



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: November 21, 2017

**Title:** P17RZ00004 Michael E & Linda A Arnold Family TR- N. La Cholla Boulevard Rezoning

**Introduction/Background:**

The applicant requests a rezoning of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) zones to the CR-5 (Multiple Residence) zone located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard for a 25-lot, one story single-family residential subdivision and three, two-story apartment buildings containing 24 residential units. The request conforms to the Comprehensive Plan designation of Medium Intensity Urban (MIU).

**Discussion:**

The current SR zoning designation would allow for development of 1-single family residence and the CR-1 zoning would allow for 3 single-family residences. The Comprehensive Plan designation of MIU plans for a minimum density of 5 up to 13 residences per acre (RAC). The proposed 7.4 RAC is in conformance with the comprehensive plan.

**Conclusion:**

The rezoning request is to rezone to the CR-5 zone; the Planning and Zoning Commission recommend approval to the CR-4 (Mixed-Dwelling) zone. The preliminary development plan meets the density proposed and CR-4 requirements.

**Recommendation:**

Staff recommends approval of the rezoning subject to standard and special conditions. The Planning and Zoning Commission also recommends approval to CR-4 zoning subject to standard and special conditions.

**Fiscal Impact:**

0

**Board of Supervisor District:**

1       2       3       4       5       All

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

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

Department Director Signature/Date:  10/30/17

Deputy County Administrator Signature/Date:  11/2/17

County Administrator Signature/Date:  11/2/2017

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**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Ally Miller, Supervisor, District 1

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



**DATE:** October 30, 2017

**SUBJECT:** P17RZ00004 MICHAEL E & LINDA A ARNOLD FAMILY TR - N. LA CHOLLA BOULEVARD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, NOVEMBER 21, 2017** hearing.

**REQUEST:** For a rezoning of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) to the CR-5 (Multiple Residence) zone, parcel codes 225-21-0080, 225-21-0090, and 225-21-0100, located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard.

**OWNERS:** Michael E & Linda A Arnold Family TR  
Attn: Michael and Linda Arnold  
8161 N. McCarty Road  
Tucson, AZ 85718

**AGENT:** The Planning Center  
Attn: Brian Underwood  
2 E. Congress Street, Suite 600  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** Terrill Tillman

**PUBLIC COMMENT TO DATE:** As of October 30, 2017, staff has received 18 public comments in which 3 letters support the proposal and the remaining letters contain concerns or protests to the proposed rezoning.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** APPROVAL TO THE CR-4 (MIXED DWELLING) ZONE SUBJECT TO STANDARD AND SPECIAL CONDITIONS (8 - 0; Commissioner Gungle was absent).

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

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

TD/TT/ar  
Attachments



PIMA COUNTY  
DEVELOPMENT SERVICES

**BOARD OF SUPERVISORS MEMORANDUM**

Subject: P17RZ00004

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**FOR NOVEMBER 21, 2017 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: October 30, 2017

**ADVERTISED ITEM FOR PUBLIC HEARING**

**REZONING**

**P17RZ00004 MICHAEL E & LINDA A ARNOLD FAMILY TR - N. LA CHOLLA BOULEVARD REZONING**

Request of Michael E and Linda A Arnold Family Tr, represented by The Planning Center, for a **rezoning** of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) to the CR-5 (Multiple Residence) zone, parcel codes 225-21-0080, 225-21-0090, and 225-21-0100, located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL TO THE CR-4 (MIXED DWELLING) ZONE SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioner Gungle was absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**  
(District 1)

**Planning and Zoning Commission Public Hearing Summary (August 30, 2017)**

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

The applicant's representative presented additional information.

A commissioner asked about whether the proposal includes a gated community. The representative replied that it does.

A commissioner asked if adequate on-site, off-street parking was proposed. The representative stated that no on-street parking will be allowed and that each driveway can accommodate up to four additional vehicles. The garages contain two parking spaces and ideally this will be a tight-knit community and neighbors will share parking for larger get-togethers.

A commissioner stated that there will be only one-story houses. The representative agreed that the single-family residential lots will contain all one-story homes.

A commissioner discussed that the proposal could meet CR-4 (Mixed-Dwelling) standards without any changes to the preliminary development plan and whether the representative was agreeable to that. The representative is agreeable to accept CR-4 zoning instead of CR-5.

A commissioner asked about the parking for the multi-family component of the plan. The representative replied that there are no garages but surface parking accessed from La Cholla Boulevard.

