

**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: October 18, 2016

**Title:** P16CA00001 Wong Family LP - N. Thornydale Road Plan Amendment

**Introduction/Background:**

Applicant requests to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) - 15.55 acres; and Neighborhood Activity Center (NAC) - 2.75 acres for an 18.30-acre site located at the southeast corner of N. Thornydale Road and W. Overton Road in the Tortolita Planning Area. The amendment site is entirely within the Conservation Lands System (CLS).

**Discussion:**

The applicant proposes suitable on-site and off-site mitigation lands per the guidelines of the CLS. This plan amendment request would allow for a rezoning for higher density residential and commercial infill on the site. Land use designations surrounding the site is MLIU to the east, northeast, and south; NAC to the north. The property is surrounded by urban development and is located along a significant intersection. The property is well served by all utilities and is located in a region with sufficient public facilities.

**Conclusion:**

The plan amendment request meets the mixed use planning, compact development, multi-modal transportation, and rational infrastructure improvements principles of the Growing Smarter Acts. Several policies and goals of the Pima Prospers Land Use Element are achieved and the amendment request fulfills the purpose of the Annual Plan Amendment Program as stated in the Pima County Zoning Code.

**Recommendation:**

Staff recommends APPROVAL of the Comprehensive Plan amendment to MLIU (15.55 acres) and NAC (2.75 acres).

**Fiscal Impact:**

N/A

**Board of Supervisor District:**

1       2       3       4       5       All

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

Department Director Signature/Date: \_\_\_\_\_

Deputy County Administrator Signature/Date: \_\_\_\_\_

County Administrator Signature/Date: \_\_\_\_\_

*[Handwritten signatures and dates]*  
\_\_\_\_\_  
*[Signature]* 9/29/16  
\_\_\_\_\_  
*[Signature]* 9/30/16



**PIMA COUNTY**

DEVELOPMENT SERVICES

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

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

**DATE:** September 26, 2016

**SUBJECT:** P16CA00001 WONG FAMILY LP - N. THORNYDALE ROAD PLAN AMENDMENT

The above referenced Comprehensive Plan Amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, OCTOBER 18, 2016** hearing.

**REQUEST:** To amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Low Intensity Urban (MLIU) and Neighborhood Activity Center (NAC) for approximately 18.30 acres located at the southeast corner of N. Thornydale Road and W. Overton Road.

**OWNER:** Wong Family LP  
3855 N. Camino Blanco  
Tucson, AZ 85718

**AGENT:** Michael Marks  
MJM Consulting  
7002 E. 4th St.  
Tucson, AZ 85710

**DISTRICT:** 1

**STAFF CONTACT:** Artemio Hoyos

**PUBLIC COMMENT TO DATE:** As of September 26, 2016, staff has received one anonymous phone call of protest; and one letter of support from the Coalition for Sonoran Desert Protection.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** APPROVAL OF AMENDING THE SITE TO MEDIUM LOW INTENSITY URBAN (MLIU) AND NEIGHBORHOOD ACTIVITY CENTER (NAC). (8-0; Commissioners Bain and Gungle were absent.)

**STAFF RECOMMENDATION:** APPROVAL.

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

MH/AH/ar  
Attachments



**PIMA COUNTY**

DEVELOPMENT SERVICES

**BOARD OF SUPERVISORS MEMORANDUM**

Subject: P16CA00001

Page 1 of 2

**FOR OCTOBER 18, 2016 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: September 26, 2016

**ADVERTISED ITEM FOR PUBLIC HEARING**

**COMPREHENSIVE PLAN AMENDMENTS**

**P16CA00001 WONG FAMILY LP - N. THORNYDALE ROAD PLAN AMENDMENT**

Request of **Wong Family LP**, represented by **MJM Consulting, Inc.**, to amend the Pima County Comprehensive Plan from Low Intensity Urban 0.3 (LIU 0.3) to Medium Low Intensity Urban (MLIU) and Neighborhood Activity Center (NAC) for approximately 18.30 acres located at the southeast corner of N. Thornydale Road and W. Overton Road, in Section 20, Township 12 South, Range 13 East, in the Tortolita Planning Area. On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL** (Commissioners Bain and Gungle were absent). Staff recommends **APPROVAL**.  
(District 1)

**PLANNING AND ZONING COMMISSION HEARING SUMMARY (August 31, 2016)**

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

A commissioner inquired about drainage. Staff responded that the policies and details of any drainage issues will be worked out during the rezoning stage.

A commissioner expressed concerns about the number of lots and the limited access displayed in the Conceptual Plan. Staff replied that the Conceptual Plan is just conceptual and at the rezoning stage a more refined Preliminary Development Plan will be presented.

The applicant representing the owner addressed the commission and provided additional information in regards to their application and the Commission's inquires.

The Commission opened the public hearing.

A representative for the Coalition for Sonoran Desert Protection commented on their support of the requested amendment and the importance to comply with MMBCLS guidelines by using on-site conservation and off-site mitigation.

The Commission closed the public hearing.

Commissioner Johns made a motion to recommend **APPROVAL** of the requested Comprehensive Plan amendment to Medium Low Intensity Urban (MLIU) and Neighborhood Activity Center (NAC); Commissioner Matter seconded the motion.

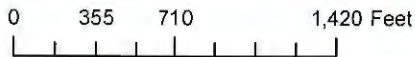
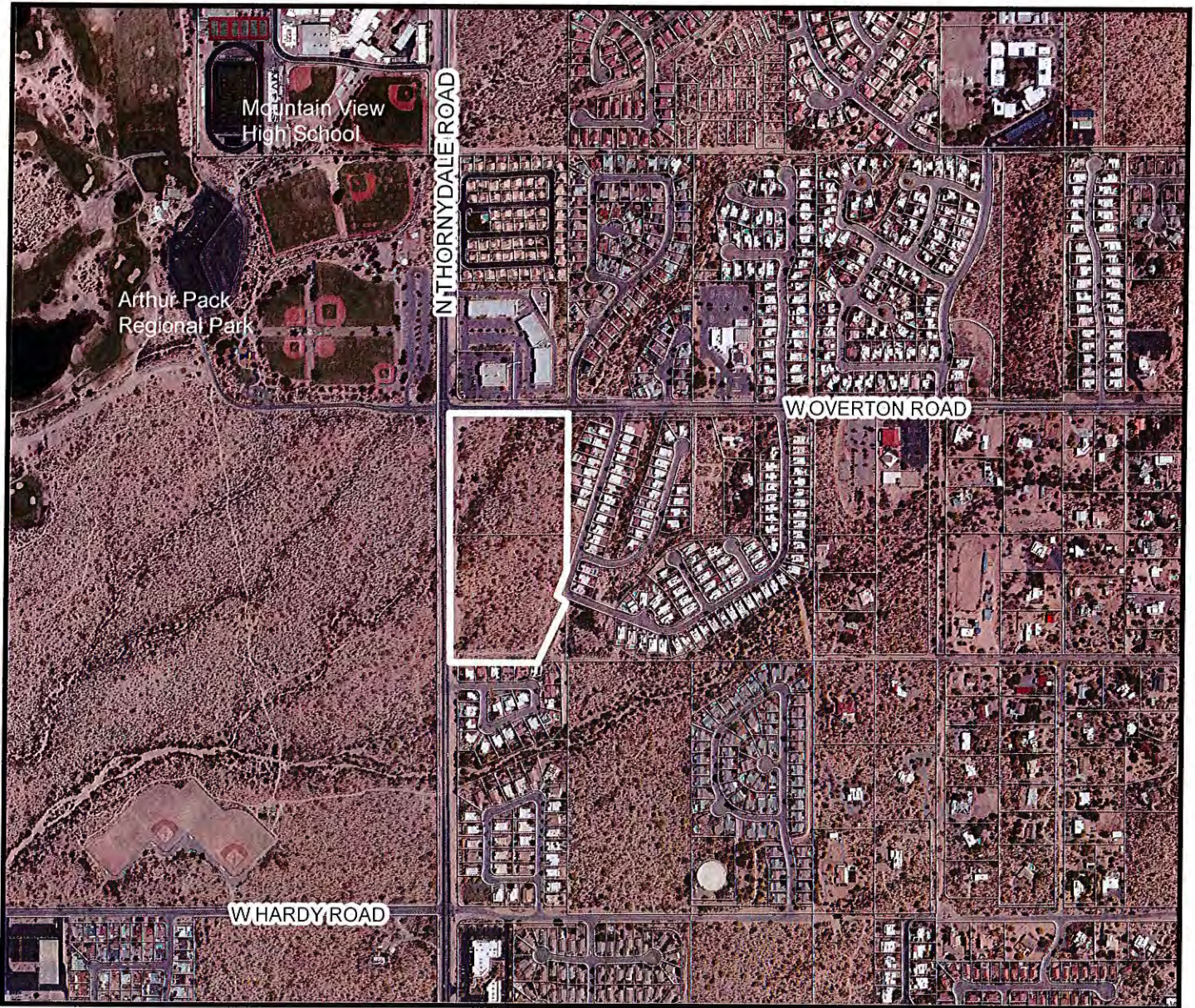
The Commission voted to recommend **APPROVAL** of the requested Comprehensive Plan amendment to the Medium Low Intensity Urban (MLIU) and Neighborhood Activity Center (NAC) land use designations (8 – 0, Commissioners Bain and Gungle were absent).


