwater blend could be provided for the area, if the interconnect is utilized. The provider currently has wells in a shallow groundwater area and additional demand on these wells will impact this groundwater dependent ecosystem.

The current site analysis does have a Preliminary Integrated Water Management Plan (PIWMP) with water conservation measures. This rezoning site may end up increasing site water demand. As such, the applicant will need to provide a Preliminary Integrated Water Management Plan (PIWMP) that can go beyond the general criteria. A description of the indoor and outdoor water conservation measures is included using Table A of the PIWMP, and has a blend of indoor and exterior water conservation measures. They include item 1-8 "installing toilets that meet the EPA Watersense rating of 1.28 gpf; 1-6 "lavatory faucets that meet the EPA Watersense criteria or have a maximum flow of 1.5gpm" and 1-7, "installing showerheads that meet the EPA Watersense criteria or have a maximum flow rate of 1.5 gpm" for the estimated 57 multi-family units. The water demand was estimated at approximately 15 AF/yr. based on 57 individual dwelling units, common area exterior use, and a pool. Exterior water harvesting has also been proposed.

Water conservation measures proposed within this plan will become a condition of rezoning. Where necessary, some measures may also be required to be included in the project's CC&Rs. Should this rezoning be approved, a Final Integrated Water Management Plan will need to be presented in the Development and Landscape Plans.

WASTEWATER MANAGEMENT REPORT

The PCRWRD has no objection to the proposed rezoning subject to the addition of rezoning conditions #10 A-F.

ENVIRONMENTAL QUALITY REPORT

The Department has no objection to the proposed rezoning providing that the property is served by private or public sewer.

AIR QUALITY REPORT

The Department of Environmental Quality's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity which may cause or contribute to air pollution.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Staff has no objection to the rezoning request for the above-mentioned project.

UNITED STATES FISH AND WILDLIFE REPORT

See attached.

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. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Conditions:
 - A. A Traffic Impact Study shall be submitted to Pima County Department of Transportation for review and approval. Offsite improvements shall be provided by the property owner/developers as determined necessary by the Traffic Impact Study.
 - B. The property owner/developer shall provide a paved trail along the Sabino Canyon and River Road frontages.
 - C. Internal pedestrian access shall be provided.
8. Flood Control conditions:

- A. Drainage design, including underground cisterns and public drainage connections, must meet the requirements in place at the time the development plan is submitted.
- B. A final Integrated Water Management Plan shall be approved prior to approval of a development plan.
- 9. Environmental Quality condition:
Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
- 10. Wastewater Management 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.

11. Office of Sustainability and Conservation condition:

Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property, and submitted to Pima County for review. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted to Pima County 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. In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844).

12. Environmental Planning Condition:

Upon the effective date of the rezoning ordinance associated with this rezoning, 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 current any future 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.

13. Fifty three (53) units are the maximum number allowed. The number of units shall be adjusted, if necessary, to comply with the Pima County Code.

14. Adherence to the preliminary development plan, as approved at public hearing.

15. Building heights shall not exceed 24 feet.

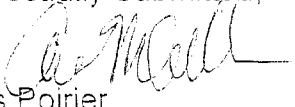
16. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

17. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Co9-12-05
May 29, 2013

STAFF REPORT
Page 11 of 11

Respectfully Submitted,

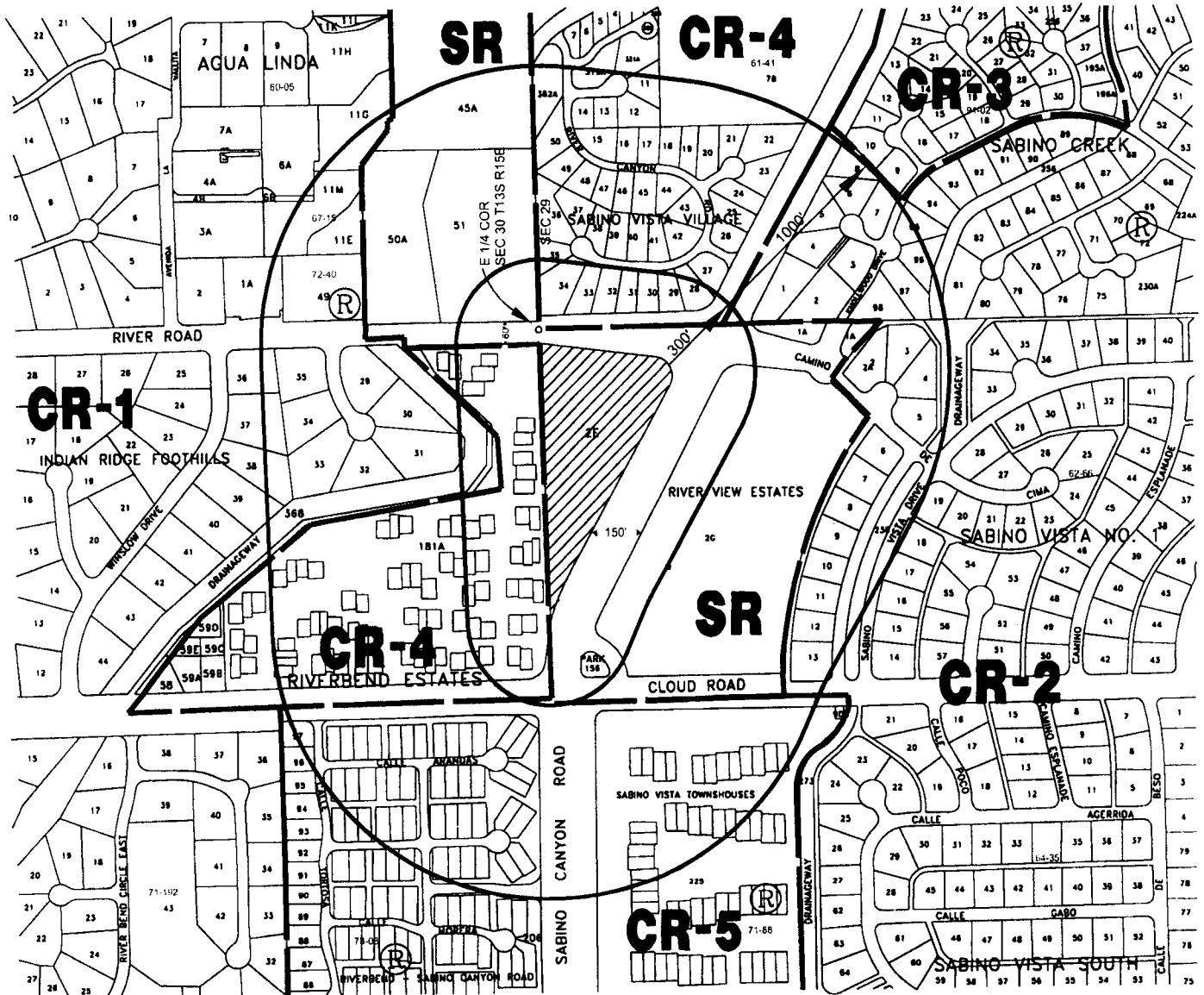
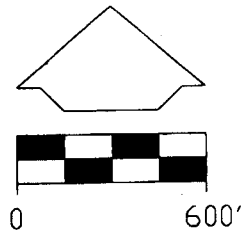

Chris Poirier
Assistant Planning Director



2012

Co9-12-05 SABINO CANYON GATEWAY LLC — SABINO CANYON ROAD REZONING

PIMA COUNTY COMPREHENSIVE PLAN (C07-00-20)



Area of proposed rezoning from
Notification area

SR to CR-4



BASE MAP 26

Notes

Tax codes 114-33-002E

Date 05/03/13
Drafter DS

File no. C09-12-005
SABINO CANYON GATEWAY LLC
SABINO CANYON ROAD REZONING

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

105' MAJOR STREETS AND SCENIC ROUTES PLAN BUILDING SETBACK

10' REAR SITE SETBACK

10' SIDE SITE SETBACK

150' REQ'D CORNER CLEARANCE

NATURAL AREA

FEMA ZONE AE

RECREATION AREA

CIRCULATION PATH - STABILIZED SURFACE

VENTANA WASH 100YR EHS

6" MASONRY WALL (LOCATION AND MATERIAL TO BE DETERMINED)

10' BUFFER YARD 'D' W/6' MASONRY WALL

105' MAJOR STREETS AND SCENIC ROUTES PLAN BUILDING SETBACK

20' FRONT SITE SETBACK

PARCEL BOUNDARY

PEDESTRIAN CONNECTION TO EXISTING BUS STOP ON CLOUD

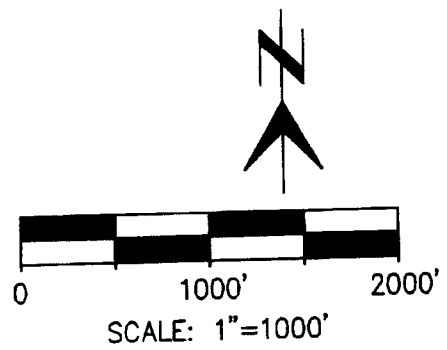
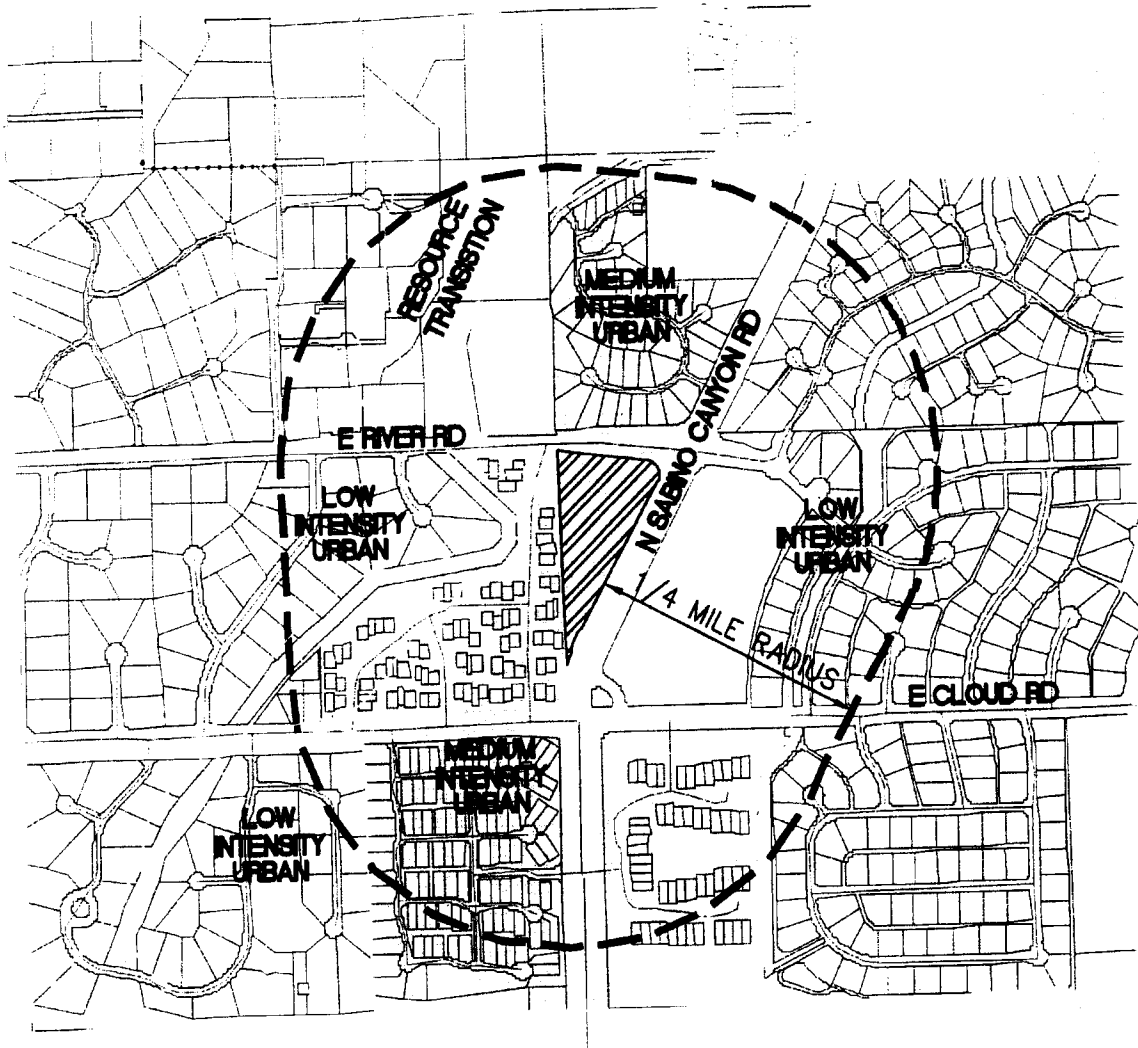
LEGEND

- 3-BEDROOM UNIT
- 2-BEDROOM UNIT
- COVERED PARKING
- TRASH ENCLOSURE
- XX # SPACES
- (XX) # COVERED SPACES

SCALE: 1"=200'



STAR
CONSULTING



PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING

Sabino Canyon Rd Properties LLC
Robert Gugino 4564 E Camp Lowell bob@gmlawaz.com 577-7171
Owner Mailing Address Email Address/Phone daytime / (FAX)
STAR Consulting of AZ, Inc 5405 E Placita Hagero erino.starconsultingaz.com 425-3795
Applicant (if other than owner) Mailing Address Email Address/Phone daytime / (FAX)
Portion of "Business Area" of River View Estates (Bk9Pg-117) 14-33-002E
Legal description / property address Tax Parcel Number
5.91 SR CR-4 MIU Category Catalina Foothills
Acreage Present Zone Proposed Zone Comprehensive Plan Subregion / Category / Policies S-2

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.