Speaker number 1 discussed that the difference of CR-4 or CR-5 zoning doesn't change the proposal and does not support the request. Traffic and viewsheds are of concern and the density is too high. The speaker further discussed that the traffic from the school is funneled into the residential neighborhood and is hazardous.

Speaker number 2 discussed whether the traffic on La Cholla Boulevard can accommodate the additional traffic with all of the development that is under construction. The speaker also raised a concern about open space.

A commissioner asked staff if La Cholla Boulevard has the capacity to carry the additional trip generation. Staff replied that La Cholla Boulevard is functioning under capacity and that future improvements to La Cholla Boulevard will further handle the traffic volumes.

Speaker number 3 requested that all of the traffic be routed onto La Cholla Boulevard instead of McCarty Road. The increase of vehicular traffic onto McCarty Road will change the neighborhood's characteristics.

A commissioner asked whether an emergency connectivity will be provided from the single-family residential to the multi-family component. The representative replied that there will be no vehicular connectivity.

The public hearing was closed.

A commissioner asked the difference between CR-3 (Single Residence), CR-4, and CR-5 zoning and whether the amenities from zone to zone remain the same. Staff discussed that the proposal could not meet the density of a CR-3 zone, but does meet the CR-4 zoning requirements and is comparable and compatible with the surrounding area. The amenities do not change in the proposal.

Commissioner Matter made a motion to recommend **APPROVAL** of the rezoning to **CR-4** subject to standard and special conditions.

Commissioner Gavin gave second to the motion.

The commission voted to recommend **APPROVAL** of the rezoning to **CR-4 (Mixed-Dwelling)** subject to standard and special conditions. (8 – 0; Commissioner Gungle was absent.)

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east.
  - B. The owner shall construct McCarty Road from W. Dawn Drive south to the end of the rezoning site frontage. Construction of McCarty Road shall include curb along the frontage of the rezoning site.
  - C. The property shall be limited to 2 access points as shown on the preliminary development plan.
  - D. Pedestrian access shall be provided from the single-family homes to La Cholla Boulevard via the multi-family portion of the rezoning site.
3. Regional Flood Control District condition: At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
  - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
  - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
6. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
7. Adherence to the preliminary development plan as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ar  
Attachments

cc: Michael E & Linda A Arnold Family TR, Attn: Michael and Linda Arnold  
8161 N. McCarty Road, Tucson, AZ 85718  
The Planning Center, Attn: Brian Underwood, 2 E. Congress Street, Suite 600  
Tucson, AZ 85701  
Tom Drzazgowski, Principal Planner  
P17RZ00004 File

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

**HEARING** August 30, 2017

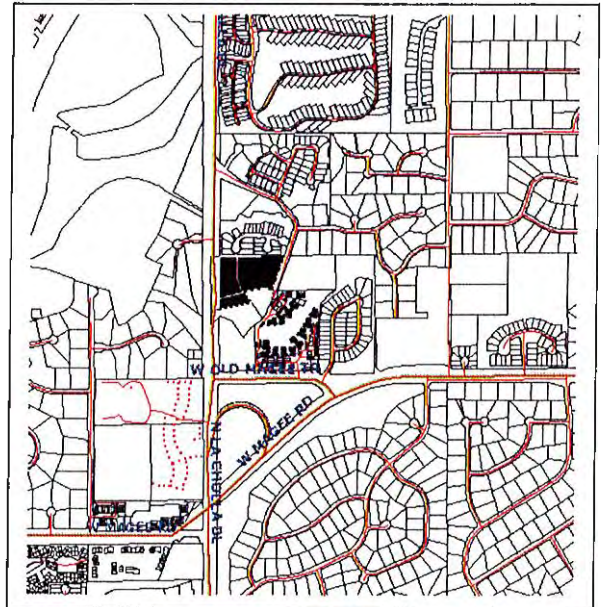
**DISTRICT** 1

**CASE** P17RZ00004 Michael E & Linda A  
Arnold Family TR- N. La Cholla  
Boulevard Rezoning

**REQUEST** Rezone from SR (Suburban Ranch)  
(3.58 acres) and CR-1 (Single  
Residence) (2.92 acres) to the CR-5  
(Multiple Residence) Zone

**OWNER** Michael E & Linda A Arnold Family TR  
Attn: Michael and Linda Arnold  
8161 N. McCarty Road  
Tucson, AZ 85718

**APPLICANT** The Planning Center  
Attn: Brian Underwood  
2 E. Congress Street, Suite 600  
Tucson, AZ 85701



**APPLICANT'S PROPOSED USE**

The approximately 6.5-acre subject site consists of three parcels of land planned for a 25-lot, one and two-story single-family residential subdivision and three, two-story apartment buildings containing 24 residential units with a plaza space, seating area and landscaped walkways.