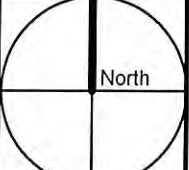
MH/AH/ar  
Attachments

cc: Wong Family LP, 3855 N. Camino Blanco, Tucson, AZ 85718  
Michael Marks, MJM Consulting, 7002 E. 4th St., Tucson, AZ 85710  
Mark Holden, Principal Planner  
P16CA00001 File

# COMPREHENSIVE PLAN AMENDMENT

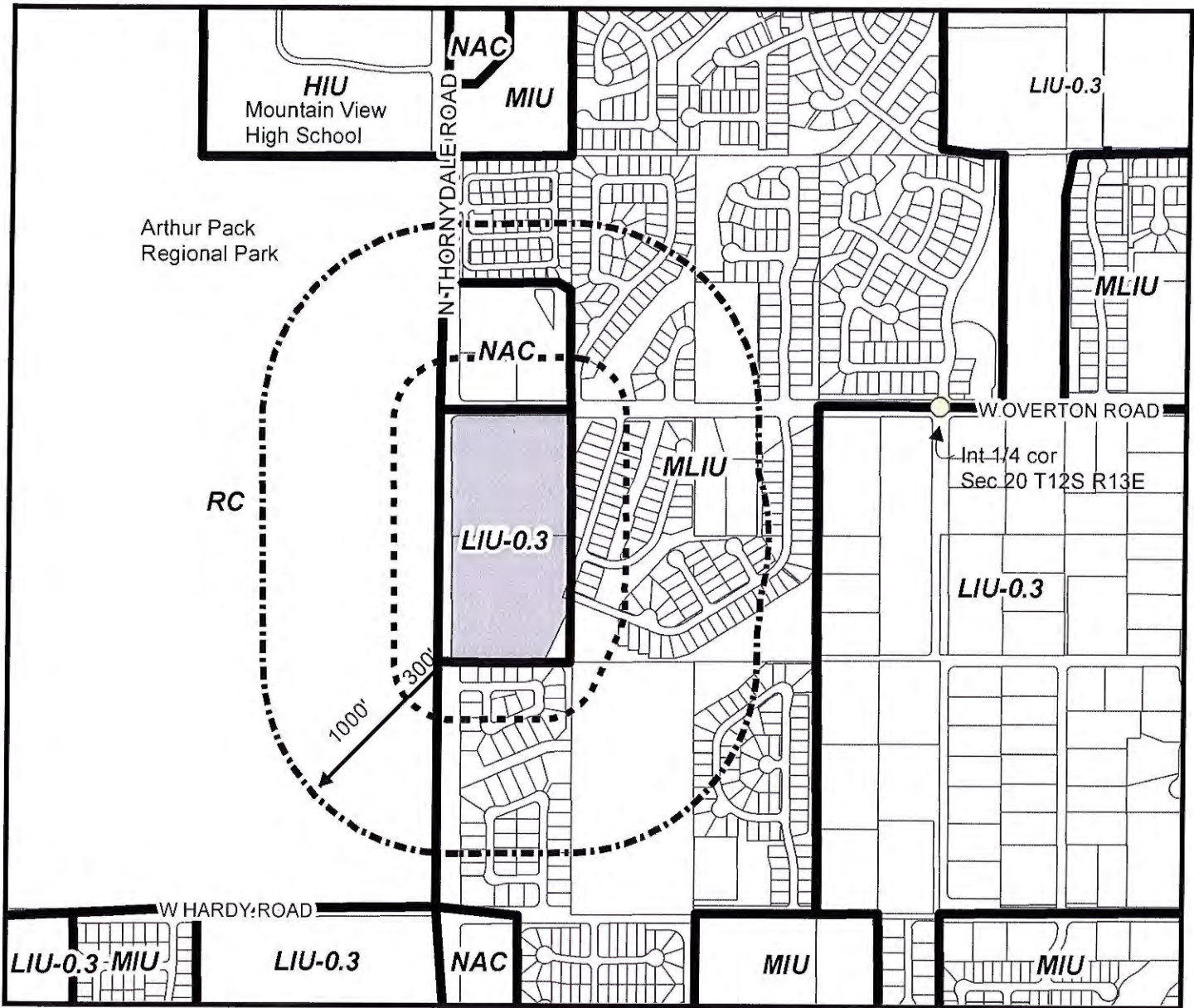
Planned Land Use and Notice Area



Taxcode: 225-02-027F 225-02-027J	<b>P16CA00001 WONG FAMILY LP -                  N. THORNYDALE ROAD PLAN AMENDMENT</b>	District 1  Location: Southeast corner of N. Thornydale Road and W. Overton Road	
Request: Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) 15.55 Acres and Neighborhood Activity Center (NAC) 2.75 Acres +/-			
	Tortolita Planning Area under Pima Prospers Section 20, Township 12 South, Range 13 East		
Planning and Zoning Commission Hearing: August 31, 2016		Map Scale: 1:10,000	
Board of Supervisors Hearing: October 18, 2016 (projected).		Map Date: August 1, 2016 / dms	

# COMPREHENSIVE PLAN AMENDMENT

## Planned Land Use and Notice Area



0 355 710 1,420 Feet




1000' Notification Area



300' Amendment Site Notification



Subject Property

Taxcode: 225-02-027F 225-02-027J	<b>P16CA00001 WONG FAMILY LP -                  N. THORNYDALE ROAD PLAN AMENDMENT</b>	District 1  Location: Southeast corner of N. Thornydale Road and W. Overton Road
	Request: Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) 15.55 Acres and Neighborhood Activity Center (NAC) 2.75 Acres +/-	
	Tortolita Planning Area under Pima Prospers Section 20, Township 12 South, Range 13 East	
	Planning and Zoning Commission Hearing: August 31, 2016  Board of Supervisors Hearing: October 18, 2016 (projected).	Map Scale: 1:10,000  Map Date: August 1, 2016 / dms

**Keynotes:**

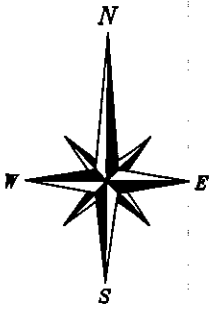
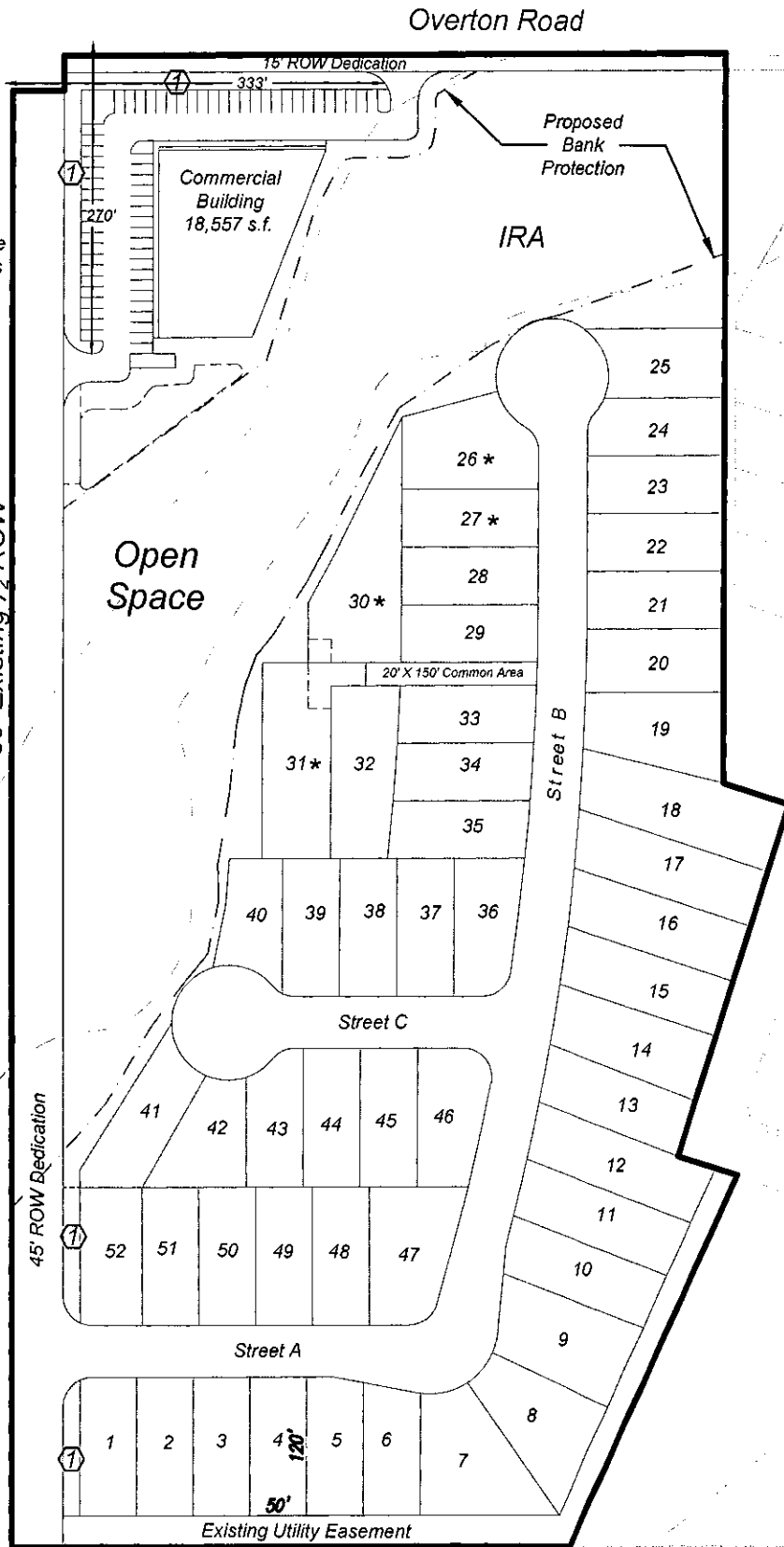
① 15' Bufferyard

**Notes:**

The residential detention basin location and size shall be determined during the rezoning.

**Legend:**

\* - Due to their location within the Flood Control Resource Area on the Pima Prosper Regional Hydrology Maps, these lots will need to be evaluated during the rezoning process. If not in compliance, they will need to be removed or modified.



Scale: 1" = 150'

**TRANSMITTAL**

To: Mark Holden, AICP; Principal Planner  
From: Michael Marks, AICP  
Re: Property at the southeast corner of Thornydale & Overton Roads  
Date: April 19, 2016

Submitted herewith is the **Plan Amendment Application** for 18 acres (See Note #1) of property labeled by the Assessor's Office as Parcels 225-02-027J & 225-02-027F (See Note #2). This property lies within Section 20 of T12S, R13E. The request is to change the designation from LIU 0.3 to MLIU, in part, and NAC, for the remainder.

Along with the Application this submittal includes the following:

- Attachment A, supporting Application Section IV
- The Pima County Assessor's Office Maps and Ownership Printouts.
- An Authorization Letter
- A document listing the members of the Wong Family Limited Partnership
- Map Exhibits 1 – 10.
  1. Location Map
  2. Area Plan Map
  3. Zoning Map
  4. Land Use Map
  5. Boundary Map
  6. Assessor Map
  7. Special Features Map
  8. Plan Amendment Map
  9. Facilities Map
- A CD of the Application PDF files
- The submittal fee of \$5601

Note #1: The Assessor's Office shows an area of 18.3 for the subject two parcels. Based on information from staff that is the area that the submittal fee amount is based on. However, an area calculation has been performed which shows the two affected parcels make up a combined 18.08 acres. That is the area number that is being used in the application.