12/27/12

Date

Erin Hamis

Signature of Applicant

Erin Hamis



FOR OFFICIAL USE ONLY

CO9-12-05 Sabino Canyon Properties, LLC - Sabino Canyon RD: 12-05
Case name
GR CR-4 26 6,999 X 1
Rezoning from Rezoning to Official Zoning Base Map Number Fee Supervisor District
Outside
Conservation Land System category
CO9-56-511 CF/S-2 / MIU
Cross reference: Co9-, Co7-, other Comprehensive Plan Subregion / Category / Policies
Received by DS Date 12/27/12 Checked by DS Date 1-2-13


Current 2012 Pima County Assessor Property Inquiry

Search Parcel2014 Parcel2013 History NoticeCard Tax *TaxBill*

Summary Genealogy PRC *Order*

PARCEL 11433002E  

Appraiser Phil Paige

 SPECIAL CHECK HELP

Supplemental Notice Tax Years: 2007

Book-Map-Parcel: 114-33-002E

TaxArea: 0124

TaxYear: 2012

TaxPayer Information Chg

Recording Information

SABINO CANYON GATEWAY LLC

Sequence 20122490325 Docket 0 Page 0

Date Sep-05-2012

ATTN: D ELIA VINCENT J

WARRANTY DEED

574 NEWARK AVE

JERSEY CITY NJ

07306 2323

Miscellaneous

Section 29 Twn13.0S Rng15.0E



LandMeasure 5.91A 257517.00F

LandMaster TaxMaster

Description

RIVERVIEW ESTATES PTN BUSINESS AREA

LYG S & ADJ RIVER RD

MarketArea: TANQUE VERDE NORTH (13)

Rule B District 4

Tract Block Lot

GroupCode 000

CensusTract 4025 UseCode 0011 File-Id 1

2000 CensusTract 004722

Date of Last Change Aug-03-2012

VACANT RESIDENTIAL URBAN SUBDIVIDED

Secondary Valuation Data LegislativeClass

FullCash

Percentage

Assessed

Land Vacant/Ag/Golf(2 0)

\$147,756

16.0

\$23,640

Improvements Nonc(0 0)

\$0

.0

2012 Personal Property

Gross Value Totals

\$147,756

16.0

\$23,641

2012 LMTD/SCND Exemptions

Net Value Totals

\$147,756

16.0

\$23,641

PriorLimitedValue: \$206,850

Current R.E. Ltd Value: \$147,756

Areas Condo Market 13

SFR District 6

SFR Neighborhood 01007901

MFR Neighborhood NC_LA_MADERA

DOR Market 12

Supervisor District (4) RAY CARROLL

Limited Value Rule-N: 2007.Audit

Recordings	Sequence #	Docket	Page	Instrument
	90140381	8917	2008	()
	90149571	8933	2295	()
	93032128	9490	398	()
	93155650	9626	825	()
	20010750928	11530	2954	()
	20022461024	11952	5853	()

20022461025	11952	5857	()
20022461026	11952	5862	()
20022461027	11952	5868	()
20022461028	11952	5873	()
20022461029	11952	5879	()

Owner's
Estimate 2012=\$500

Appeals 2012(P)

AzSBOE 2012(P)

Map Selection 091170B1.TIF

Pima County Assessor ~ 115 N. Church ~ Tucson Az. 85701

Public ~ 159.233.35.8 ~ www.asr2.pima.gov

Jump To...[Scanned Documents](#) [Administrative Dissolutions and Reinstatements](#) [Microfilm](#)**Corporate Inquiry**

File Number: L-0984388-0

[Check Corporate Status](#)

Corp. Name: SABINO CANYON GATEWAY, LLC

Domestic Address

4564 E CAMP LOWELL DR

TUCSON, AZ 85712

Statutory Agent Information

Agent Name: GUGINO AND MORTIMER

Agent Mailing/Physical Address:

4564 E CAMP LOWELL DR

TUCSON, AZ 85712

Agent Status: APPOINTED 11/01/2005

Agent Last Updated: 11/15/2005

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.

Business Type:

Incorporation Date: 03/30/2001

Corporate Life Period: PERPETUAL

Domicile: ARIZONA

County: PIMA

Approval Date: 03/30/2001

Original Publish Date: 05/22/2001

Manager/Member Information

VINCENT J D'ELIA

MEMBER

1 ENGLE ST

ENGLEWOOD, NJ 07631

Date of Taking Office: 03/30/2001

Last Updated: 04/26/2001

Scanned Documents

(Click on gray button to view document - will open in a new window)

Document Number	Description	Date Received
00430465	AGENT RESIGNATION	04/02/2002
01366293	AGENT APPOINTMENT/CORP ADDR CHG	11/01/2005

[Back To Top](#)

Administrative Dissolutions and Reinstatements

(Click on gray button - if present - to view notice - will open in a new window)

Administrative Dissolution Date	Administrative Dissolution Reason	Reinstatement Date
02/21/2003	AD-DISSOLVED - MAINTAIN STAT AGENT	11/01/2005

[Back To Top](#)

Microfilm

Location	Date Received	Description
11453004004	03/30/2001	ARTICLES OF ORGANIZATION
20278026032	05/22/2001	PUBLICATION OF ARTICLES OF ORGANIZATION
31659000080	04/02/2002	AGENT RESIGNATION
31671005883	07/28/2002	NOTICE OF PENDING ADMINISTRATIVE DISSOLUTION
31710005225	02/21/2003	CERTIFICATE OF DISSOLUTION
11585029043	03/12/2003	CERT OF DISSOLUTION/MAIL RETURNED
31926000129	11/01/2005	AGENT APPOINTMENT/CORP ADDR CHG

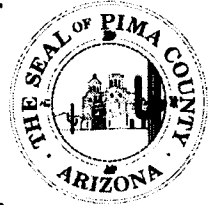
[Back To Top](#)

- [Corporate Name Search Instructions](#)
- [General Web Site Usage Instructions](#)
- [STARPAS Main Menu](#)
- [A.C.C. Corporations Division Main Page](#)
- [Arizona Corporation Commission Home Page](#)




MEMORANDUM

Planning & Development
Regional Flood Control District



DATE: April 24, 2013

TO: Daniel Signor, DSD
Senior Planner

FROM:  Greg Saxe, M.R.P. Ph.D.
Environmental Planning Manager

SUBJECT: Co9-12-05 Aerie at River Road and Sabino Canyon Road – Rezoning

I have reviewed the request and have the following comments:

1. The site contains a small area of FEMA Special Flood Hazard Area Zone AE in the northwest corner.
2. There is no Pima County Regulated Riparian Habitat on the site.
3. The application proposes use of water harvesting basins and underground cisterns as well as direct connection of outlets to an underground storm drain, a culvert and catch basin within the Sabino Canyon Road ROW to meet drainage requirements. It should be noted that the applicant has agreed to address drainage concerns expressed by neighbors. Their intent is to redirect sheet flows from the southern portion of the property which currently flow toward Riverbend Estates and redirect this flow to Sabino Canyon Road via underground pipe drains. While flows are not large, careful design and coordination with PCDOT will be required. The District is currently developing standards for underground cisterns including overflow and sizing requirements. Because routing and volume calculations have not and are not typically provided at the rezoning stage of development, feasibility including size and location of the cisterns cannot be determined. It is possible that site configuration changes may be required.

Recommended Condition:

- a. Drainage design including underground cisterns and public drainage connections must meet the requirements in place at the time the Development plan is submitted.

In conclusion the District has no objection to this application subject to the recommended special and standard conditions.

Please feel free to contact me with any questions or concerns on these comments.

GS/AM/vg
Cc: File



United States Department of the Interior

U.S. Fish and Wildlife Service
Arizona Ecological Services Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 Fax: (602) 242-2513



In reply refer to:

AESO/SE

02EAAZ00-2013-SL-0169

April 24, 2013

Ms. Martha C. Martin
c/o Mr. Daniel Signor
Pima County Community Development
801 West Congress Street
Tucson, Arizona 85745

RE: Rezoning Project-Aerie at River Road and Sabino Canyon Road (West), Pima County, Arizona
(5.91 Acre Parcel. Changed From a Suburban Residential Site to a Mixed Dwelling Site of 57
Single-Family Residential Rental Units) (Co9-12-05)

Dear Ms. Martin:

Thank you for your recent request for information on threatened or endangered species, or those that are proposed to be listed as such under the Endangered Species Act of 1973, as amended (ESA), which may occur in your project area. The Arizona Ecological Service Field Office has posted lists of the endangered, threatened, proposed, and candidate species occurring in each of Arizona's 15 counties on the Internet. Please refer to the following web page for species information in the county where your project occurs: **<http://www.fws.gov/southwest/es/arizona>**

If you do not have access to the Internet or have difficulty obtaining a list, please contact our office and we will mail or fax you a list as soon as possible.

After opening the web page, find Arizona County/Species List on the main page. Then click on the county of interest. The arrows on the left will guide you through information on species that are listed, proposed, candidates, or have conservation agreements. Here you will find information on the species' status, a physical description, all counties where the species occurs, habitat, elevation, and some general comments. Additional information can be obtained by going back to the main page. On the left side of the screen, click on Document Library, then click on Documents by Species, then click on the name of the species of interest to obtain General Species Information, or other documents that may be available. Click on the "Cactus" icon to view the desired document.

Please note that your project area may not necessarily include all or any of these species. The information provided includes general descriptions, habitat requirements, and other information for each species on the list. Under the General Species Information, citations for the Federal Register (FR) are included for each listed and proposed species. The FR is available at most Federal

depository libraries. This information should assist you in determining which species may or may not occur within your project area. Site-specific surveys could also be helpful and may be needed to verify the presence or absence of a species or its habitat as required for the evaluation of proposed project-related impacts.

Endangered and threatened species are protected by Federal law and must be considered prior to project development. If the action agency determines that listed species or critical habitat may be adversely affected by a federally funded, permitted, or authorized activity, the action agency will need to request formal consultation with us. If the action agency determines that the planned action may jeopardize a proposed species or destroy or adversely modify proposed critical habitat, the action agency will need to enter into a section 7 conference. The county list may also contain candidate or conservation agreement species. Candidate species are those for which there is sufficient information to support a proposal for listing; conservation agreement species are those for which we have entered into an agreement to protect the species and its habitat. Although candidate and conservation agreement species have no legal protection under the Act, we recommend that they be considered in the planning process in the event that they become listed or proposed for listing prior to project completion.

If any proposed action occurs in or near areas with trees and shrubs growing along watercourses, known as riparian habitat, we recommend the protection of these areas. Riparian areas are critical to biological community diversity and provide linear corridors important to migratory species. In addition, if the project will result in the deposition of dredged or fill materials into waterways, we recommend you contact the Army Corps of Engineers which regulates these activities under Section 404 of the Clean Water Act.

The State of Arizona and some of the Native American Tribes protect some plant and animal species not protected by Federal law. We recommend you contact the Arizona Game and Fish Department and the Arizona Department of Agriculture for State-listed or sensitive species, or contact the appropriate Native American Tribe to determine if sensitive species are protected by Tribal governments in your project area. We further recommend that you invite the Arizona Game and Fish Department and any Native American Tribes in or near your project area to participate in your informal or formal Section 7 Consultation process.

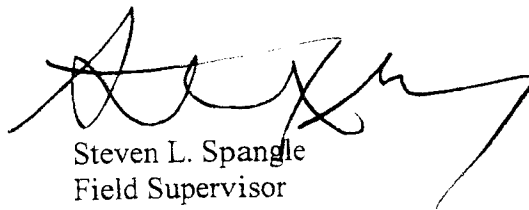
For additional communications regarding this project, please refer to consultation number 02EAAZ00-2013-SL-0169. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area.

Some projects may potentially impact species that are protected under the Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. sec. 703-712) and/or bald and golden eagles protected under the Bald and Golden Eagle Protection Act (BEGPA). Prohibitions under the MBTA include the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except as specifically authorized by the FWS. If you believe migratory birds will be affected by the project, we recommend you contact our Migratory Bird Permit Office, P.O. Box 709, Albuquerque, NM 87103, (505) 248-7882 or by email FW2_birdpermits@fws.gov. For more information regarding the MBTA and permitting process, please visit the following web site: <http://www.fws.gov/migratorybirds/mbpermits.html>. For information on protections for bald eagles

under the BEGPA, please refer to the FWS's National Bald Eagle Management Guidelines (72 FR 31156) and regulatory definition of the term "disturb" (72 FR 31132) that were published in the Federal Register on June 5, 2007. Additional information about bald eagle management and protection can be found in the Conservation Assessment and Strategy for the Bald Eagle in Arizona (<http://swbemc.org/pdf/NGTR173%20BaldEagleConservationAgreement.pdf>). Existing incidental take authorization for bald eagles issued under section 7 of the Endangered Species Act prior to delisting should be re-evaluated, and if needed, authorized under BEGPA (73 FR 29075).