**APPLICANT'S STATED REASON**

"The subject site is an infill property surrounded by undeveloped land with approved entitlements or plats, existing single-family residences, or land with multi-family residential units. The CR-5 zoning proposed in this application will provide a transition between the higher land use intensity to the south and the lower land use intensity further north and northeast of the site."

**STAFF REPORT SUMMARY**

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a 6.5-acre rezoning to the CR-5 (Multiple Residence) zone for a 25-lot residential subdivision for single-family dwellings and 24 multi-family apartments, both of which are consistent with the planned densities and uses of the nearby and surrounding properties.

**PUBLIC COMMENT**

As of the writing of August 17, 2017, staff has not received any public comments.

**COMPREHENSIVE PLAN**

The comprehensive plan land use designates the property as Medium Intensity Urban (MIU) which allows the proposed CR-5 zone. MIU designates areas for a mix of medium-density

housing types and non-residential uses such as offices, medical offices, and hotels. Detail given to site design assures compatibility with adjacent lower-density residential uses and the MIU designation encourages the provision of pedestrian and bicycle access to commercial areas, schools, institutional uses and other similar uses. The proposed 7.4 residences per acre conforms to the MIU land use density that requires a minimum of 5 and a maximum of 13 residences per acre. There are no Special Area or Rezoning Policies pertaining to the property.

### **SURROUNDING LAND USES/GENERAL CHARACTER**

North:	CR-4/CR-1	Undeveloped Residential Subdivision/Undeveloped Residential
South:	CR-5	Abandoned Residential/Unsubdivided Residential/Apartments
East:	SR/CR-5	Developed Residential/Apartments
West:	CR-1	Undeveloped Residential/Omni Tucson National Golf Course

The subject property lies along a major corridor, La Cholla Boulevard, largely characterized by residential uses north of Magee Road. There are several churches and the Mesa Verde Elementary School in the area. Recreational opportunities exist at the Omni Tucson National Golf Course and the Northwest YMCA Community Center and Park which are located approximately three-fourths to one mile southwest of the subject site. The Northwest Community Center also provides access to the Canada Del Oro Park Trails for walking, bicycle and equestrian uses. Located at the northeast and northwest corners of Ina Road and La Cholla Boulevard are the nearest bank, grocery, shopping center and professional offices providing local neighborhood services. The Foothills Mall lies just north of the Ina Road and La Cholla Boulevard intersection that provides a wide range of shopping, movie theatres, and dining opportunities.

### **PREVIOUS REZONING CASES ON PROPERTY**

The subject site contains three parcels of land, an approximately 3.58-acre parcel (parcel code 225-21-0080) located at the northeast corner of the subject site, an approximately 2.01-acre parcel (parcel code 225-21-0090) located at the northwest corner of the subject site and an approximately .91-acre parcel (parcel code 225-21-0100) to the south. A rezoning request for the northeastern 3.58 acres from SR (Suburban Ranch) to CR-1 (Single Residence) was requested by case Co9-64-095. Research of the rezoning case provides no evidence of rezoning approval and the property remains original SR zoning.

The northwest corner and the southern portion of the subject site (2.92-acres) were rezoned from SR to CR-1 by case Co9-93-22 as adopted by the Board of Supervisors November 16, 1993 for residential uses. This proposed rezoning, if approved, will replace the previously approved rezoning to CR-1.

### **PREVIOUS REZONING CASES IN GENERAL AREA**

#### **Recent activity:**

- P16RZ00003 – N. Romero Avenue Rezoning was approved by the Board of Supervisors June 7, 2016 for 58.6 acres from the SR to the CR-3 (Single Residence) zone for a 106-lot, single-family one-story residential subdivision.
- P15RZ00009 – N. La Cholla Boulevard Rezoning was approved by the Board of Supervisors February 2, 2016 for .88 acres from the TR (Transitional) to the CB-2 (General Business) zone for retail, office or restaurant uses.