Note #2: These two parcels are the combined property subject to this Plan Amendment request. The Wong Family Trust owns two other adjacent & very small parcels, those being 225-02-027H & 225-02-027G, which are already designated MLIU and therefore are not part of the Plan Amendment request. These other two parcels are included in Exhibit Nos. 1-10, as listed above, since they will be incorporated into any future development. Exhibit #6 identifies these two additional & small parcels.





PIMA COUNTY COMPREHENSIVE PLAN  
2016 PLAN AMENDMENT PROGRAM

Application

SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): Wong Family Limited Partnership

DAYTIME PHONE: 870-5872 FAX: \_\_\_\_\_

ADDRESS: 5975 E. Speedway Blvd, Tucson AZ 85712

E-MAIL: dartenpro@aol.com

APPLICANT (if other than owner): MJM Consulting, Inc c/o Michael Marks, AICP

DAYTIME PHONE: 241-8876 FAX: \_\_\_\_\_

ADDRESS: 7002 E. 4th St. Tucson AZ 85710

E-MAIL: MJMconsulting@cox.net

SECTION II. AMENDMENT REQUEST INFORMATION

TAX CODE NO(S): 225-02-027J + 225-02-027F

TOTAL ACRES: 18.08 ac.

GENERAL PROPERTY LOCATION: Southeast corner of Thornydale Rd & Overton Rd

COMPREHENSIVE PLAN PLANNING AREA(S): 11-Tortolita

ZONING BASEMAP(S): 161 BOARD OF SUPERVISORS DISTRICT(S): 1

CURRENT/CONDITIONAL ZONING: SR

EXISTING LAND USE: Vacant

CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): L1D 0.3 (18.08 ac)

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): MLU (15.38 ac) and NAC (2.70 ac)

SPECIAL AREA OR REZONING POLICIES BY POLICY #, WHICH CURRENTLY APPLY TO THE PROPERTY:

None

SPECIAL AREA OR REZONING POLICIES PROPOSED AS PART OF THE AMENDMENT REQUEST:

None

SECTION III. SURROUNDING PROPERTIES INFORMATION

CURRENT PLANNED LAND USE DESIGNATIONS OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: NAC + MLIU (to NE) SOUTH: MLIU  
EAST: MLIU WEST: RC

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: Commercial and to the NE is Residential  
SOUTH: Residential and to the SE is Vacant  
EAST: Residential  
WEST: Public Park

EXISTING AND CONDITIONAL ZONING OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: CB-1 + CR-5 (to NE) SOUTH: CR-4 + SR (to SE)  
EAST: CR-5 WEST: SR

SECTION IV. REASONS FOR PROPOSED AMENDMENT

Please refer to Section 1(F) of the Application Process Requirements document. Explain why you think one or more of the reasons described in Section 1(F) support your Plan Amendment request. Attach additional page(s), if necessary.

See Attachment A

**SECTION V. BIOLOGICAL RESOURCES & COMPATIBILITY WITH THE MAEEVEN MARIE BEHAN CONSERVATION LANDS SYSTEM**

Please answer the following questions as they relate to the amendment site. Most of the requested information can be found by accessing the on-line Sonoran Desert Conservation Plan (SDCP) MapGuide Map at <http://gis.pima.gov/maps>.

**A. Landscape Resources**

1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System (CLS) Category including Important Riparian Areas and Special Species Management Areas.  
No  Yes  Designation(s) SS + IRA + MU
2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages identified on the CLS map (p.9, below).  
No  Yes  Area \_\_\_\_\_
3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.  
No  Yes  Designation(s) \_\_\_\_\_

**B. Species Specific Resources – Federally Listed Threatened/Endangered Species and Pima County SDCP Species**

1. Cactus Ferruginous Pygmy-Owl:
  - a. Does the proposed amendment site occur within Survey Zone 1 or a Priority Conservation Area for the cactus ferruginous pygmy-owl? If so, please specify which designation applies to the site.  
No  Yes  Designation(s) Zone 1
  - b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of the cactus ferruginous pygmy-owl within a three-mile radius of the proposed amendment site? (<http://www.azgfd.gov/hgis>)  
No  Yes
  - c. Has the proposed amendment site been surveyed for the pygmy-owl? If yes, provide the date(s) when surveys were done and a summary of the results.  
No  Yes  Survey date(s) Approx. 12 years ago according to the client. He recalls that the survey results were negative

2. Pima Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Pima pineapple cactus? This information is viewable on the SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Pima pineapple cactus within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have Pima pineapple cactus been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed project amendment site been surveyed for Pima pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

3. Needle-Spined Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Needle-spined pineapple cactus? This information is viewable on the SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Needle-spined pineapple cactus within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have Needle-spined pineapple cactus been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed project amendment site been surveyed for Needle-spined pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

4. Western Burrowing Owl:

- a. Does the proposed amendment site occur within a Priority Conservation Area for the western burrowing owl? This information is viewable on SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location or locations of the western burrowing owl within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have western burrowing owls been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed amendment site been surveyed or investigated for the presence of western burrowing owls? If yes, provide the date(s) when surveys or investigations were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

SECTION VI. SUBMITTALS

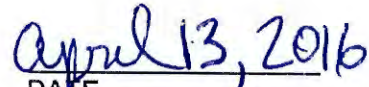
THE FOLLOWING ITEMS MUST BE INCLUDED IN THE APPLICATION:

- Site map - refer to Section 1(E) of this application form for requirements
- Ownership verification:
  - o Assessor's map and property inquiry (APIQ) printout
  - o Original letter(s) of authorization (if applicant is not the property owner)
  - o If a trust, original signature of trust officer and list of beneficiaries (if applicable)
  - o If a corporation, original signature with person's title and the list of corporate officers (if applicable)
- PDF or similar electronic version of files of application and additional materials
- Processing Fee (See *Summary, 2016 Comprehensive Plan Amendment Application Fees* p.11, below)

SECTION VII.

This complete 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.

  
SIGNATURE OF APPLICANT

  
DATE

  
NAME OF APPLICANT - PRINTED

# ATTACHMENT A

## To The Wong Family Limited Partnership – Overton Road Plan Amendment Application: Section IV: REASONS FOR PROPOSED AMENDMENT

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### Reason #1 related to Section F-1a, the Arizona Growing Smarter Acts

Growing Smarter promotes mixed use development which this project represents given the combination of residential and commercial development being both proposed. Growing Smarter promotes compact development which this project conforms to given the proposed urban level of residential density. Growing Smarter promotes multi-modal transportation opportunities which the project satisfies given that there is a transit line along Thornydale Road (i.e. Route 412) which has flag stop service. Growing Smarter promotes rational infrastructure expansion and improvements since all of the necessary infrastructure and utilities are nearby. Growing Smarter promotes conservation of natural resources which this project satisfies by the preservation of essentially<sup>1</sup> the entire Important Riparian Area (IRA) and which will mitigate against the Multiple Use Area by the use of offsite land. Growing Smarter promotes growth areas which the project satisfies by virtue of it lying in one of the most vibrant parts of the Tucson metropolitan areas, along and near Thornydale Road in the 'Northwest'.

### Reason #2 related to Section F-1b, the Pima Prosper Policies

The Land Use Element contains policies that the proposed land uses would support. Those include:

- Policy 2a which calls for “an appropriate mix of land uses that Supports a balance of housing, employment, shopping, recreation, and civic uses:”
- Policy 2c which calls for “an appropriate mix of land uses that Recognizes in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area”
- Policy 2d which calls for “an appropriate mix of land uses that Promotes the integrated and efficient use of infrastructure and services,
- Policy 4 which says “Support land uses, densities, and intensities appropriate for the urban, suburban, and rural areas of the unincorporated County”.
- Policy 6 which says “Promote a compact form of development in urban and suburban areas where infrastructure is planned or in place and the market is receptive”.

### Reason #3 related to Section F-1c, the Maeveen Marie Behan Conservation Lands System

The project will preserve the Important Riparian Area onsite (with the minor exception as described in Footnote #1), per the goals of the CLS. The remainder of the property, which is designated Multiple Use Management and Special Species Management, will be mitigated by the provision of suitable offsite land, which is consistent with the CLS. An effort by the property owner and his real estate agent has already begun in terms of identifying that suitable land, and when such a property is identified it will be the subject of conversations with staff.

### Reason #4 related to Section F-2, the Annual Plan Amendment Program's "Purpose"

The Plan Amendment request would make up for an inconsistency and/or oversight and/or inequity in the Pima Prosper, with the following explanations:

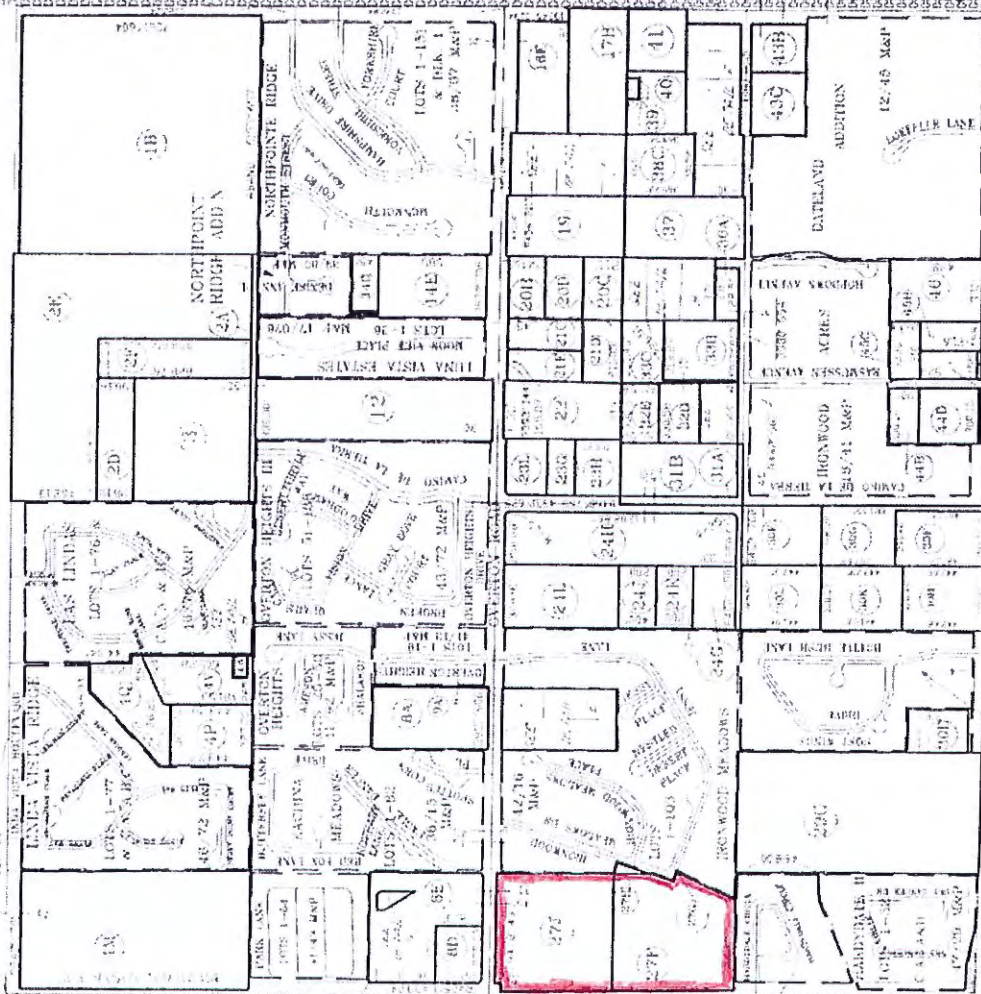
- The current LIU 0.3 designation is not appropriate given the surrounding Plan Designations & Zoning Categories & urban development, and given the property is adjacent to the arterial road, Thornydale Rd.
- An up-planning is appropriate given the MLIU Plan Designation on properties to the east and south, and the NAC designation to the north.
- An up-planning to an urban level residential designation and a limited commercial designation at the Overton Road intersection would be appropriate given the nearby designations and the location being along Thornydale Road and at this significant intersection.
- The property is well served by all of the utilities needed to support urban development.
- The property is located in a region with sufficient public facilities, such as schools & parks & churches & sheriff's substation & fire stations & library & Post Office.
- The property, being surrounded by development, should be classified as 'infill'. The Area Plan should recognize this condition and plan for the property accordingly.