If we may be of further assistance, please feel free to contact Brenda Smith (928) 556-2157 for projects in Northern Arizona, Debra Bills (602) 242-0210 (x239) for projects in central Arizona and along the Lower Colorado River, and Jean Calhoun (520) 670-6150 (x223) for projects in southern Arizona.

Sincerely,



Steven L. Spangle
Field Supervisor

cc: Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ
Jean Calhoun, Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ
Star Consulting, Tucson, AZ (Attn: Erin Harris)

W:\Cathy Gordon\administration\species ltrs\complete\Pima County Community Development Aerie at River Road and Sabino Canyon Road
Rezoning 4.24.2013.docx:cgg

Terri M. Cohen
3452 N. Millard Dr.
Tucson, AZ 85750
(520)721-7623

April 14, 2013

Case Planner
Attn: Chris Poirier
Pima County Development Services
201 N. Stone Avenue
Tucson, AZ 85701

RECEIVED
APR 19 2013

BY:

Re: Pima County Rezoning Case No. Co9-12-05 SW Corner of Sabino Canyon and River Roads

Regarding the above project, I understand that this corner is going to be developed by the Project Team which includes Erin Harris, Roger Karber and Robert Gugino.

My home is on the border of the property line, and although it was inevitable that this lot would be developed, I believe that the proposed plans are the best case scenario for me and the community I live in.

That is not to say that I'm excited about this project. I have enjoyed the natural beauty of the desert next to my home and the picturesque view I have from my back patio and do not love the idea of it being any different than it is now. I do understand that life is full of changes that include growth and development.

That being said, the Project Team has been unbelievably caring and concerned about how this project is going to affect the community that I live in. They have come to our homeowner association meetings, scheduled additional meetings for my community, scheduled smaller group meetings for those of us who border the property line, as well as meet individually with those homeowners, including myself, to learn more about the project, ask questions, and state our concerns and our fears facing our changing landscape.

We continue to have conversations within my community on the positives and negatives of the changes that are about to occur, and fortunately there are positives for us. As I stated, this is the best case scenario for our community. Having the area be zoned residential is perhaps the biggest positive and the continued relationship that the Project Team has helped to create has made the experience far more comforting than we could possibly have expected.

Although it is still very difficult to be happy about the changes coming, I am in support of the project that the Project Team is proposing and hope that we continue to have the positive relationship with the Team.

Please forward this letter to the Planning and Zoning Commission and the Board of Supervisors at the public hearing.

Sincerely,



Terri Cohen

3448 N. Millard Drive
Tucson, AZ 85750
April 5, 2013

Case No. Co9-12-05
Attn. Chris Poirier
Pima County Development Services
201 N. Stone Avenue
Tucson,, Arizona

Re: Pima County Rezoning Case No. Co9-12-05 South Corner of Sabino Canyon and River Roads

Gentlemen:

Early this year I discovered property stakes very close to the east of my home, Lot 13, in Riverbend Estates.

After attending an informal meeting for our neighborhood at the Dusenberry Library, I was further shocked to learn that 4 houses were planned next to my home which is 6 feet from the lot line. Over the 35 years that I have lived here I never knew that Herder had built that close to the line. I always thought it was 10 ft. to 12 ft away. Over the years I have planted trees next to my home to shade the two windows facing east..

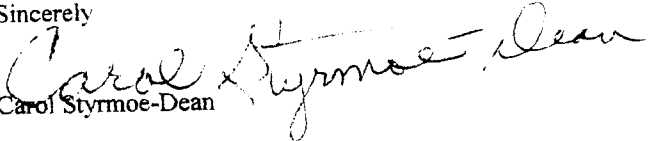
My concerns have been addressed by the team of Erin Harris, Roger Karber and Robert Gugino. They all came to my house and we walked outside and they were very forth coming in making concessions to change the planned wall around the trees and move the 4 houses.

Over time the Project Team has met other neighbors all along the east end of Riverbend Estates to listen to their concern and have made multiple concessions.

I recommend this request for rezoning Case No-C09-12-05 be approved and this letter be submitted to The Planning and Zoning Commission and the Board of Supervisors hearing that will be held before each body.

I cannot emphasize enough the cooperative relationship that Riverbend Estates has had with the Project Team.

Sincerely


Carol Styrmoie-Dean

Cc : Robert L. Gugino
Ray Carroll

May 29, 2013

Planning and Zoning Commission

Additional material

Item #6

Co9-12-05 SABINO CANYON GATEWAY, LLC – SABINO
CANYON ROAD REZONING

To: **Pima County Planning and Zoning Commission**
201 North Stone Avenue
Tucson, AZ 85701
Attention: Arian Colton, Planning Director

From: **Erik Jerue**
7601 E calle Brisas
Tucson, AZ 85750

Mr. Arian Colton,

I live at 7601 E Calle Brisas which is directly south of the proposed HIGH DENSITY APARTMENTS for the 9 acre lot from River to Cloud and east of Sabino Canyon Rd. This is the area that 200 rental units are proposed to be put up with a re-zoning application for CR-4 from SR-1 from Roger Karber as the project's developer.

Without discussing the timing of the notice over the Memorial Day Weekend, which in my opinion is improper, the meeting is being held at 9am when normal meetings are in the evening to obtain the best neighborhood response. This is an attempt to shove this through for approval without a response from the neighborhood. The signs are placed for the people to see as they travel west on CLOUD and not along the road where the affected residents are notified. The signs are notifying the WRONG RESIDENTS.

I would like to respond and due to the lack of time, I am faxing it to ensure you receive it in time to FAX 520-623-5411.

I would like the Planning Commission to maintain a "LIKE NEXT TO LIKE" density for the 9 acre parcel and to apply the same to the 5.91 acre parcel across the street. This affects home value and congestion on our roads. HIGH DENSITY MEANS HIGH CONGESTION. We request the zoning to remain as a SR-1 zoning.

Please respond to this fax in an email to ejerue@gmail.com before the May 29th meeting deadline.

Please see attached document for my Considerations.

Regards,

Erik Jerue
(520) 437-0010



FAX

TO:	Arian Colton, Planning Director	FROM:	Erik Jerue
COMPANY:	Pima County Planning and Zoning Commission	COMPANY:	
FAX:	5206235411	FAX:	
SUBJECT:	Sabino Canyon and Cloud Rd Rezoning	DATE:	Monday, May 27, 2013

To: Pima County Planning and Zoning Commission
201 North Stone Avenue
Tucson, AZ 85701
Attention: Arlan Colton, Planning Director

From: Cheryle Jarue
7601 E calle Brisas
Tucson, AZ 85750

Mr. Arlan Colton,

I live at 7601 E Calle Brisas which is directly south of the proposed HIGH DENSITY APARTMENTS for the 9 acre lot from River to Cloud and east of Sabino Canyon Rd. This is the area that 200 rental units are proposed to be put up with a re-zoning application for CR-4 from SR-1 from Roger Karber as the project's developer.

Without discussing the timing of the notice over the Memorial Day Weekend, which in my opinion is improper, the meeting is being held at 9am when normal meetings are in the evening to obtain the best neighborhood response. This is an attempt to shove this through for approval without a response from the neighborhood. The signs are placed for the people to see as they travel west on CLOUD and not along the road where the affected residents are notified. The signs are notifying the WRONG RESIDENTS.

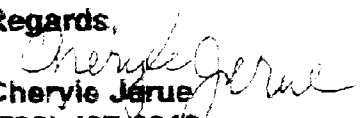
I would like to respond and due to the lack of time, I am faxing it to ensure you receive it in time to FAX 520-623-5411.

I would like the Planning Commission to maintain a "LIKE NEXT TO LIKE" density for the 9 acre parcel and to apply the same to the 5.91 acre parcel across the street. This affects home value and congestion on our roads. HIGH DENSITY MEANS HIGH CONGESTION. We request the zoning to remain as a SR-1 zoning.

Please respond to this fax in an email to pooh@poohshouse.net before the May 29th meeting deadline.

Please see attached document for my Considerations.

Regards,


Cheryle Jarue
(520) 437-0010

Considerations:

Has anyone considered what this proposal will do to traffic in an already congested area? TUSD closed down Townsend Middle School which was the designated school for residents living in the area of Sabino Canyon, Cloud & River Rd and other subdivisions in the area. That traffic went west on River Rd. to Craycroft. With the closing of Townsend Middle School, the new school of residence for Middle School aged children living in this area is now Magee Middle school located at 8300 E Speedway Blvd. This change alone is going to force more traffic down to the already congested intersection of Tanque Verde and Sabino Canyon Roads. Let us also consider that the High School of residence for families residing in this area is Sabino High School. There are no roads that go west from the River/Sabino Canyon /Cloud/Snyder Road area through to Sabino High School located at the intersection of Bowes Road and Snyder Road. We are already forced to go south on Sabino Canyon, east on Tanque Verde and then north on either Bear Canyon Rd or Catalina Highway because Snyder Road, nor any other road goes through directly to Sabino High School. The changes that have already taken place force ALL families with Middle School children and High School children to go south on Sabino Canyon Road and then east on Tanque Verde, an intersection that is already a nightmare for any driver!

Now let's consider the changes that are already taking place at Sabino Canyon Road and Tanque Verde. They are currently expanding Sabino Canyon Road to go from Tanque Verde to Wilmot. When they first started this project, they closed down one of the three left turn lanes going from Sabino Canyon Road left onto Tanque Verde, and created havoc and extreme congestion at this intersection, not just during traffic hours, either. It took anywhere from 3 to 6 light changes just to get through the intersection around 5:30. So many residents complained about this factor alone, that they agreed to "temporarily" re-open the third left turn lane. However, once this project is complete, they plan on reducing it back to just TWO left turn lanes. As a parent of one child that has already graduated from Sabino High School, who currently has a student attending Sabino High School and who has a third child that will be attending Sabino High School starting in 2014/2015 school year, the changes to traffic congestion this proposed rezoning plan will bring is unacceptable. It is unacceptable even without adding more residential homes/apartments! With our first child, we spent 6 hours a week driving him to and from Sabino High School for extra-curricular activities. For our second child, who plays football at Sabino, we spend 3.3 hours a week (about 200 minutes) driving him to and from football practice. Sabino High School has ONE "activity" bus that comes to Sabino Canyon Road which leaves the High School at 4:30 PM. Football practice does not end until 5-5:15 PM! The

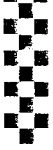
"activity" bus that leaves Sabino High School at 4:30 does not even arrive in the River/Cloud/Sabino Canyon area until 6 PM! That's currently 90 minutes on a bus for these students! If high residential homes/apartments are added, then this will also increase the amount of time a student has to spend on a bus due the increase in the amount of stops the bus has to make! Not to mention the traffic ordeal that already exists at the Sabino Canyon Road and Tanque Verde intersection. I invite anyone to spend an afternoon at this intersection around 5:15 PM while school is in session!

This is NOT a good idea. Some parents may choose to avoid this problem by using the "open enrollment" option that exists for CFSD, which would cut down the amount of funds TUSD schools receive because parents have opted to send their children to another school. Some parents though, may not have that ability or option available to them! Either way, this is going to create a traffic nightmare, not to mention the aesthetic appearance of our neighborhood, the neighborhood we chose to live in!

Perhaps someone should invest in a solution to the existing problem of trying to reach Sabino High School without having to go around the city in a big "U" just to get children to and from school, before creating a worse problem with the addition of 200+ families! Any road that diverts traffic away from Sabino Canyon and Tanque Verde in order to get to Sabino High School would be beneficial to the city of Tucson and TUSD!

Sincerely,


Cheryl Jenue



FAX

TO:	Arian Colton, Planning Director	FROM:	Cheryle Jerue
COMPANY:	Pima County Planning and Zoning Commission	COMPANY:	
FAX:	5206235411	FAX:	
SUBJECT:	Sabino Canyon and Cloud Rd Rezoning	DATE:	Monday, May 27, 2013

**To: Pima County Planning and Zoning Commission
201 North Stone Avenue
Tucson, Arizona 85701
Attention: Arlan Colton, Planning Director**

**From: Bart Stephens
7127 E. Sabino Vista Cir.
Tucson, Arizona 85750**

Mr. Arlan Colton,

I live at 7127 E. Sabino Vista Cir. which is directly south of the proposed HIGH DENSITY APARTMENTS for the 9 acre lot from River to Cloud and east of Sabino Canyon Rd. This is the area that 200 rental units are proposed to be put up with a re-zoning application for CR-4 from SR-1 from Roger Karber as the project's developer.

Without discussing the timing of the notice over the Memorial Day Weekend which in my opinion is improper, the meeting is being held at 9am when normal meetings are in the evening to obtain the best neighborhood response. This is an attempt to shove this through for approval without a response from the neighborhood. The signs are placed for the people to see as they travel west on CLOUD and not along the road where the affected residents are notified. The signs are notifying the WRONG RESIDENTS.

I would like to respond and due to the lack of time, I am faxing it to ensure you receive it in time to FAX 520-623-5411.

I would like the Planning Commission to maintain a "LIKE NEXT TO LIKE" density for the 9 acre parcel and to apply the same to the 5.91 acre parcel across the street. This affects home value and congestion on our roads. HIGH DENSITY MEANS HIGH CONGESTION. We request the zoning to remain as a SR-1 zoning.