#### **Past activity:**



Most of the properties in the vicinity of the site have been rezoned from original SR zone. An attached map shows properties (in blue) within approximately one mile of the site for which rezoning requests have been made from the mid-fifties to the late nineties mostly for high density CR-4 (Mixed-dwelling type) and CR-5 (Multiple Residence) residential uses. Most were approved, some were denied. Several rezoning requests were approved for a lower density CR-1 (Single Residence) zone as shown by acre-sized parcels. In more recent years, the rezoning activity has been a mix of commercial TR (Transitional), CB-1 (Local Business) and CB-2 rezonings along with some high density residential rezonings. The commercial offices, strip malls and local convenience services along the La Cholla Boulevard thoroughfare are the result of the commercial rezonings.

### **MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)**

The subject property is located outside the Maeveen Marie Behan Conservation Lands System.

### **PLANNING REPORT**

Staff supports the request because the proposed residential development is compatible with the surrounding existing residential uses. Concurrency of infrastructure exists to serve the use. The subject site is an infill property that will contain a similar density as the surrounding area.

The site is currently developed with a single-family residence, guest house and pump house which will be removed. The 25-lot single-family residential subdivision proposes lots ranging in size from 4,950 up to 6,325 square feet and will have one access drive to McCarty Road. The 24-unit, three building multi-family residential component containing approximately 39,000 square feet proposes one access drive connecting directly to La Cholla Boulevard. The single-family residential development will contain sidewalk connectivity to the McCarty Road right-of-way. The multi-family apartments connect directly to the La Cholla Boulevard right-of-way that contains Sun Tran bus stops, sidewalks and bike lanes with striped shoulders along both sides of the north and southbound street.

The topography of the site contains some slopes located on the westernmost portion of the site abutting La Cholla Boulevard. The northwestern portion of the site is a higher elevation which becomes relatively flat to the east. The southwestern portion of the site contains steep slopes that are greater than 25%. These 25% or greater slopes are man-made due to the installation of drainage infrastructure under the recently improved La Cholla Boulevard thoroughfare, therefore, the Hillside Development Zone (HDZ) does not apply to the property. The flow of water is concentrated in this area and conveyed through the box culvert under La Cholla Boulevard which is discharged on the west side of the street. One on-site drainage basin is proposed at the lowest point of the property coinciding with the existing drainage infrastructure to preserve the natural drainage patterns.

The property contains relatively dense clusters of saguaros along McCarty Road. Most of the saguaros will be relocated within required bufferyards and common areas except for the saguaros that will be preserved in place, located outside the developed areas. A native plant preservation plan will be submitted with the subdivision plat and development plan and mitigation will be in accordance with the code. A 20-foot bufferyard "C" with a minimum 5-foot decorative masonry wall is proposed along the La Cholla Boulevard frontage and the northern property boundary. Abutting McCarty Road on the eastern property boundary, a 10-foot bufferyard "A" with a 30-inch berm and 40-inch masonry wall is proposed. There are no required bufferyards to the south, but a minimum 5-foot masonry decorative wall is planned.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

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

**TRANSPORTATION REPORT**

The Pima County Department of Transportation has no objection to this request. Concurrency considerations have been met for this case. Major roadway improvements in this area include the widening of La Cholla Boulevard from Overton Road to Tangerine Road. All other major roadways in the vicinity of this rezoning have been improved. This rezoning is proposing 25 single-family residential lots and 24 multi-family residential units. Access to the single-family residential lots is shown on McCarty Road and access to the multi-family units is on La Cholla Boulevard.

Should the property to the east of the proposed multi-family units develop, for circulation purposes, cross access between these parcels should be established. Additionally, bicycle and pedestrian facilities on La Cholla Boulevard are in place. The single-family homeowners should be provided easy access to the pedestrian facilities on La Cholla.

McCarty Road is a local residential road with 60 feet of right-of-way and a posted speed of 25 miles per hour. La Cholla Boulevard is a medium volume arterial with a planned right-of-way of 150 feet. La Cholla Boulevard is constructed to the full cross section in the vicinity of this site and includes bike lanes and striped shoulders. Current traffic volumes from La Cholla Boulevard between Ina Road and Magee Road are 21,903 ADT, and 18,107 average daily trips (ADT) between Magee Road and Overton Road. Although the site does not connect directly to Magee Road, traffic generated from this development will utilize Magee Road. The current traffic volume on Magee Road between Shannon Road and La Cholla Boulevard is 11,631 ADT, and 17,526 ADT between La Cholla Boulevard and La Canada Drive.