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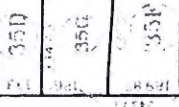
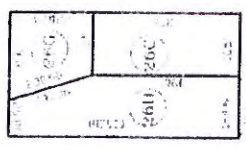
<sup>1</sup> The only encroachment is a limited area near the Overton Road commercial driveway which is unavoidable due to the Street Standard separation rules and the preference that there be alignment with the existing driveway on the north side of Overton Road.

ASSESSOR'S RECORD MAP

SECTION 20, TOWNSHIP 12 SOUTH, RANGE 13 EAST

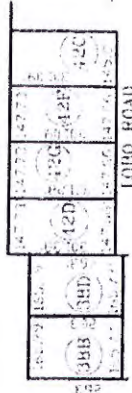


DETAIL E

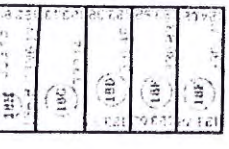


DETAIL B

DETAIL F



LOBO ROAD



DETAIL C

DETAIL A



SCALE 1"=50'

11.6-1  
1866 PLUCK 11, 2456  
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1870 PLUCK 11, 2456  
1872 PLUCK 11, 2456  
1874 PLUCK 11, 2456  
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2000 PLUCK 11, 2456

CCS

DETAIL G

DETAIL H

PROPOSED 42 1/2 AC. TRACT  
SUBDIVISION PLAT  
OF  
LOTS 27-38  
PARK LANE  
17 1/2 AC.

DETAIL I

HARDYDALE  
LOTS 1-22  
5 1/2 AC. TRACT  
12 1/2 AC.



65-68  
LANE  
2 M&P

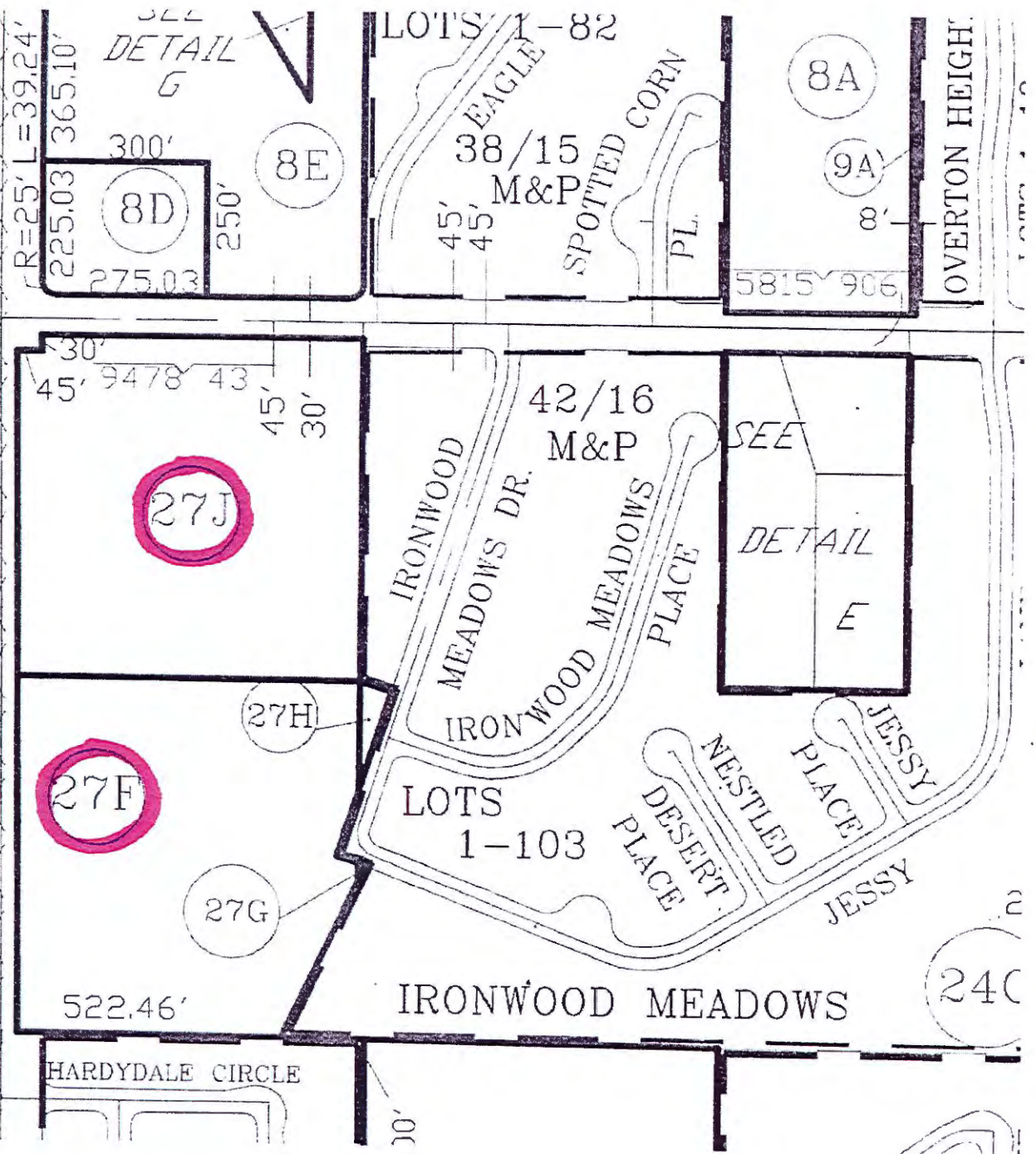
N 00d 03' W 5280' (1

THORNYDALE ROAD



IL H  
70'

HARDYDALE



240



Book/Map/Parcel: [225-02-0273](#)      Oblique Image      Tax Year      Tax Area: 0674

**Property Address**

**Taxpayer Information:**

WONG FAMILY LIMITED PARTNERSHIP  
 1365 N CAMINO BLANCO  
 TUCSON AZ

**Property Description:**

N2W1 NW1 SW1 E40 R05 & E40 S30 N60 E40  
 W75 9.28 AC SEC 20 12 13

82710-7123

**Valuation Data:**

	2015			2016				
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$148,480	16.0	\$23,757	Vacant/Ag/Golf (2)	\$148,480	15.0	\$22,272
IMPR FCV		\$0		\$0		\$0		\$0
TOTAL FCV	Vacant/Ag/Golf (2)	\$148,480	16.0	\$23,757	Vacant/Ag/Golf (2)	\$148,480	15.0	\$22,272
LIMITED VALUE	Vacant/Ag/Golf (2)	\$135,416	16.0	\$21,827	Vacant/Ag/Golf (2)	\$143,237	15.0	\$21,485

**Property Information:**

Section: 20  
 Term: 120  
 Range: 130E  
 Map & Plat: 1  
 Block:  
 Tract:  
 Rule B District: 12  
 Land Measure: 4.28A  
 Group Code:  
 Census Tract: 6008  
 Use Code: 061 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED)  
 File Id: 1  
 Date of Last Change: 1/23/2015

**Valuation Area:**

Condo Market: 11  
 DOR Market: 15  
 MFR Neighborhood: FW WEST NW  
 SFR Neighborhood: 01001306  
 SFR District: 5

**Supervisor District**

CHARLIE MILLER

**Recording Information:**

Sequence No	Docket	Page	Date Recorded	Type
1	8479	13	2/12/1993	
2	8648	432	10/23/1999	

**Petition Information:**

Tax Year	Owner's Estimate	Petition	SROF
2016	\$11,000	0%	
2015	\$10,000		
2014	\$5,000		
2013	\$5,000		
2012	\$5,000		
2011	\$5,000		
2010	\$21,000		
2009	\$50,000		

Parcel Note: [Click to see/expand notes](#)

Book-Map-Parcel: **225-02-027F**

Oblique Image Tax Year Tax Area: 0674

**Property Address**

WANG FAMILY LIMITED PARTNER SHIP  
5311 E STEEDWAY BLVD  
UCSON AZ

**Property Description:**  
S2 W2 NW4 SW4 EXC RNS 5 PTN SUB 42-16  
9 02 AC SEC 20 12-13

01/12/2012

**Valuation Data:**

	2015				2016			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	VacantAg/Golf (2)	\$148,830	16.0	\$23,813	VacantAg/Golf (2)	\$144,120	15.0	\$21,648
IMPR FCV		\$0				\$0		
TOTAL FCV	VacantAg/Golf (2)	\$148,830	16.0	\$23,813	VacantAg/Golf (2)	\$144,120	15.0	\$21,648
LIMITED VALUE	VacantAg/Golf (2)	\$170,594	16.0	\$21,215	VacantAg/Golf (2)	\$149,224	15.0	\$20,884

**Property Information:**

Section: 23  
Town: 120  
Range: 137E  
Map & Plot: 7  
Block:  
Tract:  
Rule B District: 12  
Land Measure: 9.02A  
Group Code:  
Census Tract: 460A  
Use Code: 0312 (VACANT RESIDENTIAL URBAN NON SUBDIVIDED)  
Field: 1  
Date of Last Change: 02/28/15