Please respond to this fax in an email to bartolfic@yahoo.com before the May 29th meeting deadline.

Best Regards,

**Bart Stephens
7127 E. Sabino Vista Cir.
Tucson, Arizona 85750
520-909-0498 cell
520-298-8182**

SEND TO: MR. BRIAN COLTON	FROM: BART STEPHENS
COMPANY: ZONING COMMISSION	DATE: 5-27-2013
TELEPHONE:	OFFICE: (520) 808-0488
FAX NUMBER: 520-623-5411	FAX: (520) 808-0488 718-4887

COMMENTS:[illegible]

April 15, 2013

RECEIVED
MAY 28 2013
BY:

Case Planner
Attn: Chris Poirier
Pima County Development Services
201 N. Stone Avenue
Tucson, Arizona 85701

**Re: Pima County Rezoning Case No. Co9-12-05 Southwest Corner of Sabino
Canyon and River Road**

Mr. Poirier

I am writing this letter at the request of GUGINO & MORTIMER, PLC. Please submit this letter to both the Planning & Zoning Commission and the Board of Supervisors at the public hearing that will be held before each body.

My property is located 10 feet to the east of the above mentioned project for which we have a common property line. We have had several meetings with the Project Team where we have discussed the impact this new development will have on our property. The team has been very diligent in answering our questions and addressing our concerns. They have been very responsive and in certain cases they have made changes to their project to accommodate our needs. Personally I am very satisfied with the outcome of our discussions.

I have no problem with the approval of this project which in my view will help the economy of our town.

Sincerely



Joseluis Castañeda P.E. Ph.D



Re: Public Hearing on 5/29/2013 - Sabino Canyon Road
(Rivera Cloud)

To whom it may concern,

Please maintain like next to like density for the property in the area of Sabino Canyon Road between River Road and Cloud Road. The traffic is already very heavy at certain times and the change will degrade a neighborhood which has been wonderful for many years.

Regards,

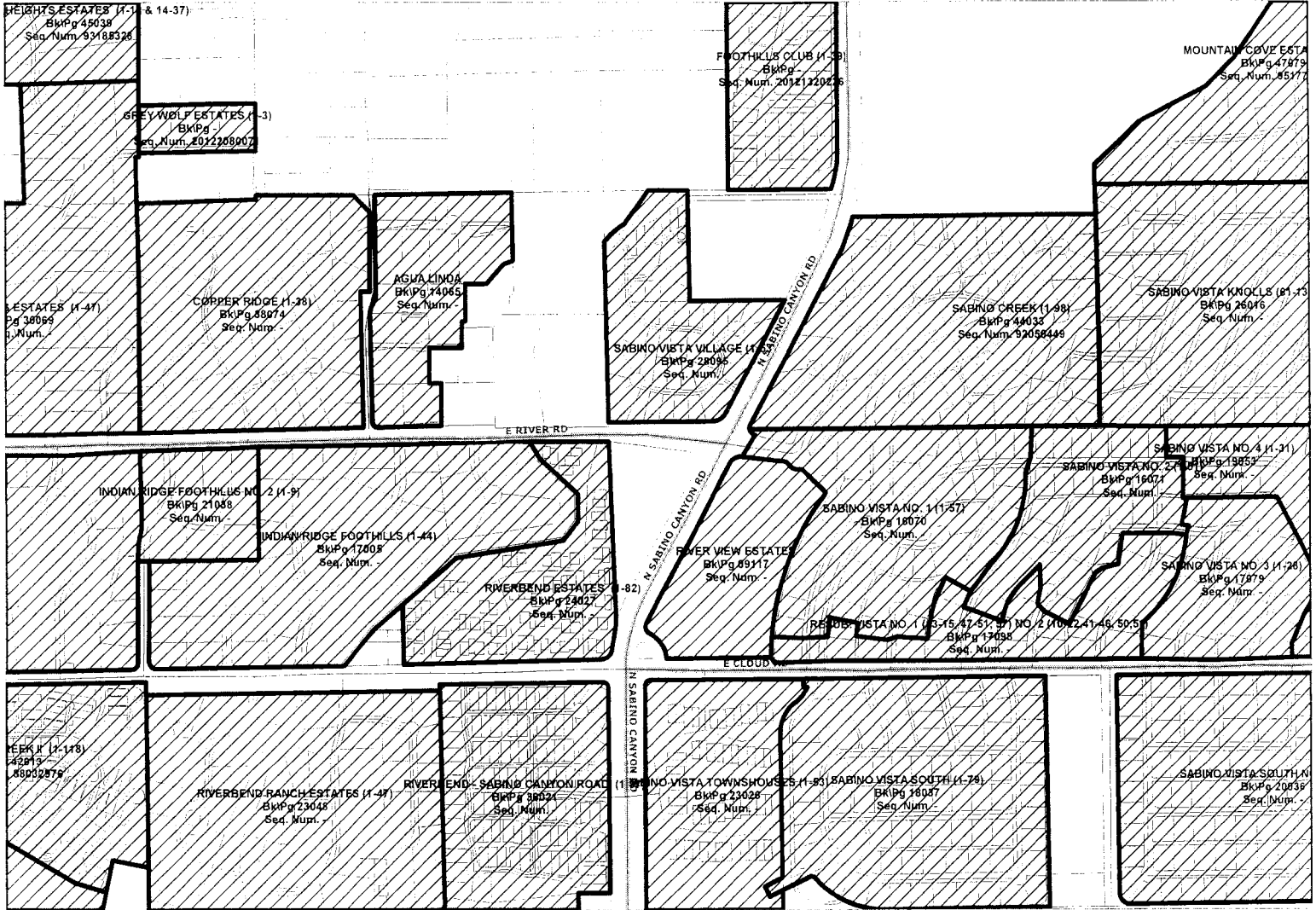
Britt Feldhausen

brittfeldhausen@mac.com



RECEIVED
MAY 28 2013
BY:.....

Attn: Adrian Colton



May 27, 2013

To Whom It May Concern:

I am writing to ask you to please not allow the re-zoning of the 2 properties at the southeast and southwest corners of Sabino Canyon and River. If the re-zoning is approved it will negatively impact our neighborhood. The traffic alone would make it very difficult and unsafe as it is so close to Fruchthendler Elementary School where our children attend school. The impact on the school with increased class sizes would be devastating to our children's education and the future of the school itself.

We moved into the neighborhood of Sabino Vista Heights for the very reasons of having large homes, large lot sizes and an excellent school. Please keep the zoning so that it is like next to like for all the surrounding neighborhoods.

Please DO NOT allow this re-zoning to go through.

Sincerely,



Melissa and David Rasmussen

RECEIVED
JUN 03 2013

BY:

Elisabeth Calmes

7532 E Calle Cabo
Tucson, AZ 85750
T 520-603-1591
averill73@gmail.com

May 28, 2013

Pima County Planning and Zoning Commission
201 N. Stone Avenue
Tucson, AZ 85701

RE: Co9-12-05 Sabino Canyon Gateway LLC- Sabino Canyon Rd Re-zoning

Mr. Colton,

It has come to my attention that the zoning commission will be holding a hearing to consider re-zoning parcels of land near our neighborhood and school (as referenced above). We strongly object to the proposed re-zoning. We strongly encourage the commission to maintain the "like next to like" density for both the 5.9 acre parcel and the 9 acre parcel near the Sabino Canyon and Cloud intersection. Re-zoning this parcel would have a devastating effect on this very family friendly neighborhood community.

Sincerely yours,

Elisabeth Lonnie Calmes

Elisabeth & Lonnie Calmes, homeowners

RECEIVED
MAY 30 2013
BY:

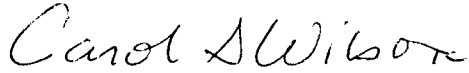
May 28, 2013

Pima County Planning and Zoning Commission
201 North Stone Avenue
Tucson, Arizona 85701
Attention: Arlan Colton, Planning Director

Dear members of Pima County Planning and Zoning Commission;

I am writing in regard to the proposed re-zoning of the 5.91 acre and 9 acre lots on the corners of Sabino Canyon and River Road. I hope the Planning and Zoning Commission will maintain "like next to like" density for these parcels.

Sincerely,



Carol S. Wilson
3921 N. Hillwood Circle
Tucson, AZ 85750

RECEIVED
MAY 30 2013
BY:

Chris Poirier

From: Angie Rangel on behalf of DSD Planning
Sent: Friday, May 31, 2013 1:26 PM
To: Chris Poirier
Subject: FW: Re Zoning of River/Sabino Canyon

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: Kimberly Marohn [mailto:kimberlymarohn@gmail.com]
Sent: Thursday, May 30, 2013 4:06 PM
To: DSD Planning
Cc: Kimberly Marohn
Subject: Re Zoning of River/Sabino Canyon

May 30, 2013

>
> Pima County Planning and Zoning Commission
> 201 North Stone Avenue
> Tucson, Arizona 85701
> Attention: Arlan Colton, Planning Director, FAICP

Dear Mr. Colton,

I would like to voice my opposition to the proposed development of high density rental units on the approximately 5.91 acre lot located on the south west corner of River Road and Sabino Canyon Road.

Adding 259 high density rental units will negatively impact traffic, crime, home values etc.

Please maintain the like next to like density for both the 5.91 acre parcel and the 9 acre parcel and don't approve the re zoning.

Thank you for your consideration and thoughtful attention in this matter.

Sincerely,

Kimberly Marohn
7945 E Cloud Rd
Tucson, AZ 85750
520-429-8593

Chris Poirier

From: esther blumenfeld <ebwrit@aol.com>
Sent: Friday, May 31, 2013 10:33 AM
To: Chris Poirier
Subject: Fwd: zoning vote for housing on River/Sabino canyon...from esther

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Poirier,

It is just easier if I send you this e-mail addressing my concerns on the proposed 'Casitas project: on River and Sabino Canyon Rd. to the President of our Association. (Sabino Vista Village) .I have studied this for many years and the concerns are valid because Sabino Canyon Rd. is the only road for the traffic in this area. River is also starting to choke on the traffic. Since opening Snyder is not on the books, it is going to a a nightmare for the residents here if the project goes through. No one is against reasonable development, but cramming as many houses on as little available land as possible is not reasonable. I hope you will pass my concerns on to the Board of Supervisors.

Respectfully, Esther Blumenfeld

Begin forwarded message:

From: esther blumenfeld <ebwrit@aol.com>
Subject: Fwd: zoning vote for housing on River/Sabino canyon...from esther
Date: May 31, 2013 10:21:22 AM MST
To: jeanne silverberg <jeannesilverberg@aol.com>, barbara and jim connors <bjconnors@sbcglobal.net>, connie sanci <san.sea@rogers.com>, monica Maloney <katiedog616@centurylink.net>, Debra nordstrom <dnordstrom@nordstromgroup.com>, tony smoak <tssmoak@yahoo.com>, Martin Ryan <mfr200101@yahoo.com>, dee sommer <deesommer@yahoo.com>, vansice@aol.com, fay roos <nes999@aol.com>, Joe Heather Lipsey <jwlipsey@msn.com>, bonnie sandell <2SandellsAZ@comcast.net>, ric barbour <rbarbour2@comcast.net>

Begin forwarded message:

From: esther blumenfeld <ebwrit@aol.com>
Subject: zoning vote for housing on River/Sabino canyon...from esther
Date: May 31, 2013 10:16:47 AM MST
To: herb roberts <rherb1@comcast.net>

Dear Herb,

Chris Poirier

From: Shirley Lamonna
Sent: Friday, May 31, 2013 7:57 AM
To: Chris Poirier
Subject: FW: Rezoning Requests at Intersection of River and Sabino Canyon Roads
Attachments: Blank Bkgrd.gif

Chris,

Another one that came into our ofc.

Shirl

From: District1
Sent: Friday, May 31, 2013 6:13 AM
To: Shirley Lamonna
Subject: Fwd: Rezoning Requests at Intersection of River and Sabino Canyon Roads

jtmacm@comcast.net

district1@pima.gov district4@pima.gov

jtmacm@comcast.net

On May 29, thae Planning and Zoning Commission voted 5-3 to oppose the rezoning of the smaller of the two rezoning requests referenced in my email, below. Concerns about impacts on the area infrastructure were the primary reasons for the Commission's vote. This request will come to the Board of supervisors for a final decision, probably in July, and I hope that you will respect the recommendation of the Zoning Commission.

The larger property, with a planned 200 small rental homes will burden the infrastructure far more dramatically than the request rejected on the 29th. We urge you oppose this rezoning as well when it comes to you for a decision.

James and Vinette MacMillan
7248 E Ashling Lane
Tucson, AZ 85715

From: James MacMillan [<mailto:jtmacm@comcast.net>]
Sent: Thursday, May 23, 2013 3:15 PM
To: 'district1@pima.gov'; 'district4@pima.gov'
Subject: Rezoning Requests at Intersection of River and Sabino Canyon Roads

May 23, 2013

Dear Ms. Miller and Mr. Carroll,

We are writing to you about two real estate development projects and rezoning requests. They are located in District 1; we live in District 4, just south of the planned developments.

Both projects are on the agenda for the Planning and Zoning Commission meeting on May 29th. The first, number 6 on the agenda, **Co9-12-05 SABINO CANYON GATEWAY LLC – SABINO CANYON ROAD REZONING** is listed as a public hearing item.