The proposed development will generate approximately 400 ADT. This minor increase in traffic will not change the level of service on major roads in the area. McCarty Road was built with curb along the north/east side of the roadway. This development will be required to build curb and sidewalk along the McCarty Road frontage. The property to the north is platted and when it develops, curb and sidewalk will connect this rezoning site to the sidewalks along La Cholla.

McCarty Road was never built as a fully designed street. Rather, it was a chip seal pavement overlay over an existing dirt road. Along the southern 100 feet of frontage of the rezoning site, McCarty is not maintained by the county. South of W. Dawn Drive, the pavement rating for McCarty Road is "failing". Although the traffic generated by this site is minimal, any additional trips will only further deteriorate the pavement. For this reason, DOT recommends a rezoning condition requiring the developer to construct McCarty Road to meet county standards.

The Department of Transportation has no objection to this request subject to the addition of rezoning conditions #2A-D.

### **FLOOD CONTROL REPORT**

Regional Flood Control District has the following comments:

1. The site is not impacted by mapped regulatory floodplains or habitat.
2. A satisfactory Preliminary Integrated Water Management Plan (PIWMP) has been submitted that identifies appropriate conservation measures and demand below 50 acre feet per year.
3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
  - a. The site is within the Metro Water District Service Area. By definition per the pending Site Analysis Requirements text amendment, Metro Water delivers renewable and potable water in this location, however they continue to pump groundwater.
  - b. Per the Arizona Department of Water Resources Well Inventory, the closest wells had depths to groundwater over 250 feet when drilled. The site is within the Tucson Active Management Area modeled by the Safe Yield Task Force. Water table is expected to decline and be over 350 feet by 2025.
  - c. The site is not located within a covered subsidence zone.
  - d. The nearest Groundwater Dependent Ecosystems include the intermittent section of Pima Wash within Pima Canyon and the Santa Cruz River, both nearly 4 miles away.
  - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock ranges from surface bedrock to 800 feet per the isopleths on Mapguide Pima County GIS 1600-3200 feet. Examination of aerial photographs suggest no surface bedrock.

With the information available at this time, the project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to recommended condition #3.

### **WASTEWATER RECLAMATION REPORT**

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

### **ENVIRONMENTAL PLANNING REPORT**

Environmental Planning has no objection to this request subject to the addition of condition #5.

### **CULTURAL RESOURCES REPORT**

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

### **NATURAL RESOURCES, PARKS AND RECREATION REPORT**

Natural Resources, Parks and Recreation has no comment.

### **UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

US Fish and Wildlife Service have comments attached.

### **METRO WATER DISTRICT REPORT**

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

### **SCHOOL DISTRICT REPORT**

The Amphitheater School District has no comment. A letter of capacity is contained within the site analysis.

### **FIRE DISTRICT REPORT**

Golder Ranch Fire District has no comment.

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

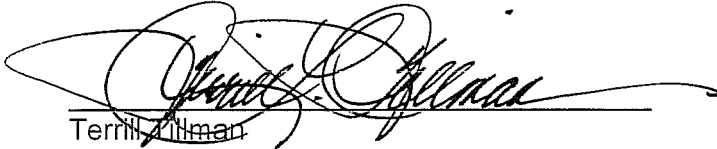
Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east.
  - B. The owner shall construct McCarty Road from W. Dawn Drive south to the end of the rezoning site frontage. Construction of McCarty Road shall include curb along the frontage of the rezoning site.
  - C. The property shall be limited to 2 access points as shown on the preliminary development plan.
  - D. Pedestrian access shall be provided from the single-family homes to La Cholla Boulevard via the multi-family portion of the rezoning site.
3. Regional Flood Control District condition: At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
  - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
  - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system

at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
  6. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
  7. Adherence to the preliminary development plan as approved at public hearing.
  8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
  9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,