**Valuation Area:**

Condo Market: 11  
DOR Market: 13  
MFR Neighborhood: FW, WE, SE, NW  
SFR Neighborhood: 0100306  
SFR District: 5

**Supervisor District:**

(1) ALLY MILLER

**Recording Information:**

Sequence No	Docket	Page	Date Recorded	Type
8079397	5583	110	10/16/09	
0	8654	15-4	10/21/09	

**Position Information**

Tax Year	Owner's Estimate	Portion	SBOE
2016	\$510	-	
2015	\$500		
2014	\$510		
2012	\$500		
2011	\$500		
2010	\$75,000		
2002	\$50,000		

Parcel Note: Click to scale/expand 9 meters

April 6, 2016

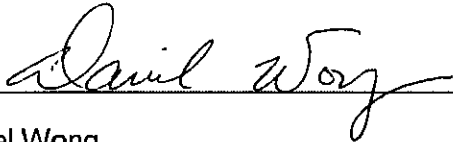
Chris Poirier  
Planning Official  
Pima County Department of Development Services -  
Planning Division  
201 N. Stone, 2<sup>nd</sup> Floor  
Tucson, AZ 85710

Re: Property at the southeast corner of Thornydale & Overton Roads  
Linda Vista Boulevard

Mr. Poirier:

Please consider Michael Marks, AICP of MJM Consulting, Inc. as duly authorized to act on behalf of the ownership in processing a plan amendment application for the property southeast of Thornydale & Overton Roads. If you have any questions please do not hesitate to call. Thanks.

Sincerely,



4/6/16

---

Daniel Wong  
Manager of the Wong Family Limited Partnership

RECORDING REQUESTED BY:

Fee No. \_\_\_\_\_

Recorders Stamp:

WHEN RECORDED MAIL TO:

Thomas K. Wong  
3855 N. Camino Blanco  
Tucson, Az. 85718

AFFIDAVIT EXEMPT UNDER ARS 42-1614 B-8

Escrow No. N/A

WARRANTY DEED

For the consideration of Ten and NO/100 Dollars, and other valuable considerations, I or we,

GRANTORS AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF: the GRANTOR

do hereby convey to

THE WONG FAMILY LIMITED PARTNERSHIP the GRANTEE  
An Arizona Limited partnership

the following described real property situate in Pima County, Arizona

LEGAL DESCRIPTION ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF:

SUBJECT TO: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

And the Grantor does warrant the title against all persons whomsoever, subject to the matters above set forth.

DATED: October 17, 1989

Daniel K. Wong  
Daniel K. Wong, as Trustee of  
The Daniel K. Wong Irrevocable Trust  
dated 8/1/89

Darryl K. Wong  
Darryl K. Wong, as Trustee of The  
Darryl K. Wong Irrevocable Trust dated  
8/1/89

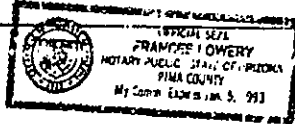
STATE OF ARIZONA )  
County of Pima ) ss.

Debbie M. Wong  
Debbie M. Wong, as Trustee of The  
Debbie M. Wong Irrevocable Trust  
dated 8/1/89

This instrument was acknowledged and executed before me this 20th day  
of October, 1989 by Daniel K. Wong, as Trustee of the Daniel  
K. Wong Irrevocable Trust dated 8/1/89, and by Debbie M. Wong, as Trustee  
of The Debbie M. Wong Irrevocable  
Trust dated 8/1/89

Thomas J. Lowery  
Notary Public

My commission expires

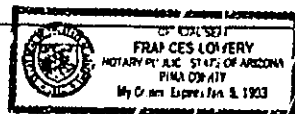


STATE OF ARIZONA )  
County of Pima ) ss.

This instrument was acknowledged and executed before me this 20th day  
of October, 1989 by Darryl K. Wong, as Trustee of The  
Darryl K. Wong Irrevocable Trust  
dated 8/1/89

Thomas J. Lowery  
Notary Public

My commission expires



FATCOA 6051 (Rev. 2/88)  
Previous Editions Obsolete

8648 482

EXHIBIT "A"

GRANTORS:

DANIEL K. WONG, as Trustee of The Daniel K. Wong Irrevocable Trust dated 05/01/89, as to an undivided one third interest;

DARRYL K. WONG, as Trustee of The Darryl K. Wong Irrevocable Trust dated 09/01/89, as to an undivided one third interest;

DEBBIE M. WONG, as Trustee of The Debbie M. Wong Irrevocable Trust dated 02/01/89, as to an undivided one third interest;

ARS 33-404 DISCLOSURE:

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of The Daniel K. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3655 Camino Blanco, Tucson, AZ 85718. Daniel K. Wong, 3855 Camino Blanco, Tucson, AZ 85718 is the named remainderman beneficiary of the trust. Additional beneficiaries are referred to in the trust by class but not by name.

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of The Darryl K. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3655 Camino Blanco, Tucson, AZ 85718. Darryl K. Wong, 3855 Camino Blanco, Tucson, AZ 85718 is the remainderman beneficiary of the Trust. Additional beneficiaries are referred to in the trust by class but not by name.

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of the Debbie M. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3655 Camino Blanco, Tucson, AZ 85718. Debbie M. Wong, 3655 Camino Blanco, Tucson, AZ 85718 is the named remainderman beneficiary of the trust. Additional beneficiaries are referred to in the trust by class but not by name.

8648 483

Exhibit "B"

Legal descriptions:

"Sumpter Property"

The West half of the South half of the South half of the South half of Section 17, Township 12 South, Range 13 East, of the Gila and Salt River Base and Meridian, EXCEPT any portions thereof lying in Thornydale Road and Sumpter Drive.

The East half of the South half of the South half of the South half of Section 17, Township 12 South, Range 13 East, of the Gila and Salt River Base and Meridian, EXCEPT any portion thereof lying in Sumpter Drive.

Tax Parcel Nos. 224 44 07109 and 224 44 06006

"Overton Property"

The North half ~~of the South half~~ of the West half of the following described property: The Northwest quarter of the Southwest quarter of Section 20, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

EXCEPT all coal and other minerals as reserved in Patent from the United States of America.

FURTHER excepting the West 30 feet of the Northwest quarter of the Southwest quarter of Section 20.

Tax Parcel No. 225 02 027C3

"Naranja Property"

83.2% of the following described property: The West half of the Northwest quarter of Section 12, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

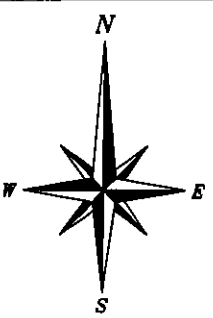
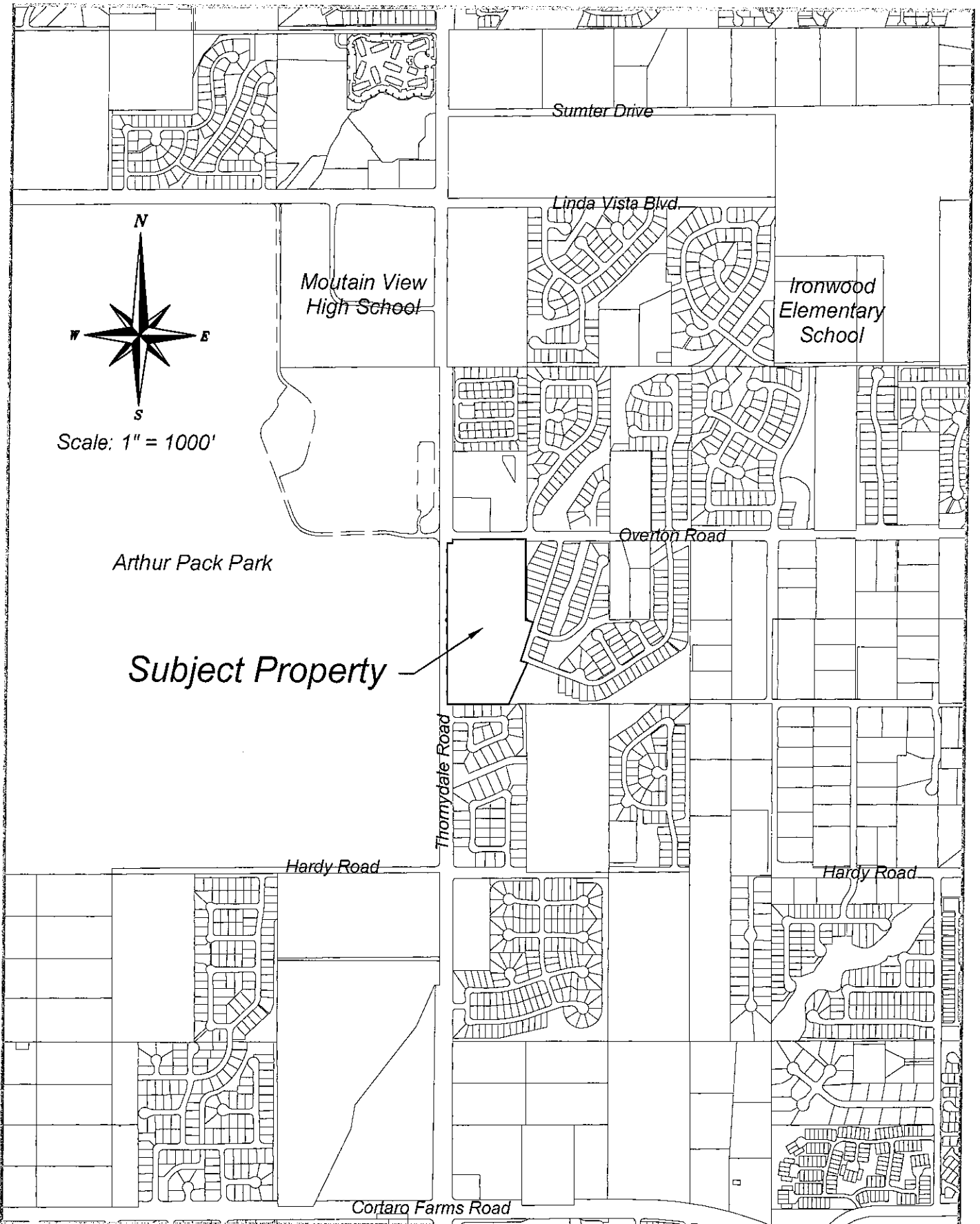
Tax Parcel No. 224 28 00102

"Lotus Garden"

Lot 1, and the East 16.10 feet of lot 2 in Block 2 of CATALINA HEIGHTS, Pima County, Arizona, according to the plat thereof of record in the Office of the County Recorder of Pima County, Arizona, in Book 4 of Maps and Plats at Page 19, EXCEPT the North 20 feet; and FURTHER EXCEPTING all that part lying within widened Speedway as shown on road map recorded in Book 4 of Road Maps at page 80.