The second, **Co7-13-01 SABINO CANYON ROAD PROPERTIES, LLC – N. SABINO CANYON ROAD PLAN AMENDMENT** is listed as a study session, not a public hearing.

Both projects are proposed by Aerie Properties, and would have high-density, casita-like rental homes ranging in size from 650 to 1250 square feet. Together, the two projects would add 259 of these units at the intersection of Sabino Canyon Road and River Road. The requested zoning change would allow up to 24 units per acre.

If approved, these projects will create major new traffic issues at an already very busy intersection, and on Sabino Canyon Road. They will place high density housing adjacent to properties now zoned for 3 residences per acre. The requested rezoning will significantly impact the character and resale value of property in the nearby neighborhoods and place major new burdens on the infrastructure in that part of the county.

Development is inevitable where these projects are planned, but much better use can be made of this land, and we hope you will vigorously oppose the rezoning request being made by this developer.

Please let us know your position on these development projects.

James and Vinette MacMillan
7248 E Ashling Lane
Tucson, AZ 85715

Chris Poirier

From: Shirley Lamonna
Sent: Thursday, May 30, 2013 11:48 AM
To: Chris Poirier
Subject: FW: Land Use Designation MHIU

Follow Up Flag: Follow up
Flag Status: Flagged

FYI: for your file. Not sure if you have any other correspondence from this gentleman.
Shirl

From: anthonyroubound2610@comcast.net [mailto:anthonyroubound2610@comcast.net]
Sent: Thursday, May 30, 2013 11:44 AM
To: Shirley Lamonna
Subject: Re: Land Use Designation MHIU

Shirl,

Thanks for your complete and rapid response to my question. Things are much clearer now.

Although I may not be able to attend the 2JUL13 meeting as I may be out of town, I will make the 31JUL13 meeting.

And, to be perfectly clear, I am against both proposed changes, Item 6 and & 7., A. as proposed in the agenda for the 29May13 meeting.

Tony

Chris Poirier

From: Angie Rangel on behalf of DSD Planning
Sent: Wednesday, May 29, 2013 9:28 AM
To: Chris Poirier
Subject: FW: rezoning Cloud & River Road

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: Carol Parker [mailto:carol.crsrk@gmail.com]
Sent: Wednesday, May 29, 2013 8:56 AM
To: DSD Planning
Cc: My Gmail Accounts; Mike Parker
Subject: rezoning Cloud & River Road

Dear Mr. Colton,

We have been traveling and belatedly realized this rezoning was coming up before the committee.

We live on acreage at the east end of Cloud Road (8525 E. Cloud Road) and have lived there for 25+ years.

We feel strongly the proposed rezoning and planned development at the corner of Cloud Road and River Road will have a negative impact on the atmosphere of the surroundings and is unsuitable for the neighborhood. The high density housing and rental environment proposed is contradictory to the scenic rural nature and private home ownership of the surroundings. In addition Sabino Canyon Road is maxed out traffic wise and the high density residency will impact the traffic flow adversely.

Please maintain the 'like next to like' density policy for this parcel and the adjoining 9 acre parcel directly across the street and turn down the rezoning request.

In the future we will be watching this project closely and taking a more active role in opposing it, should it go forwards.

Thank you for your consideration.

--

Carol & Michael Parker
8525 E. Cloud Rd.
Tucson, AZ 85750

Chris Poirier

From: Angie Rangel on behalf of DSD Planning
Sent: Wednesday, May 29, 2013 9:28 AM
To: Chris Poirier
Subject: FW: Comments on rezoning request

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: STEPHEN [mailto:stephen.shawl@comcast.net]
Sent: Tuesday, May 28, 2013 11:53 AM
To: DSD Planning
Cc: stephen.shawl@comcast.net
Subject: Comments on rezoning request

Mr. Arlan Colton, FAICP
Planning Director
Pima County

Dear Mr. Colton,

I am writing concerning the application by Sabino Canyon Gateway LLC to rezone the area on the southeast corner of Sabino Canyon Road and River from SR to CR-4. Please accept this email as a letter, which I would have sent by US Post Office had there been sufficient time.

I live in Sabino Vista Hills to the east of the proposed rezoning, an area zoned as CR-1. I am opposed to the rezoning for a variety of reasons, some of which are certainly subject to the purview of the zoning commission and some of which may not be.

From what I have seen, the proposed plan for the area has some 10 houses per acre, which is 2-3 times the density of the surrounding areas. The fact that it would be unlike any of the surrounding areas should, by itself, be reason to deny the rezoning application.

Other considerations include the expected increase in vehicle traffic in the area. This area is a major access point between town and the foothills and especially to Sabino Canyon. Bicycle traffic is often heavy. Has a traffic study been done and made public? What would this increase in development mean in terms of the water supply? Water costs? What is the expected increase for local schools and the effect on TUSD?

In conclusion, without answers to all these questions (and, I am sure, more I have not yet thought of), at a minimum the rezoning request seems to be premature and should be delayed until answers are available to the public. But, given the concept of "like next to like," I would hope that the zoning commission would simply deny the application.

I look forward to attending the hearing on May 29.

Sincerely,

Stephen J. Shawl
4038 N West Fernhill Cir
Tucson, AZ 85750

Chris Poirier

From: Angie Rangel on behalf of DSD Planning
Sent: Monday, June 03, 2013 11:15 AM
To: Chris Poirier
Subject: FW: Re Zoning of River/Sabino Canyon

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: jonathan.marohn@gmail.com [mailto:jonathan.marohn@gmail.com] **On Behalf Of** Jonathan Marohn
Sent: Saturday, June 01, 2013 12:58 PM
To: DSD Planning
Subject: Re Zoning of River/Sabino Canyon

Dear Mr. Colton,

I understand that there is a petition to re-zone the corner of River & Sabino Canyon and Sabino Canyon and Cloud Rd.

I would like to voice my opposition to the proposed development of high density rental units on the approximately 5.91 acre lot located on the south west corner of River Road and Sabino Canyon Road.

Adding 259 high density rental units will negatively impact home values, traffic, crime the school system etc.

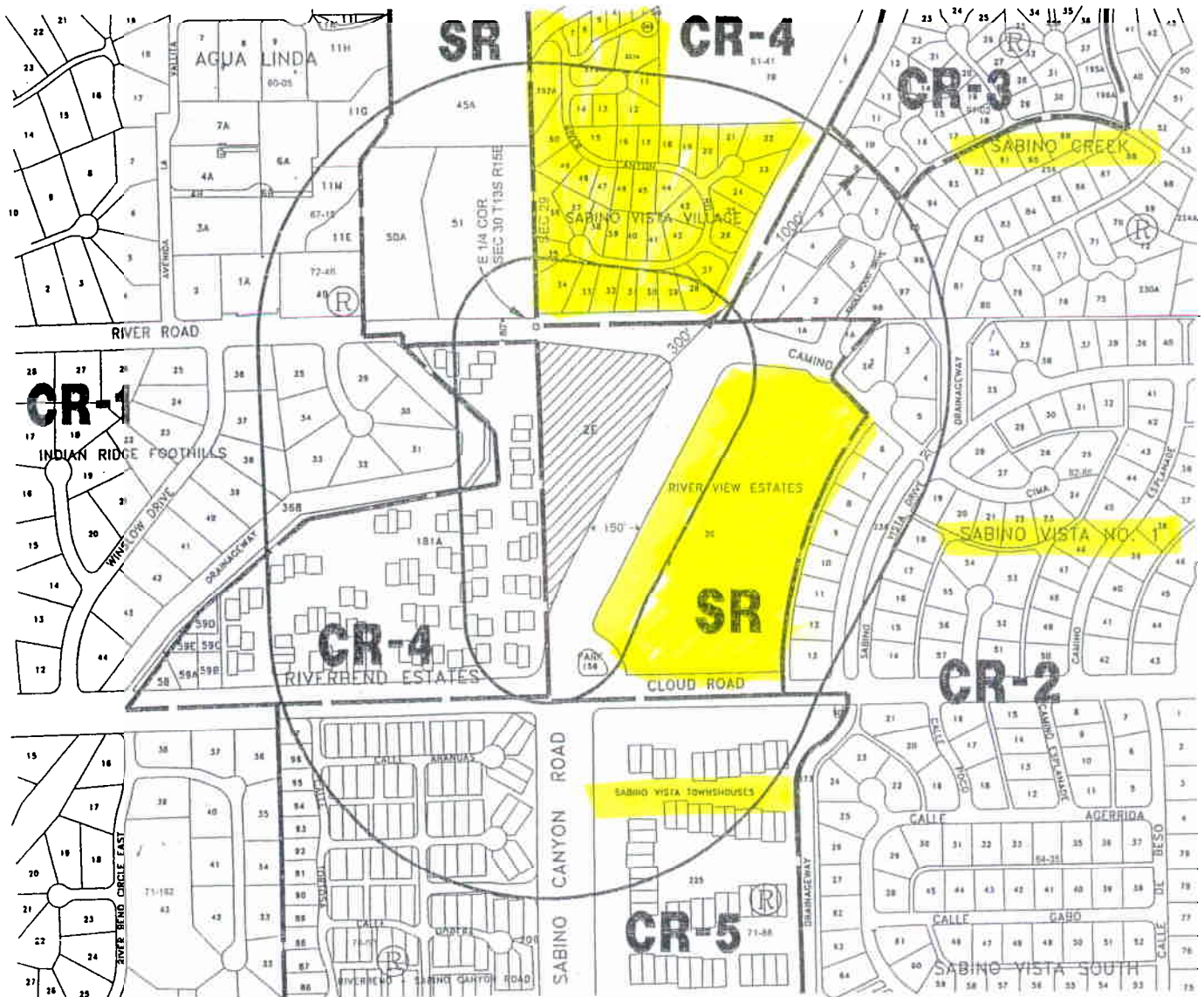
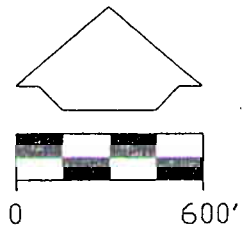
Please maintain the "like next to like" density policy for both the 5.91 acre parcel and the 9 acre parcel and do not approve the re zoning.

Thank you for your consideration and thoughtful attention in this matter.

Sincerely,

Jonathan Marohn
7945 E. Cloud Rd
Tucson, AZ 85750
520-444-2750

PIMA COUNTY COMPREHENSIVE PLAN (C07-00-20)



Area of proposed rezoning from
Notification area

SR to CR-4



BASE MAP 26

Notes

Tax codes 114-33-002E

Date 05/03/13
Drafter DS

File no. C09-12-005
SABINO CANYON GATEWAY LLC
SABINO CANYON ROAD REZONING

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

SR

CR-4

61-41

78

45A

332A

321A

51

E 1/4 COR

SEC 30 T13S R15E

SEC 29

SABINO VISTA VILLAGE

CANYON

1000'

KARLWOOD DRIVE

CR-3

80'

300'