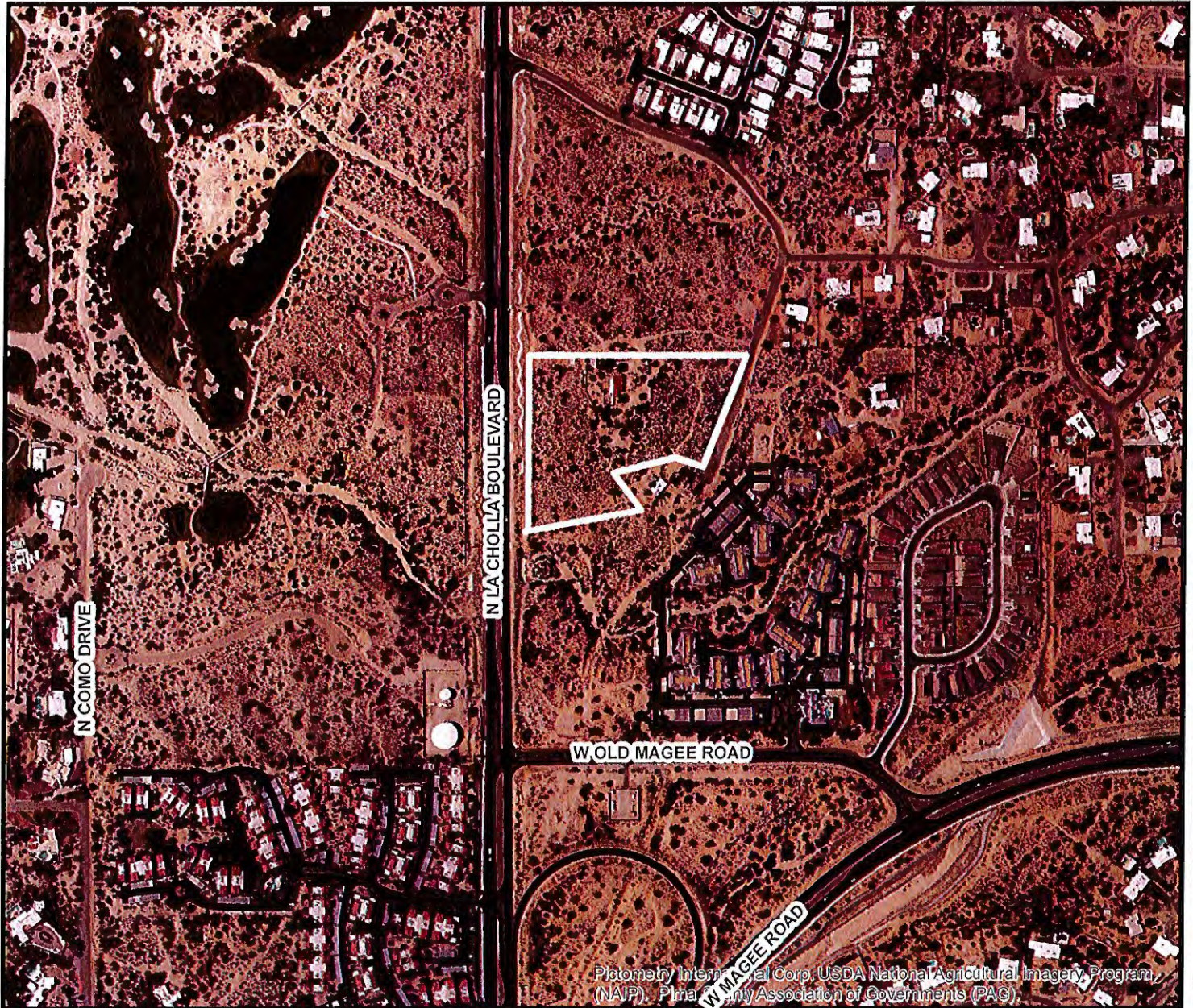
A handwritten signature in black ink, appearing to read "Terrill Hillman", written over a horizontal line.

Terrill Hillman  
Senior Planner

c: The Planning Center, Attn: Brian Underwood, Project Manager, 2 E. Congress St.,  
Ste. 600, Tucson, AZ 85701  
Michael and Linda Arnold, 8161 N. McCarty Road, Tucson, AZ 85718



Case #: P17RZ00004  
 Case Name: MICHAEL & LINDA ARNOLD FAMILY TRUST -  
 N. LA CHOLLA BOULEVARD  
 Tax Code(s): 225-21-0080, 225-21-0090, 225-21-0100