Tax Parcel No. 121 07 0140

8648 484



Scale: 1" = 1000'

**Subject Property** →

**MJMJ CONSULTING, INC.**  
 Land Planning and Development Services  
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

Wong-Overton Road  
 APN: 225-02-227F, 027G, 027H, &027J  
 Section 20, T12S, R13E, G&SRM,  
 Pima County, Arizona

**Exhibit #1**  
**Location Map**

Mountain View High School

NAC

MLIU

Dancer Drive  
Eagle

500'

Spotted Corn Place

Overton Road



Scale: 1" = 300'

LIU 0.3

Ironwood Meadows Drive

Place

Iron Meadows  
Jessy Lane

MLIU

Resource Conservation

500'

Thornydale Road

Hardydale Court

MLIU

MLIU

Arthur Pack Park



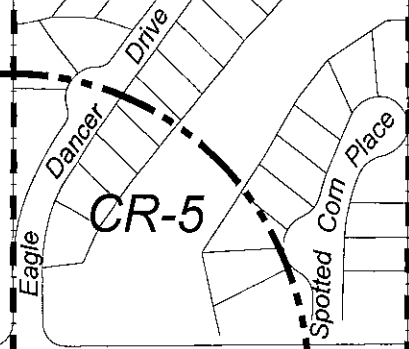
Moutain View High School

SR

CB-1

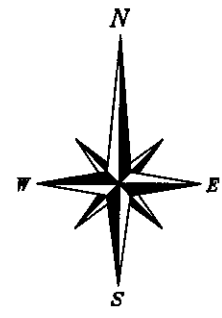
CR-5

SR



Overton Road

CR-1



Scale: 1" = 300'

SR

SR

CR-5

CR-5

500'

Thomydale Road

Hardydale Court

CR-4

SR

CR-4

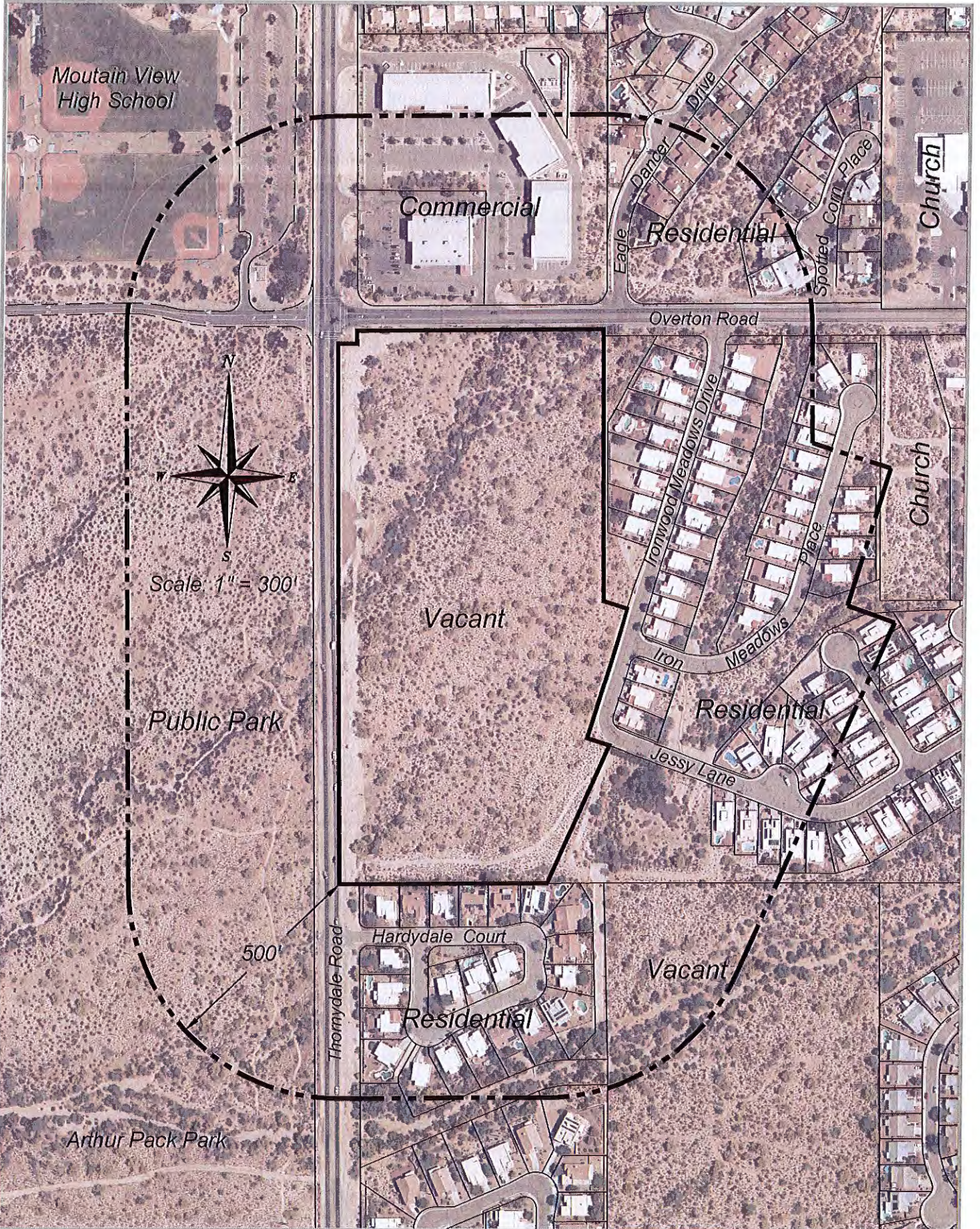
Arthur Pack Park

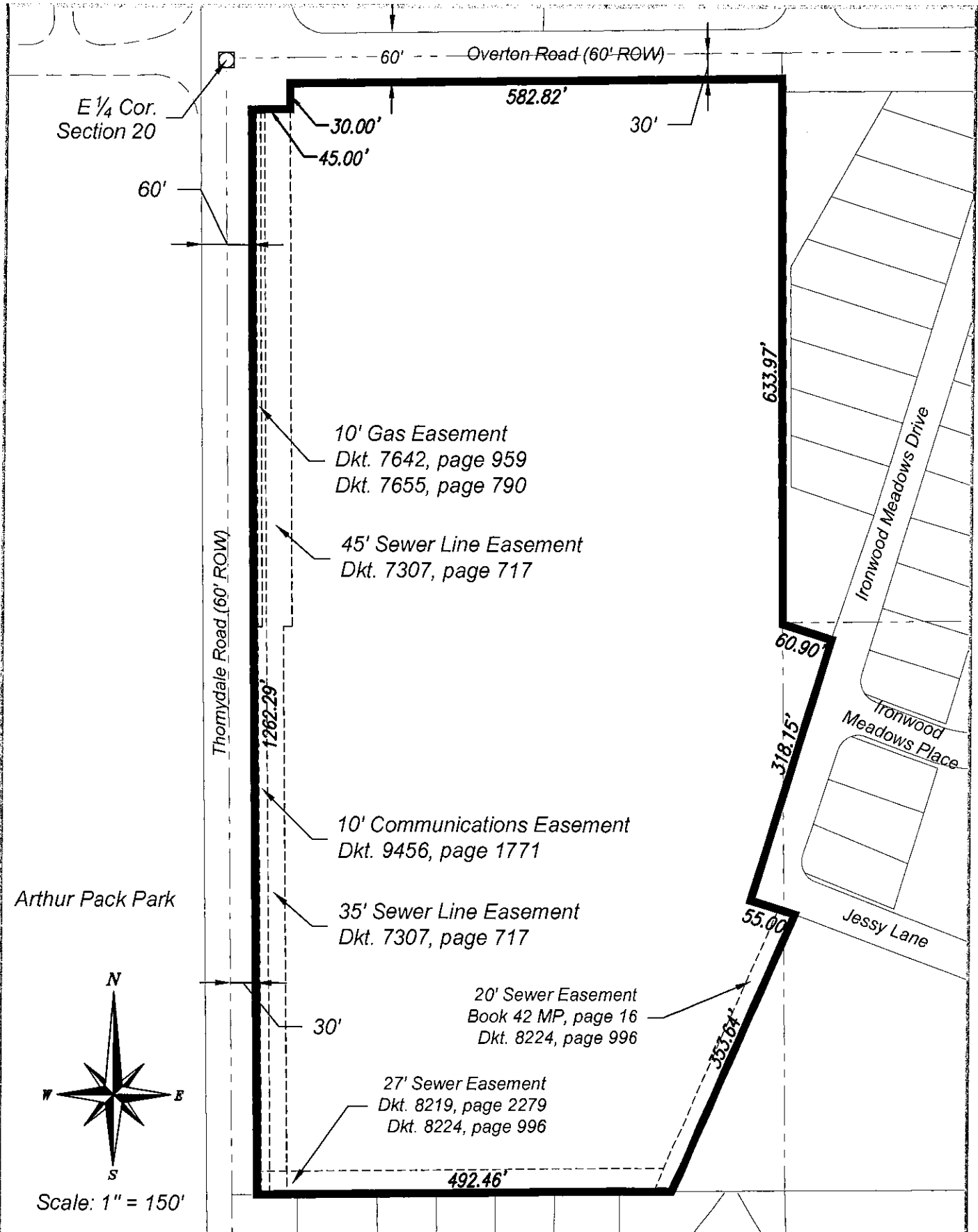
Note:  
No Rezoning or Special Area Policies on the subject property.