CAMINO

DRAINAGEWAY

RIVER VIEW ESTATES

SR

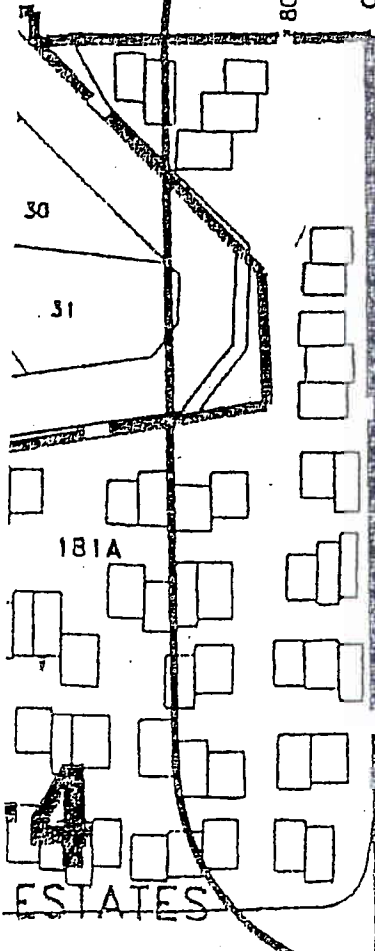
PARK 156

CLOUD ROAD

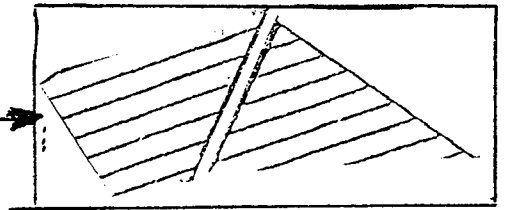
VISTA DRIVE

SABIN

CR



left over from
5th piece



SR

CR-4

61-41

78

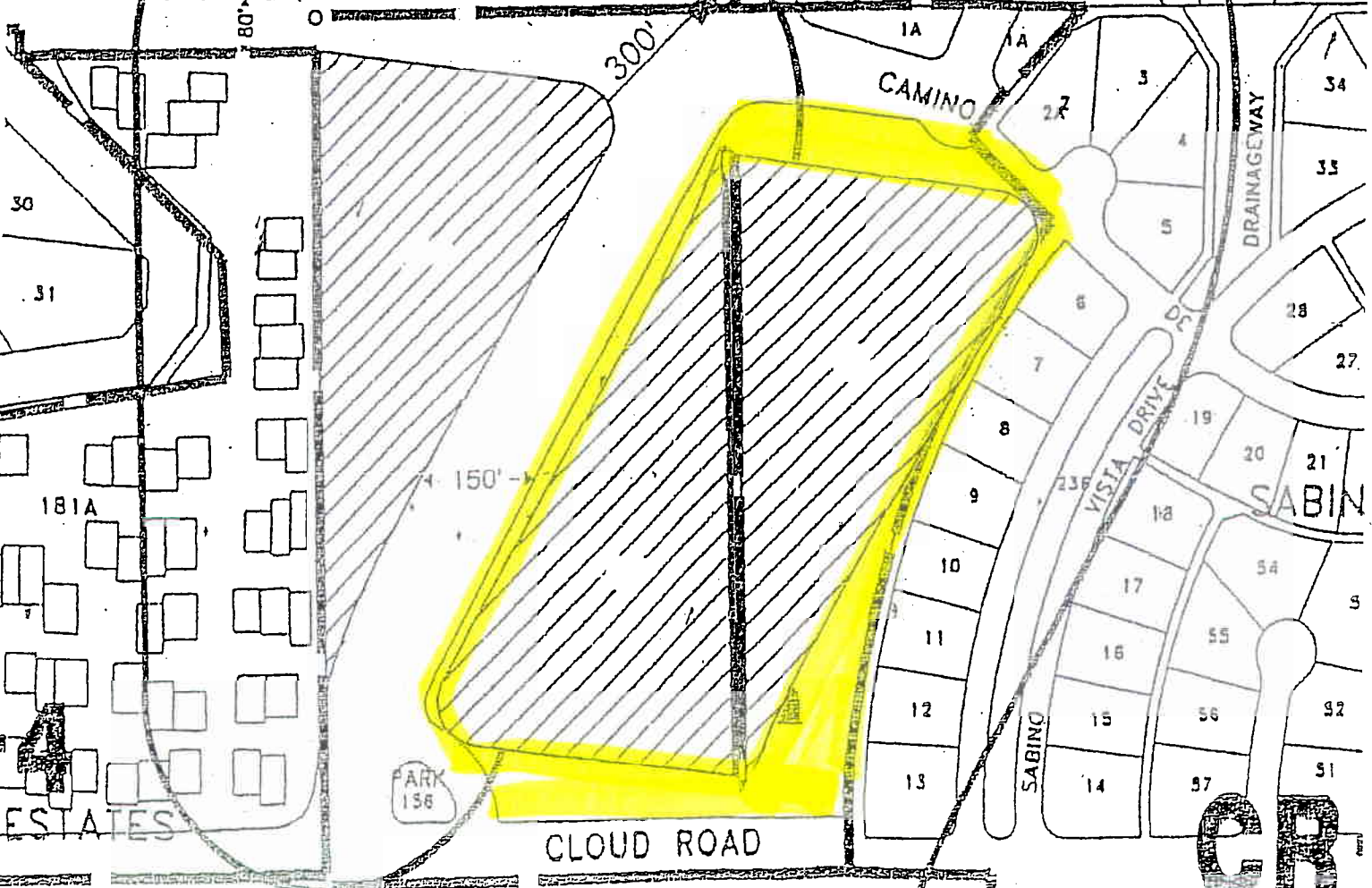
45A

E 1/4 COR
SEC 30 T13S R15E

51

JA

CR-4



Celia Turner

From: Joshua Orosco <joshua.orosco@gmail.com>
Sent: Wednesday, May 29, 2013 8:17 AM
To: Celia Turner
Cc: csoto
Subject: Co9-12-05 Sabino Canyon Gateway LLC – Sabino Canyon Road Rezoning

Dear Celia Turner,

My wife and I are homeowners in the Sabino Vista Hills community which will be impacted by the proposed “Co9-12-05 Sabino Canyon Gateway LLC – Sabino Canyon Road Rezoning” being discussed today at the Rezoning hearing. I regret that we are unable to attend the hearing due to work conflicts but I hope our opinion expressed in this email is considered by you and the committee. While we recognize development of the land cannot be stopped, we strongly encourage you to hold the developer accountable to maintaining the same density of development that exists in the surrounding communities. There is a 5.91 acre development to the West of this area that is developed with a density of 4 houses per acre and is zoned CR-4. There is also another development to the North of this area (across River Road) that was developed with a density of 3 houses per acre. This land developer is proposing about 10 homes per acre which is 3 times as much as the surrounding area. This land should not be rezoned. The current zoning is consistent with the other developments in the area and will ensure that all homeowners are protected.

We implore you to not allow this to happen. This will create stress on the surrounding communities' infrastructure, leading to traffic congestion, devaluation of property values and produce an “eye-sore” in our beautiful area.

Respectfully,

Josh and Tina Orosco
3900 N Larrea Lane
Tucson, Arizona 85750

Chris Poirier

From: Barbara Mannlein <bsmannlein@comcast.net>
Sent: Tuesday, May 28, 2013 8:29 PM
To: Chris Poirier
Subject: Co9-12-05 - Proposed rezoning at River and Sabino Canyon Rds

This email is to register my objection to the rezoning of the 5.9 acre site (Parcel #114-33-002E) at the southwest corner of the intersection of River Road and Sabino Canyon Road. All page citations below refer to the *Developer's Proposal*.

That intersection is an extremely busy and dangerous one (even after all the new traffic lights, turn lanes and and signage). Traffic generated by 52 apartment homes will make a bad situation worse.

I also object to the construction of apartments in an area where homeowners have invested heavily in their properties. Unfortunately, because they do not have financial investments in their rental homes, most renters do not get involved with the community and do not take care of the property.

The developer's proposal (p. 106) states that a "*Traffic Statement will be completed....*" and that "*It is anticipated that a right turn lane may be warranted or desired for the primary entrance....*". WILL THE DEVELOPER PAY FOR THAT RIGHT TURN LANE? - I strongly oppose our tax funds being used to benefit the builder. Better that our taxes be used for road maintenance!

Metro Water will be supplying the project (p. 117) but "*significant offsite improvements are required... .*" Again, I ask

WILL THE DEVELOPER PAY FOR THOSE SIGNIFICANT OFFSITE IMPROVEMENTS? I object to public funds being used to benefit a private project.

In addition, several existing homes on the western edge of this site will probably lose the shade and cooling effects provided by the large trees on the site will "*unlikely survive transplant and may not be able to be preserved in place... .*" (p.42, Item 9).

Barbara Stern Mannlein
1491 N. Bonita Ridge
Tucson, AZ 85750

To: Pima County Planning and Zoning Commission
201 North Stone Avenue
Tucson, AZ 85701
Attention: Arlan Colton, Planning Director

From: Kathy Benson
3240 N. Sabino Vista Circle
Tucson, AZ 85750

Mr. Arlan Colton,

I am a resident of Sabino Vista Townhouses located on the southeast corner of Cloud Road and Sabino Canyon Road. I am writing regarding the proposed re-zoning of the property at the southwest corner of River Road and Sabino Canyon Road as well as the property at the northeast corner of Cloud Road and Sabino Canyon Road. This area has long been a residential area and the construction of high density rental units will negatively impact the value of our homes as well as greatly increase the already heavy traffic along the Sabino Canyon corridor.

I implore you to not grant re-zoning of those parcels of vacant land for high density rental units.

Sincerely,

Kathy Benson

520-577-6844 (h)
520-403-0643 (c)



Chris Poirier

From: Martin Mannlein <mbmannlein@comcast.net>
Sent: Tuesday, May 28, 2013 9:50 PM
To: Chris Poirier
Subject: Co9-12-05 - Proposed rezoning at River and Sabino Canyon Rds

I wish to register my objection to the rezoning of the 5.9 acre site (Parcel #114-33-002E) at the southwest corner of the intersection of River Road and Sabino Canyon Road.

That is an extremely busy and dangerous intersection (even though new traffic lights, new turn lanes and many warning signs have been installed). 52 apartment homes will create a lot of traffic and will make a bad situation even worse.

I also object to the construction of apartments in an area where homeowners have invested heavily in their properties. Renters do not have financial investments in their homes. Renters do not get involved with the community as homeowners do. Renters do not take care of the property.

Martin Mannlein
4914 N. Bonita Ridge
Tucson, AZ 85750

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 12:29 PM
To: Chris Poirier
Subject: FW: Please vote against zoning change

From: Hugh Mobasseri [mailto:h160685750@yahoo.com]
Sent: Wednesday, June 12, 2013 11:44 AM
To: District1
Subject: Please vote against zoning change

Dear Supervisor Miller,

Please vote against the developer's request to change the zoning of 5.91 acres from SR to Cr. The immediate traffic impact to this neighborhood is more than can be tolerated and we have concerns about water for this area if apartment units are built.

We know this section is just a small part of District 1, but we ask you to honor the deep felt concern we have for the well being and livability of this area. We have understood the concerns of those residents who do not want Snyder Road to cross over Sabino Canyon Creek even though it means much more traffic on Sabino Canyon Road.

Although it is apparently not yet on the agenda, we also oppose a zoning change for the property on the northeast corner of Sabino Canyon and Cloud Roads.

Thank you.

Sincerely yours,
Judith Mobasseri
Hugh Mobasseri
7101 E Sabino Vista Circle
Tucson, AZ 85750

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:24 AM
To: Chris Poirier
Subject: FW: Strongly OPPOSING rezoning/Sabino Canyon

Follow Up Flag: Follow up
Flag Status: Flagged

From: galaxia corona <galaxiacorona@hotmail.com>
Date: June 11, 2013, 10:31:50 PM MST
To: Undisclosed recipients;;
Subject: Strongly OPPOSING rezoning/Sabino Canyon

To whom it may concerns,

I respectfully request to evaluate and to reject the developer's intentions to change the 5.91 acres, southwest corner of River and Sabino Canyon roads, from SR(suburban ranch) to CR-4(mixed dwelling-typy), and please DO NOT APPROVE the developer's wish to build over 200 rentals on the northeast corner of Sabino Canyon and Cloud Roads. THIS IS NOT ACCEPTABLE FOR US, THE RESIDENTS OF THIS NEIGHBORHOOD.

I, **Galaxia C. Mayagoitia**, my husband; **Miguel J. Mayagoitia**, and Daughter; **Galaxia M. Mayagoitia** (18 years old) **STRONGLY OPPOSE** TO THE REZONING OF THIS PROPERTIES. WE DO NOT AGREE AND DO NOT WANT RENTALS IMPACTING SABINO VISTA.

Our address is: **3416 N Calle Poco, Tucson AZ 85750**

Kind Regards,

Galaxia
520-331-2102

David & Jan Upchurch (Homeowners)
3441 N. Calle Vistosa
Tucson, AZ 85750

E-Mail: jdupchurch@comcast.net

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:24 AM
To: Chris Poirier
Subject: FW: Opposition to Proposed Rental Property on Sabino Canyon / River Roads

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jan & David Upchurch <jdupchurch@comcast.net>
Date: June 11, 2013, 11:48:04 PM MST
To: <district1@pima.gov>, <district2@pima.gov>, <district3@pima.gov>, <district4@pima.gov>, <district5@pima.gov>
Subject: Opposition to Proposed Rental Property on Sabino Canyon / River Roads

Dear Pima County Board of Supervisors:

It has come to our attention that there is a proposal before the Board to allow rezoning of the property on the southwest corner of River and Sabino Canyon Roads.

It is our understanding that the developer wishes to change the 5.91 acres from SR (suburban ranch) to CR-4 (mixed dwelling-type). This would allow the developer to build 53 detached, single story rental apartments. Further, the developer also owns the property on the northeast corner of Sabino Canyon and Cloud Roads, and we understand that over 200 rentals will be planned for that larger property.

Rental properties of this magnitude would:

1. Adversely affect housing prices in the Sabino Vista neighborhoods.
2. Have a severe impact on the traffic flow on Sabino Canyon, River and Cloud Roads; all three of which are already extremely congested.
3. Have a negative impact on water consumption in our neighborhood.
4. Adversely affect the neighborhood's Fruchthendler Elementary School by adding to an already overcrowded student population.
5. Dramatically increase the amount of vehicle traffic on Cloud Rd. near the Fruchthendler Elementary School, thereby creating a safety hazard for those arriving and departing the school each morning and afternoon during the school year.
6. Potentially increase crime in our neighborhood.

For the reasons above, please record our opposition to the referenced proposals for rental properties.

Additionally, we respectfully request that each of you vote to oppose all proposals for rental properties in, or near, the Sabino Vista neighborhoods.

Thank you for the opportunity to comment on this proposal.

Best regards,

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:23 AM
To: Chris Poirier
Subject: FW: rezoning Sabino Canyon/River

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jeremy Taylor <jeremysbeetlejuice@msn.com>
Date: June 11, 2013, 4:33:49 PM MST
To: <district1@pima.gov>
Subject: rezoning Sabino Canyon/River

Good afternoon,

We would like to express our opposition to the petition to rezone the property on the southwest corner of Sabino Canyon and River Roads. This is a low density private ownership residential area and we believe it should stay that way.