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

0 220 440 880 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION**



PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Map Scale: 1:6,000

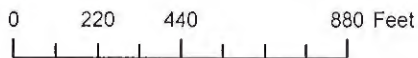
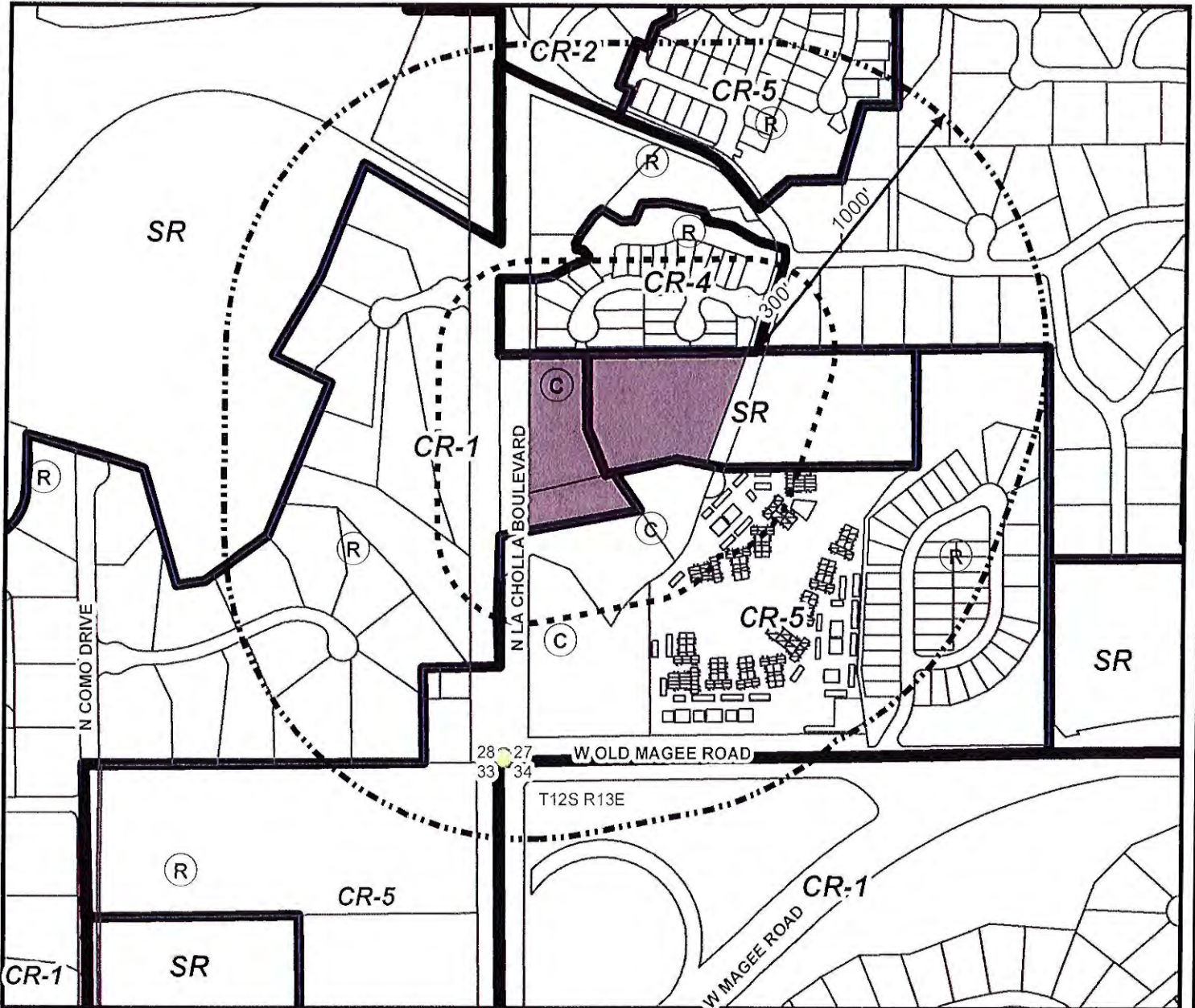
Map Date: 08/09/2017 - ds





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 N. LA CHOLLA BOULEVARD  
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-  1000' Notification Area
-  300' Notification Area
-  Subject Property
-  Zoning Boundary



Area of proposed rezoning from SR & CR-1 to CR-5 

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION**

Notes: Ref: Co9-93-22 & Co9-64-95

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 08/30/17 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 115