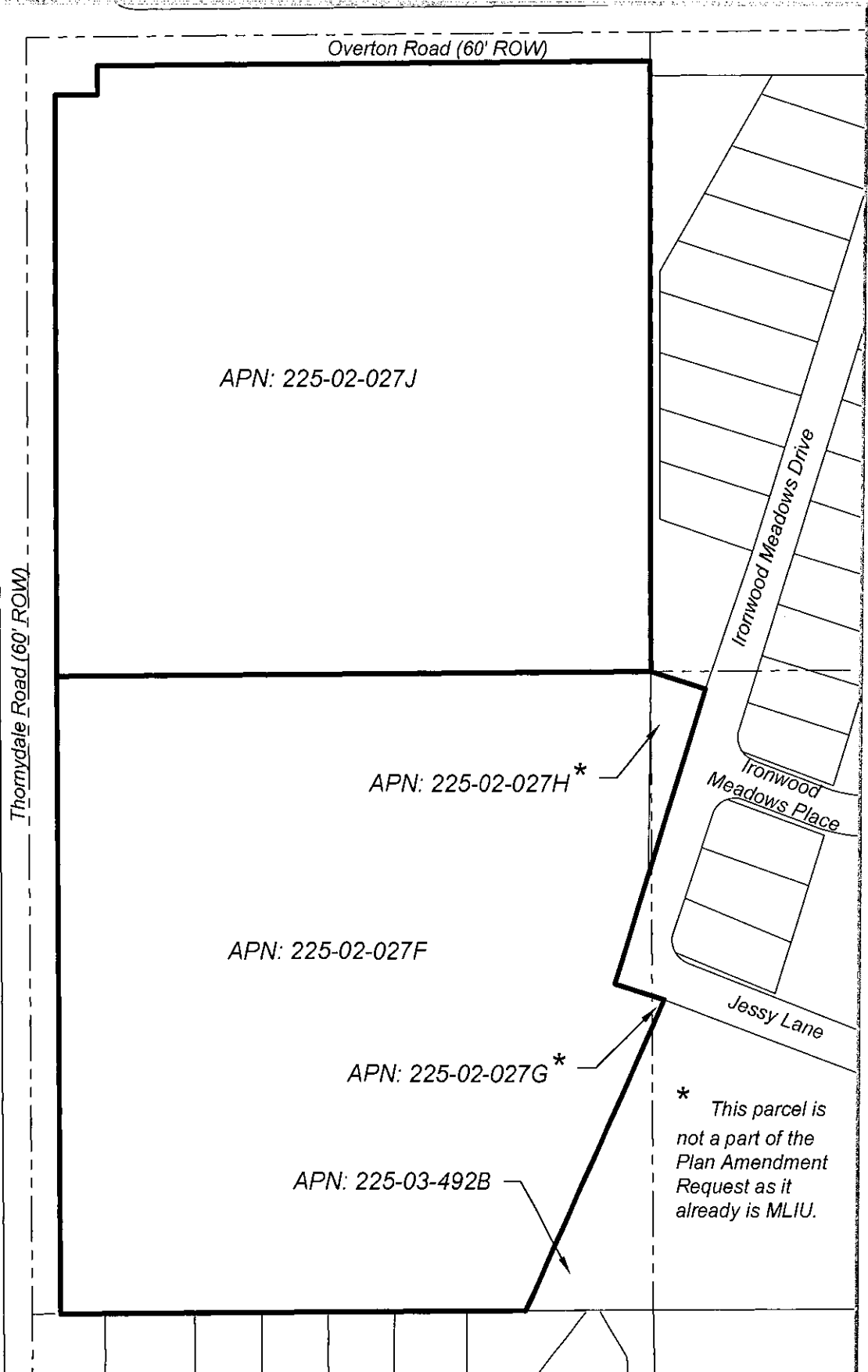
**MJMJ CONSULTING, INC.**  
 Land Planning and Development Services  
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

Wong-Overton Road  
 APN: 225-02-227F, 027G, 027H, &027J  
 Section 20, T12S, R13E, G&SRM,  
 Pima County, Arizona

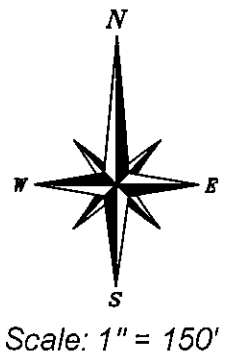
**Exhibit #3**  
**Zoning Map**







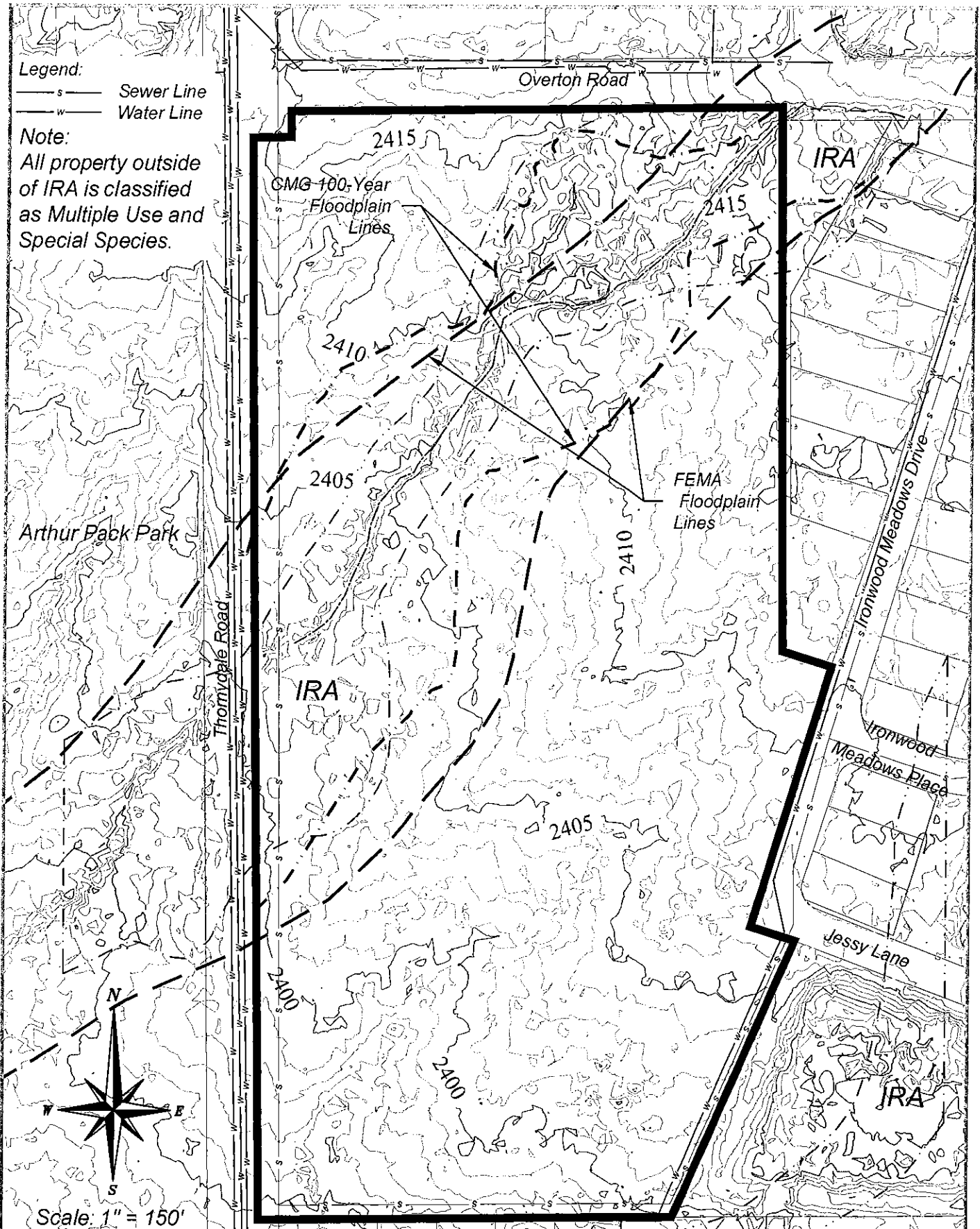
Arthur Pack Park



\* This parcel is not a part of the Plan Amendment Request as it already is MLIU.

Legend:  
 s Sewer Line  
 w Water Line

Note:  
 All property outside  
 of IRA is classified  
 as Multiple Use and  
 Special Species.



**MJM CONSULTING, INC.**  
 Land Planning and Development Services  
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

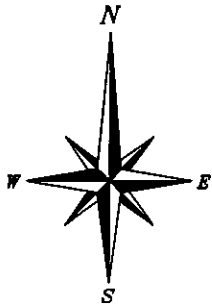
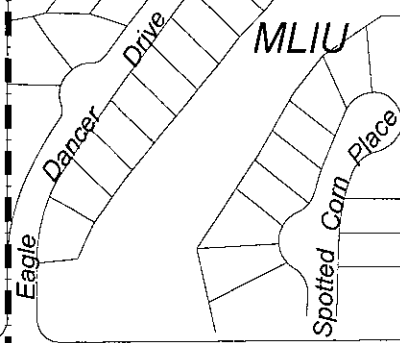
Wong-Overton Road  
 APN: 225-02-227F, 027G, 027H, & 027J  
 Section 20, T12S, R13E, G&SRM,  
 Pima County, Arizona

Exhibit #7  
 Special Features Map

Moutain View High School

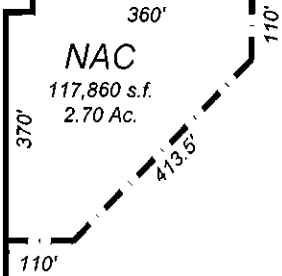
NAC

MLIU

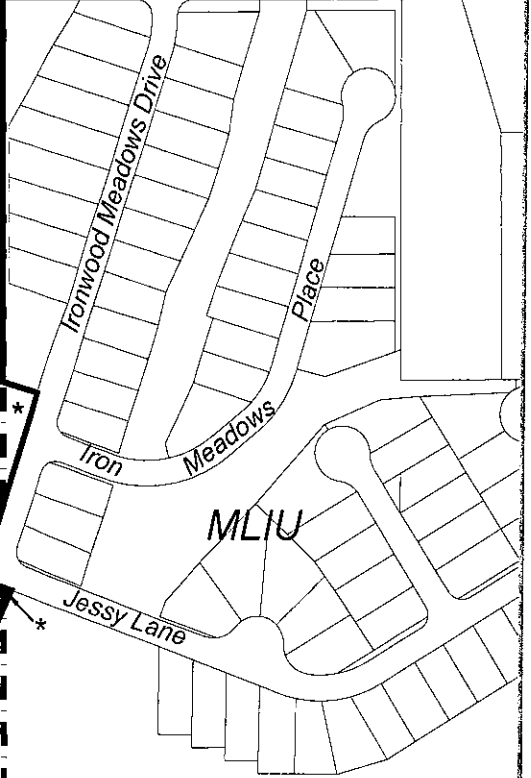


Scale: 1" = 300'

Overton Road



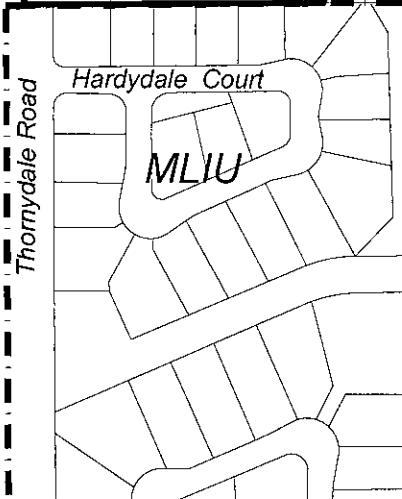
NAC  
117,860 s.f.  
2.70 Ac.