Thank you very much,

Jeremy Taylor
Katrina Taylor
3431 N Calle Poco
Tucson, Az 85750
520-615-3210

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:22 AM
To: Chris Poirier
Subject: FW: Zoning change River and Sabino

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jim Oby <obyjim@msn.com>
Date: June 11, 2013, 6:28:53 PM MST
To: "DISTRICT2@PIMA.GOV DISTRICT3@PIMA.GOV DISTRICT4@PIMA.GOV DISTRICT5@PIMA.GOV" <district1@pima.gov>
Cc: Jim Oby <obyjim@msn.com>
Subject: Zoning change River and Sabino

To: Pima county board of Supr"s,

I am sure you are all aware of the requests for changes in the zoning laws around River road and Sabino Canyon Rd. I want you to consider traffic increase that occurred over the last few years due Sabino Rd. being the END OF THE LINE for both Sunrise and River, both streets have been improved and are dumping a considerable AMOUNT OF TRAFFIC onto Sabino and Kolb roads.

This area has already been impacted by this heavy traffic from the West part of the city to the East area.

I understand the board is being asked to consider zoning changes for SR to CR-4 and then another planned area closer to Cloud.

Please, please consider the increase in traffic that sometimes require risking life and limb just to get out of our drive way and into the middle of the intersection and then another mad dash to merge into the speeding traffic.

IETS KEEP THE CR-4 ZONING IN PLACE BY VOTING NO.....

Jim Oby
520-751-6447

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:22 AM
To: Chris Poirier
Subject: FW: Rezoning of Properties on Sabino Canyon Road

Follow Up Flag: Follow up
Flag Status: Flagged

From: Steve Surasky <ssurasky@yahoo.com>
Date: June 11, 2013, 7:09:06 PM MST
To: "district1@pima.gov" <district1@pima.gov>
Subject: Rezoning of Properties on Sabino Canyon Road
Reply-To: Steve Surasky <ssurasky@yahoo.com>

Ally,

As we understand it, a property developer is applying to rezone a parcel on the southwest corner of River and Sabino Canyon Roads from Suburban Ranch (SR) to Mixed-dwelling (CR-4). They are also applying to rezone another parcel on the northeast corner of Cloud and Sabino Canyon Roads.

We oppose these rezonings because, if they should change to mixed-dwelling type, the developer will build apartment complexes on these parcels. Doing so will increase traffic, noise, and water consumption in the area. Additionally, there could be a negative impact on localized housing values.

We ask that you vote against these rezonings and keep these intersections as they are.

Sincerely,

Steven and Lin Surasky
Sabino Vista homeowners
3331 N Camino Suerte

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:21 AM
To: Chris Poirier
Subject: FW: Sabino canyon road rental

Follow Up Flag: Follow up
Flag Status: Flagged

From: Amy Olson <olson.bros@comcast.net>
Date: June 11, 2013, 8:29:05 PM MST
To: "district1@pima.gov" <district1@pima.gov>
Subject: Sabino canyon road rental

To Whom it May Concern:

My husband, Gordon Olson, and I are strongly opposed to the possible building of rental properties along the Sabino Canyon and Cloud/River area. We moved to this neighborhood due to its stability. Rentals will diminish the community and safety of those living there. Rental properties routinely attract those who want to take advantage of an area without investing in the area. My children play safely throughout our neighborhood but this will change with the development of a transient population.

Amy Olson

Sent from my iPhone

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 10:20 AM
To: Chris Poirier
Subject: FW: Sabino Vista neighborhood

Follow Up Flag: Follow up
Flag Status: Flagged

Today's batch forthcoming.

From: Buglogical Control Systems, Inc. [mailto:info@buglogical.com]
Sent: Tuesday, June 11, 2013 11:50 AM
To: District1
Subject: Sabino Vista neighborhood

Ally Miller,

I'm on the board of the Sabino Vista Homeowners board of directors we have over 1,000 family members in our home owners association the largest in Pima County. We are concerned about the re-zoning request at SW corner of Sabino and Cloud road and the proposed rezoning at NE corner of Sabino and Cloud road. Sabino Vista Homeowners has been strongly opposing the rezoning of the property on the southwest corner of River and Sabino Canyon roads. The developer wishes to change the 5.91 acres from SR(suburban ranch) to CR-4(mixed dwelling-type). This would allow them to build 53 detached, single story rental apartments. The developer also owns the property on the northeast corner of Sabino Canyon and Cloud roads. Over 200 rentals are planned for that larger property. The developer might offer the community something today in exchange for a variance allowing a density increase, but what sort of community will we be building for those in the future? I support responsible growth and development of our neighborhoods but each time the zoning is changed to increase density for a developer's profit, a new precedent is set, and the impact to the character of our neighborhood is compounded.

Best Regards,
SVAHA
Don Cotton
Treasure

Chris Poirier

From: Shirley Lamonna
Sent: Monday, June 10, 2013 9:15 AM
To: Chris Poirier
Subject: FW: the rezoning of the corner of Sabino Canyon and River Roads

Sent from my iPad

Begin forwarded message:

From: Patricia Green <pgreen78@comcast.net>
Date: June 9, 2013, 3:17:56 PM MST
To: <district1@pima.gov>, <district2@pima.gov>, <district3@pima.gov>, <district4@pima.gov>, <district5@pims.gov>
Subject: the rezoning of the corner of Sabino Canyon and River Roads

Dear Supervisors:

As a 30-plus year resident of Sabino Vista Knolls, I am dismayed at the possibility that the corner of Sabino Canyon Road and River Road may be rezoned to include a multiple housing complex. I have seen the growth of this area and am not anti-growth. I am, however, against the over growing of an area. This rezoning will increase traffic and congestion that is more than the area can bear. With the expansion of Sabino Canyon Road connecting to Speedway, the traffic will already make an impact.

This section of Tucson is supposed to be a residential neighborhood where children can play and everyone can bike. Increased traffic and congestion will prevent families from enjoying these and other outdoor activities.

I am also against the plan to diminish the desert vegetation. With the building of homes further north on Sabino Canyon Road, the desert continues to disappear. Why do we have to continually sacrifice the landscape to overpopulate?

I am sure there are other reasons to stop the rezoning but none makes better sense than the reason that we don't need to make this change. The change will not add to, improve or enhance the area. Why then should you vote to rezone?

Sincerely,

Pat Green
7840 East Oakwood Place
85750
(520) 886 – 0979
pgreen78@comcast.net

Chris Poirier

From: Shirley Lamonna
Sent: Monday, June 10, 2013 9:14 AM
To: Chris Poirier
Subject: FW: Sabino Vista

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPad

Begin forwarded message:

From: <suzannecummins@comcast.net>
Date: June 7, 2013, 5:16:24 PM MST
To: <district1@pima.gov>
Subject: Sabino Vista

Hello. I live in the Sabino Vista Knolls area. I do not believe our school or road infrastructure is sufficient to support high density housing on the corner of Sabino and Cloud. More importantly, I do not believe there is demand for such housing. A high-end apartment building further up Sabino as it transitions into Kolb is offering extraordinarily low rents in order to attract tenants because demand for this area is so low.

It is my hope that the Board of Supervisors will not approve this development. I brings in limited value to the county, and a more traditional land use would create more appropriate density and demand on infrastructure.

Thank you for your attention to this issue. Suzanne Cummins 7772 E. Oakwood Place, Tucson 85750

Chris Poirier

From: Shirley Lamonna
Sent: Monday, June 10, 2013 9:13 AM
To: Chris Poirier
Subject: FW: Co9-12-05 Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

And the wk begins with more emls...

From: MARLENE HEMBREE [mailto:marleneghembree@msn.com]
Sent: Monday, June 10, 2013 8:57 AM
To: District1
Subject: Re: Co9-12-05 Rezoning

Attn: Ally Mille - District 1

As Home Owners at 3300 N Manor Drive, Tucson Az 85750, we Wilson and Marlene Hembree would like to express to you that we are strongly apposed to the re-zoniing of the above mentioned proposal at Sabino Canyon and River Road

RECEIVED
JUN 05 2013

Pima County Planning and Zoning Commission
201 North Stone Avenue
Tucson, Arizona 85701
Attention: Arlan Colton, Planning Director

BY:

This letter is to express my **strong opposition** to the proposed RENTAL UNITS at the corner of Sabino Canyon and Cloud Road.

I have lived in the neighborhood for 19 years and adding rental units/rezoning changes the whole area with something that does not fit the style and homes in our neighborhood.

Please maintain your philosophy of “like next to like” and keep the parcels zones SR-1 and vote against CR-1 and do not allow rental units on prime Tucson property devaluing our homes and changing the entire area in a negative manner. There is a place for rental units in the Tucson area but not at the corner of Sabino Canyon and Cloud!

The Tucker Family

8480 East Cresthill Drive

Sabino Vista Hills

Tucson, AZ. 85750

Celia Turner

From: Joshua Orosco <joshua.orosco@gmail.com>
Sent: Wednesday, May 29, 2013 8:17 AM
To: Celia Turner
Cc: csoto
Subject: Co9-12-05 Sabino Canyon Gateway LLC – Sabino Canyon Road Rezoning

Dear Celia Turner,

My wife and I are homeowners in the Sabino Vista Hills community which will be impacted by the proposed “Co9-12-05 Sabino Canyon Gateway LLC – Sabino Canyon Road Rezoning” being discussed today at the Rezoning hearing. I regret that we are unable to attend the hearing due to work conflicts but I hope our opinion expressed in this email is considered by you and the committee. While we recognize development of the land cannot be stopped, we strongly encourage you to hold the developer accountable to maintaining the same density of development that exists in the surrounding communities. There is a 5.91 acre development to the West of this area that is developed with a density of 4 houses per acre and is zoned CR-4. There is also another development to the North of this area (across River Road) that was developed with a density of 3 houses per acre. This land developer is proposing about 10 homes per acre which is 3 times as much as the surrounding area. This land should not be rezoned. The current zoning is consistent with the other developments in the area and will ensure that all homeowners are protected.

We implore you to not allow this to happen. This will create stress on the surrounding communities' infrastructure, leading to traffic congestion, devaluation of property values and produce an “eye-sore” in our beautiful area.

Respectfully,

Josh and Tina Orosco
3900 N Larrea Lane
Tucson, Arizona 85750

Chris Poirier

From: Shirley Lamonna
Sent: Friday, June 07, 2013 8:26 AM
To: Chris Poirier
Subject: FW: Co9-12-05 rezoning. Sabino and River

Follow Up Flag: Follow up
Flag Status: Flagged

From: Robert O'Toole <otoole@gmail.com>
Date: June 7, 2013, 7:52:54 AM MST
To: <district1@pima.gov>
Subject: Re: Co9-12-05 rezoning. Sabino and River

Dear Supervisor Miller.

This e-mail is to record our opposition to the proposed rezoning of the parcel at the SW corner of Sabino Canyon and River Roads. The rezoning to allow 50 rental units in an area of owner occupied homes on larger lots is detrimental to all who reside in the area. The proposal would inflict a large increase in traffic at an already overcrowded intersection and on River and Sabino Canyon Roads.

To allow a developer to pay little tax over the years by keeping property under zoned and then allow massive profit at the expense of those who have paid tax for years is wrong.

We urge you to vote no on this proposal.

--

Bob and Daniela O'Toole
7809 E Highview Pl
85750

Chris Poirier

From: Shirley Lamonna
Sent: Friday, June 07, 2013 8:27 AM
To: Chris Poirier
Subject: FW: Regarding Co9-12-05 rezoning,sabino and river

Follow Up Flag: Follow up
Flag Status: Flagged

From: District1
Sent: Friday, June 07, 2013 8:06 AM
To: Shirley Lamonna
Subject: Fwd: Regarding Co9-12-05 rezoning,sabino and river

From: Marge Schlegel <m_schlegel@msn.com>
Date: June 7, 2013, 6:40:00 AM MST
To: <district1@pima.gov>, <district2@pima.gov>, <district3@pima.gov>, <district4@pima.gov>
Subject: Regarding Co9-12-05 rezoning,sabino and river

As residents at 7662 E Knollwood Circle, 85750, we oppose the rezoning of the parcels of land at Sabino/River and Sabino/Knollwood to allow rental homes in those areas.

Art Schlegel
Marguerite Schlegel

Chris Poirier

From: Shirley Lamonna
Sent: Friday, June 07, 2013 8:39 AM
To: Chris Poirier
Subject: FW: Re:Co9-12-05 rezoning Sabino and River

Follow Up Flag: Follow up
Flag Status: Flagged

From: BMILLER310@aol.com [mailto:BMILLER310@aol.com]
Sent: Thursday, June 06, 2013 5:02 PM
To: District1; DIST2; District3; District4; District5
Cc: anngavlick@gmail.com
Subject: Re:Co9-12-05 rezoning Sabino and River

Dear Supervisors, My name is Bruce Miller. I reside at 3770 N. Knollwood Circle, Sabino Vista Knolls subdivision, with my wife, Ann Miller and my grown daughter Cheryl Miller. My phone number is 520-886-0672. Our home is in Sabino Vista Knolls and our exit of the neighborhood is Sabino Canyon and River.

We are strongly opposed to the proposed subject rezoning of land parcels of 5.91 acres and 9 acres sites requested by Mr Karber. Everyone I have spoken to in the neighborhood also strongly opposes rezoning the land parcels per Mr. Karber's current request.