Map Scale: 1:6,000

Map Date: 08/09/2017 - ds





Rezoning within one-mile of the subject property are indicated in blue

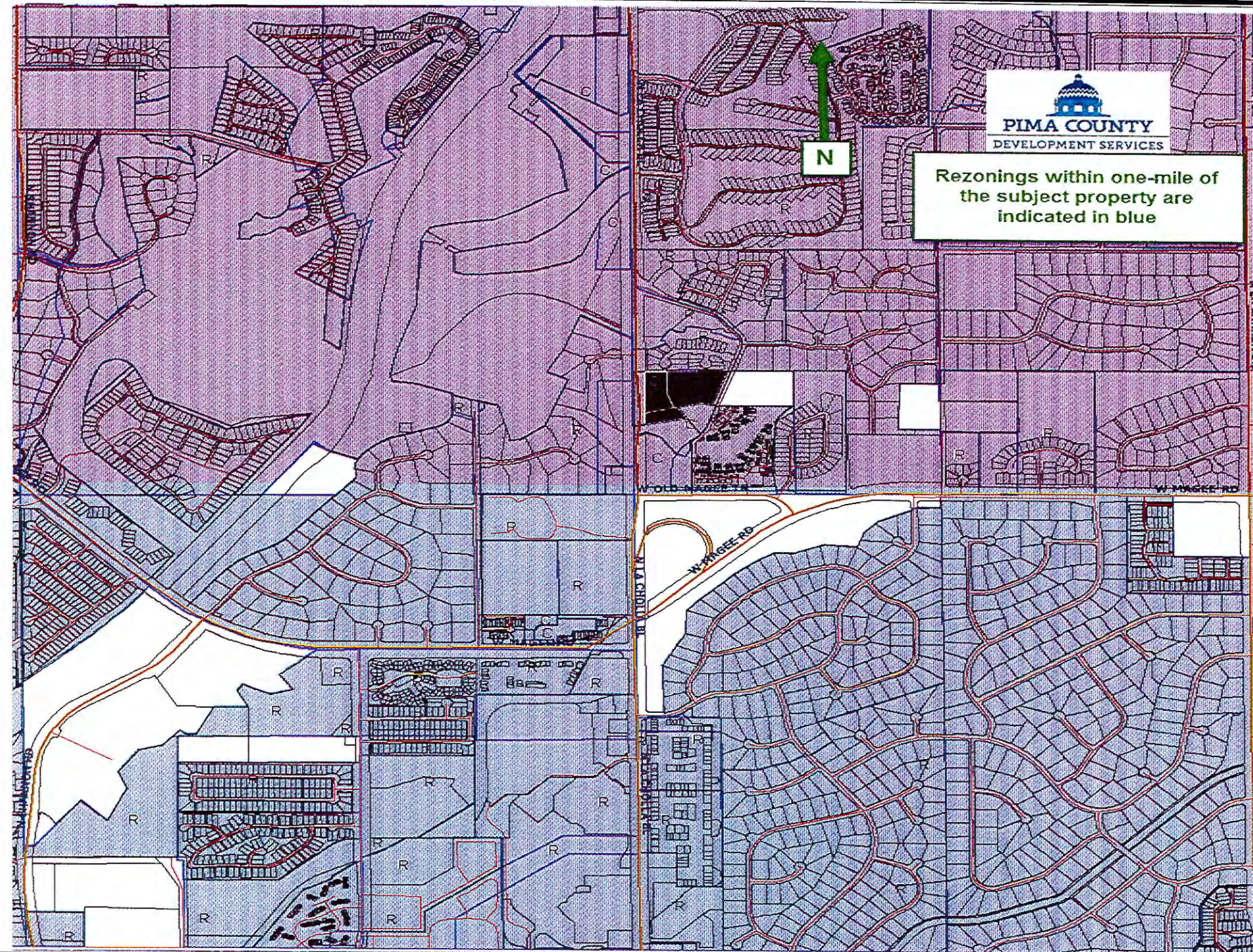
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### Medium Intensity Urban (MIU)

- a. Objective: To designate areas for a mix of medium-density housing types, such as attached dwellings, garden apartments, and single family, as well as non-residential uses such as offices, medical offices, and hotels. Special attention should be given in site design to assure that uses are compatible with adjacent lower-density residential uses. Where possible, pedestrian and bicycle access shall be provided to commercial areas, schools, institutional uses, and other similar uses.
- b. Residential Gross Density: Residential gross density shall conform to the following:
  - 1) Minimum – 5 RAC
  - 2) Maximum – 13 RAC.
- c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
  - 1) Minimum – 5 RAC
  - 2) Maximum – 10 RAC.