Several compelling reasons for your "NO" vote are

- 1.The traffic is severe at this intersection, and with no current plans to widen either River Road or Sabino Canyon Road, this rezoning of either land parcels would cause a traffic nightmare on roads. The increase in traffic accidents at the intersections of all corridor/streets would place additional burdens on Rural Metro and the Pima County Sheriff's department. The East, West, North, South roads in the Sabino Vista Knolls and Sabino Creek subdivisions are not complete thoroughfares, residents must use Sabino Canon Road, or River Road for travel. Visualize the traffic increase with rental units on either parcel.
2. Rental Units and renters have no vested interest in surrounding homeowner concerns. Neither does Mr. Karber, the developer. Crime increases for surrounding homeowner communities are probable, placing another burden on the Sheriff's department..
3. Our water supply comes from local Metro Water wells. Our water table would be severely depleted.

We are strongly opposed to the Mr. Karber's requests for rezoning. Everyone I have spoken to in the neighborhood also strongly opposes rezoning the land parcels. Mr. Karber, the developer, is not concerned about the lasting impacts his ownership of the acreages will have on current and future

Pima County citizens. Please vote "NO" on Mr. Karber's request and keep the current zoning. Your vote is important.

I urge you to please vote against, NO, the rezoning request of Mr. Karber.

Bruce Miller

Ann Miller

Cheryl Miller

Chris Poirier

From: Shirley Lamonna
Sent: Friday, June 07, 2013 8:21 AM
To: Chris Poirier
Subject: FW: Sabino Canyon Rezoning
Attachments: Blank Bkgrd.gif

Still coming in. For your files.

From: District1
Sent: Friday, June 07, 2013 8:06 AM
To: Shirley Lamonna
Subject: Fwd: Sabino Canyon Rezoning

jtmacm@comcast.net

district2@pima.gov district3@pima.gov district5@pima.gov
district1@pima.gov district4@pima.gov

jtmacm@comcast.net

We are writing to you about two real estate development projects, and their related rezoning requests. We have already written to Supervisors Miller and Carroll, Supervisors for the areas most affected.

Both projects are proposed by Aerie Properties, and would have high-density, casita-like rental homes ranging in size from 250 square feet to 1250 Square feet. Together, the two projects would place over 250 of these casita units at the intersection of Sabino Canyon and River Roads. Two parcels of land are involved; one is 5.9 acres and the other, 15.14 acres. If approved, these projects would create major new traffic issues on these roads, already cited by county staff as beyond maximum capacity.

They would place high density housing on land now zoned for 3 residences per acre. The requested rezoning would significantly impact the character and resale value of property in the nearby neighborhoods and place major new burdens on the infrastructure in that part of the county.

On May 29, the Planning and Zoning Commission voted 5-3 to oppose the rezoning of the smaller of these two land parcels. Concerns about impacts on the area infrastructure were the primary reasons for the Commission's vote. This request will come to the Board of Supervisors for a final decision, probably in July, and we ask that you respect the recommendation of the Zoning Commission.

The larger property, with a planned 200 small rental homes would burden the infrastructure even more dramatically than the request rejected on the 29th. We urge you oppose this rezoning as well when it comes to you for a decision.

James and Vinette MacMillan
7248 E Ashling Lane
Tucson, AZ 85715

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 12:29 PM
To: Chris Poirier
Subject: FW: Please vote against zoning change

From: Hugh Mobasseri [mailto:h160685750@yahoo.com]
Sent: Wednesday, June 12, 2013 11:44 AM
To: District1
Subject: Please vote against zoning change

Dear Supervisor Miller,

Please vote against the developer's request to change the zoning of 5.91 acres from SR to Cr. The immediate traffic impact to this neighborhood is more than can be tolerated and we have concerns about water for this area if apartment units are built.

We know this section is just a small part of District 1, but we ask you to honor the deep felt concern we have for the well being and livability of this area. We have understood the concerns of those residents who do not want Snyder Road to cross over Sabino Canyon Creek even though it means much more traffic on Sabino Canyon Road.

Although it is apparently not yet on the agenda, we also oppose a zoning change for the property on the northeast corner of Sabino Canyon and Cloud Roads.

Thank you.

Sincerely yours,
Judith Mobasseri
Hugh Mobasseri
7101 E Sabino Vista Circle
Tucson, AZ 85750

Chris Poirier

From: Shirley Lamonna
Sent: Wednesday, June 12, 2013 2:01 PM
To: Chris Poirier
Subject: Sabino Canyon Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

Chris,

We just received a call from:

Douglas Ward
7330 E Calle Cabo
Tucson 85750
520-298-3542

He strongly opposes the rezoning for the following reasons:

Traffic congestion, speeding (regardless of speed limit), water consumption, school system demand & the fact that this is an established neighborhood.

Shirl Lamonna
Research Analyst

Supervisor Ally Miller, District 1
Pima County Board of Supervisors
130 W Congress St 11th Floor
Tucson, AZ 85701

P: (520) 724-8599
F: (520) 724-8489
www.pima.gov/bos/dist1

Sign Up for the District 1 Newsletter!

Chris Poirier

From: Shirley Lamonna
Sent: Thursday, June 13, 2013 9:14 AM
To: Chris Poirier
Subject: FW: Rezoning River and Sabino Canyon and Sabino Canyon and Cloud

Follow Up Flag: Follow up
Flag Status: Flagged

From: "J.J. Jewell" <jewellinsurance@aol.com>
Date: June 12, 2013, 10:42:30 AM MST
To: <district1@pima.gov>
Subject: Rezoning River and Sabino Canyon and Sabino Canyon and Cloud

Dear Ally,

We would like to voice our opposition to changing the zoning from suburban ranch to CR-4. We see no advantage to having rental only properties on such a small parcel of land. If the owners would like to build per the current suburban ranch zoning then we will be okay with the results. If the zoning is changed to CR-4 we believe it will cause increased traffic congestion for an already busy road. It is already hard for vehicles to cross or merge into traffic from River to Sabino Canyon. We also feel there would be an unnecessary increase in water consumption and crime in the area.

Thank you for your consideration.

John J Jewell
Jennifer L Jewell
7402 E Calle Los Arboles
Tucson, AZ 85750

Chris Poirier

From: Shirley Lamonna
Sent: Thursday, June 13, 2013 9:15 AM
To: Chris Poirier
Subject: FW: Proposed Zoning Change to CR-4

Follow Up Flag: Follow up
Flag Status: Flagged

From: Edd Ruiz <eddruiz@comcast.net>
Date: June 13, 2013, 8:32:46 AM MST
To: <district1@pima.gov>
Subject: Proposed Zoning Change to CR-4

Supervisor Ally Miller,

I am opposed to the proposed rezoning from SR (suburban ranch) to CR-4 (mixed dwelling) of the two parcels of land on Sabino Canyon Road. Following are reasons for my opposition and why I'd like you to consider voting against the rezoning on 2 JUL -'13:

- 1. Increased traffic on Sabino Canyon Road**
- 2. Increased traffic on River Road**
- 3. Increased traffic noise within the Sabino Vista neighborhood community**
- 4. Increased accidents due to people U-turning at Knollwood to go south on Sabino to get into the only entrance/exit to the Aerie development which is proposed to be on Sabino Canyon Road**
- 5. People who are going North on Sabino and who need to get to the entrance and don't want to U-Turn will drive into Knollwood to turn around to make the left on Sabino**
- 6. Strain on the Metro water well**
- 7. Concerns for what effect a rental home community will have on the value of our homes.**
- 8. Concerns that crime or vandalism levels will increase**
- 9. Concerns that Fruchtendler Elementary will not be able to handle more children at the school.**

Thank you for your consideration.

Gracyn M. Ruiz
7832 E. Highview Place
Tucson, AZ 85750

Chris Poirier

From: g bailey <glbail612@hotmail.com>
Sent: Friday, June 14, 2013 11:58 AM
To: District1; DIST2; Chris Poirier
Subject: In reference of Rezoning case # Co9-12-05, South West corner of Sabino Canyon and River Road

Follow Up Flag: Follow up
Flag Status: Flagged

To Our Pima County Supervisors and Planners,

I live in and own a home in the neighborhood immediately adjoining the western boundary of the proposed Aerie Development that is proposed for the NW corner of Cloud and Sabino Canyon Roads. This development project comes before you soon for a hearing on moving forward to approve the change of zoning request for the acreage involved from SR to CR-4.

The Pima County case reference number for this development is Co9-12-05.

If you would, could you please also share my comments of today with the other Pima P&Z Commissioners and Board of Supervisors, as I will not be able to be present at further meetings set for hearing this re-zone request.

I and many of the other residents in my community of Riverbend Townhouse Estates do actually support the Aerie development project currently proposed for this NW corner of Cloud and Sabino Canyon Roads. That being the case, we would also be in support of the re-zoning of that parcel to the same zoning that applies to our neighborhood.....to CR-4.

Knowing that our county will continue to grow and that the Sabino Canyon Road corridor is already viewed by the county as a high density impact road area, it makes much better sense to us as adjoining neighbors of the Aerie development to have a nicely done, high quality residential development put in next door to us than to see a much less attractive and much noisier commercial use project located on these acres.

That is the main issue here.

As we all try to find better ways to deal with sprawl and the problems that it creates in our county, it also makes sense to try to better develop the vacant lands close to the city's core in a way as to try to limit this sprawl, and thus reduce the increase in air pollution that would be otherwise be caused by residents having to drive more miles each day if pushed to live further out towards the edges of our county.

Yes, we do fully also understand that the numerous other development projects planned and in the pipeline for this NE side of town, while reducing that sprawl, will increase vehicle traffic along major routes over here like Sabino Canyon and River Roads. So we who live in these areas also hope that you, our county planners, are aware of the need to concurrently make plans to deal effectively and efficiently with the projected increased traffic flows on these major roads....and that in fact you are doing so as part of your review of new northeast side developments projects.

The extra road traffic from this one development, Aerie, though is no reason to deny this re-zoning request. I would reiterate that many of us living right next door to this development believe that it would be the much better use of the nearby vacate lands than permitting any other possible commercial uses.

And also, you should know that the developer of this Aerie project has been very helpful and cooperative with our neighborhood in making changes to his plans that were beneficial to our community and residents, when we requested such changes.

In summary, and speaking as a private individual and next door neighbor of the proposed Aerie development, I would like to add my support to the request that the affected acreage involved in this project be re-zoned to CR-4 such that the Aerie residential development project can move swiftly and smoothly forward.

Thank you,

G. A. Bailey,
3420 North Eagle Road
Tucson, AZ 85750

(Sent from my iPad, with it's dysfunctional spell checker)

Chris Poirier

From: Peggy Kent <pkent4@qwestoffice.net>
Sent: Thursday, June 13, 2013 1:36 PM
To: District1; District4; District3; DIST2; District5
Cc: Chris Poirier
Subject: Support for the Aerie Project Rezoning Case # Co 9-12-05

To: Board of Supervisors, Ally Miller, Ray Carroll, Sharon Bronson, Ramon Valadez, Richard Elias

Riverbend Estates shares a property line with the proposed Aerie Project, located on the property on the NE corner of Cloud and Sabino Canyon.

I write to support this project for the following reasons:

1. The Aerie project brings single story small buildings which will not impede mountain views.
2. As the former Riverbend HOA President, I was involved in every meeting large and small we held with the Aerie team, and can attest that they have been sensitive to our residents way beyond what anyone might expect. For example, although a wall between the two properties is not required, Aerie will build one, and they met with every resident who backs up to the shared property line and will adjust height and style of the wall to suit them. For one resident, they will extend the wall out into their Aerie property in small half circles to save her two trees.
3. Hydrology was a concern for Riverbend; what the proposed project would mean to our area, especially as we would be sharing a portion of land that is in a designated flood area. We hired our own hydrologist, who after completing his work regarding drainage issues, informed us the project would benefit us with what they plan for retention and detention of rain water.
4. The setbacks from the adjoining property line for their homes and pool proposed are the best we could have hoped for; they listened to our residents, took their comments to heart and changed their proposed plans at least 3 times, to make sure those living along the shared line would be happy.

Their projects make sense as good infill, and in the larger scheme of what is best for Tucson growth, and for all these reasons, I write in support of a rezoning to allow this project to go forward.

Peggy Kent
pkent4@qwestoffice.net
520-820-0614

Pima County Public Works

Development Services Department

Planning Division

201 Stone Avenue

Tucson, AZ 85701

Regarding: Case Number C09-12-005 P/Z

To whom it may concern;

May 25, 2013

I am writing regarding the rezoning that would move the undeveloped land to a CR4 zone proposed. I believe the developer "Aire" has done much diligence in planning for the area of topic. They have provided many meetings and offered many good solutions for the people of Riverbend Estates. They are also very considerate of the environment and of the Tucson community. While I enjoy the current environment as it is, I believe that of all possible options for this land their proposal is the most thoughtful and positive we could hope for. I have met and spoken to Erin Harris, Robert Gugino and several other experts that they have brought to many meetings to answer our questions and consider our concerns to a very positive resolution. Their diligence in preparing for the plans for this land has been very apparent for not only the land, the Tucson community and their soon to be neighbors (if approved).

Due to working, I regret not being available for this hearing but I hope this letter may serve as a positive vote to this proposal in my absence.

Thank you for your time,

Brianna Tryon

6958 E. Rivercrest Rd

Tucson, AZ 85750

Ph # 928-230-3387