Resource Conservation

MLIU  
669,744 s.f.  
15.38 Ac.

MLIU



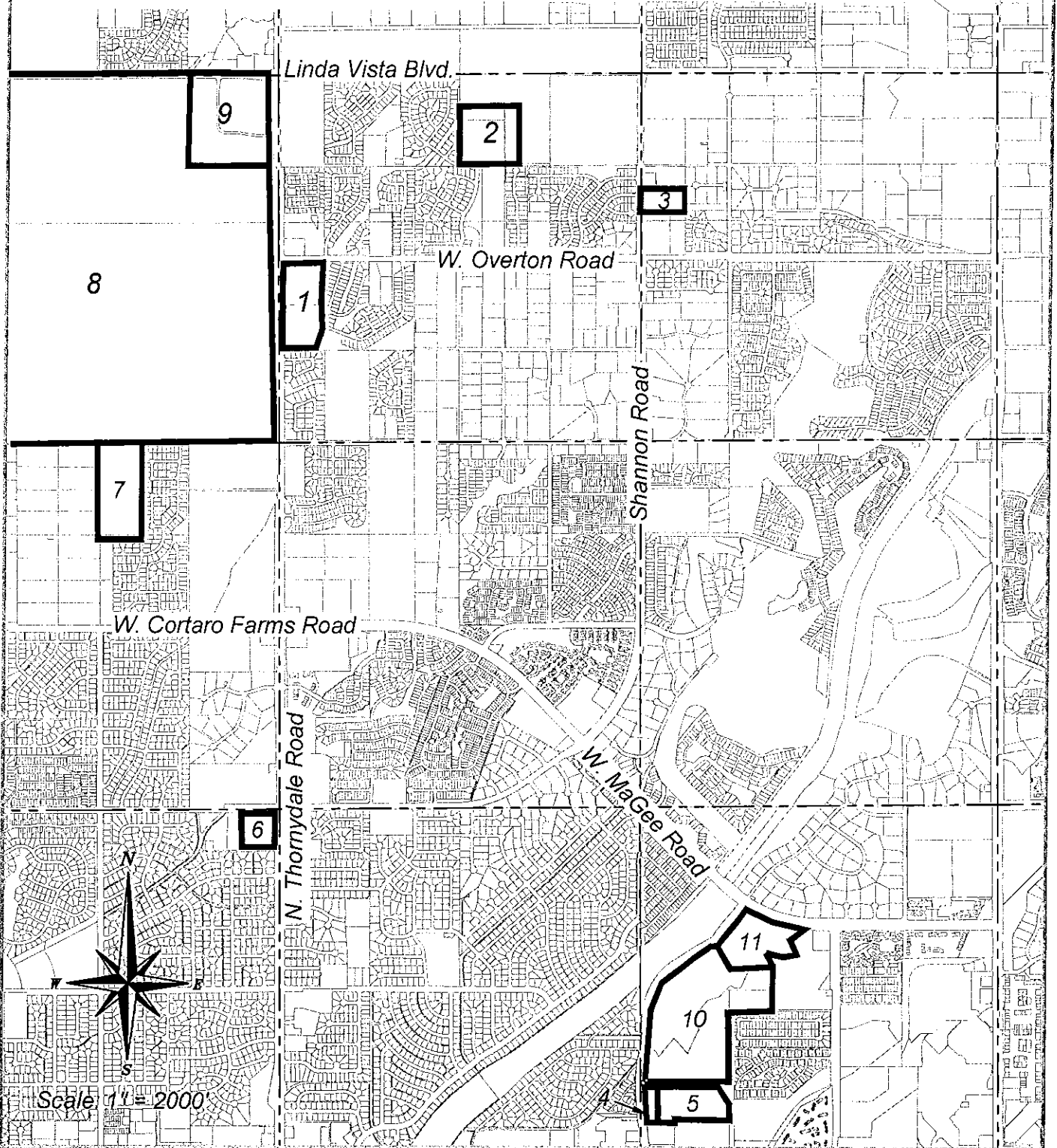
MLIU

Arthur Pack Park

\* This parcel is not a part of the Plan Amendment Request as it already is MLIU.

**Legend:**

- |  |                                  |
|--|----------------------------------|
| 1. Subject Property                      | 6. Post Office                   |
| 2. Ironwood Elementary School            | 7. Tortolita Middle School       |
| 3. Mountain Vista Fire Station           | 8. Arthur Pack Regional Park     |
| 4. ADOT MVD                              | 9. Mountain View High School     |
| 5. Sheriff Substation and Public Library | 10. Pima Community College (PCC) |
|  | 11. YMCA                         |





# 2016 PLAN AMENDMENT PROGRAM

PLANNING AND ZONING COMMISSION  
STAFF REPORT



<b>HEARING DATE</b>	Wednesday, August 31, 2016
<b>CASE</b>	P16CA00001 Wong Family LP – N. Thornydale Road
<b>PLANNING AREA</b>	Tortolita
<b>DISTRICT</b>	1
<b>LOCATION</b>	Southeast corner of N. Thornydale Road and W. Overton Road
<b>REQUEST</b>	Low Intensity Urban-0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) – 15.55 acres; and Neighborhood Activity Center (NAC) – 2.75 acres
<b>OWNERS</b>	Wong Family Limited Partnership
<b>AGENT</b>	Michael Marks, MJM Consulting, Inc.

## APPLICANT’S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN

An amendment to the land use designation will allow the owner to develop a mixed-use residential and limited commercial infill project. The following summarizes the applicant’s reasons to amend the Comprehensive Plan:

- Several policies and goals of the Pima Prospers Comprehensive Plan Land Use Element and the Arizona Growing Smarter Act are achieved.
- The project will preserve the Important Riparian Area (IRA) on-site, per the standards & goals of the Conservation Land System (CLS). The remainder of the property, designated Multiple Use Management and Special Species Management Areas, will be mitigated by the provision of suitable off-site land.
- The Plan Amendment request would make up for an inconsistency and/or oversight and/or inequity in the Pima Prospers Comprehensive Plan.
- An up-planning is appropriate given the MLIU designation on properties to the east, northeast, and south; and the NAC designation to the north.
- The property is surrounded by urban development and the subject site is located along Thornydale Road at a significant intersection. The property is well served by all utilities and is located in a region with sufficient public facilities.

See Attachment A of the application for more details.

<b>EXISTING ZONING/LAND USE</b>
SR Suburban Ranch/vacant land



SURROUNDING LAND USE DESIGNATIONS	
North	NAC Neighborhood Activity Center, MLIU Medium Low Intensity Urban
South	MLIU Medium Low Intensity Urban
East	MLIU Medium Low Intensity Urban
West	RC Resource Conservation

SURROUNDING ZONING/EXISTING LAND USE	
North	CB-1 Local Business, CR-5 Multiple Residence / commercial, residential
South	CR-4 Mixed-Dwelling Type, SR Suburban Ranch / residential, vacant land
East	CR-5 Multiple Residence/ residential
West	SR Suburban Ranch / public park

### **STAFF REPORT**

Staff recommends **APPROVAL** of this request to amend the Comprehensive Plan from LIU-0.3 to MLIU – 15.55 acres; and NAC – 2.75 acres for the 18.30-acre site located at the southeast corner of N. Thornydale Road and W. Overton Road in the Tortolita Planning Area. The Pima Prospers land use designation adjacent to the site is MLIU on properties to the east, northeast, and south; NAC to the north; and Resource Conservation (RC) to the west. Existing surrounding land use is medium density residential subdivisions and the regional Arthur Pack Park across Thornydale Road. A small commercial strip is located to the north across Overton Road. Staff's recommendation is based on certain Growing Smarter Acts principles, urban infill, plan designation consistency, infrastructure availability, and establishment of commercial and community services (see plan amendment criteria, below).

A 52-lot residential subdivision and an 18,557 sf. commercial building is conceptually being proposed. The residential development is at a 3.3 RAC (residences per acre), meeting the MLIU minimum (2.5) and maximum (5) RAC requirements. Access to the commercial building will be from Thornydale and Overton Roads; and access to residential units will be from Thornydale Road only.

#### *Setting:*

The subject site is comprised of two connected parcels, 225-02-027J and 225-02-027F, totaling 18.30 acres. The property is vacant, undeveloped and is generally flat with minor slopes in the terrain. An un-named wash runs through the site and the landscape is rich in natural desert vegetation. The site is located at the southeast corner of N. Thornydale Road and W. Overton Road, medium and low volume county arterial routes in a region of burgeoning commercial/retail, office, and mixed residential uses.

#### *Surrounding conditions:*

Thornydale Road represents a key north-south transportation corridor serving the northwest side of the Tucson metropolitan area. Thornydale Road has historically served as a suburban to rural corridor from higher-density residential and commercial that occurs from Orange Grove and Ina Roads to the lower-density large-acre rural homes towards Tangerine Road. However, this trend has been changing in recent decades in the vicinity of the amendment site. The surrounding

context is an emerging urbanized mix of commercial, office, and residential development infill featuring medium- to higher-density single-family residences. An existing drug store, small commercial strip, and high density CR-5 subdivisions are located north and northeast to the subject site. To the south are CR-4 and CR-3 zoned subdivisions; and to the southeast is a vacant 20-acre parcel zoned SR. On the eastern boundary abutting the site is an existing CR-5 subdivision. Across Thornydale Road to the west is Arthur Pack Park. The regional park provides for the area recreational opportunities including golf, trails, fields, courts, leagues, playgrounds, and ramadas. Arthur Pack is also a County-maintained conservation open space property.

Within  $\frac{3}{4}$  of a mile north at and near the Thornydale Road/Linda Vista Boulevard intersection is a shopping center featuring a grocery store, bank, and a gas station; two large apartment complexes; and Mountain View High School. Approximately  $\frac{1}{2}$  mile south down Thornydale Road at the Hardy Road intersection are medical offices; and further south within one mile of the subject parcels at the Cortaro Farms Road intersection are a grocery store/bank shopping center, offices, two gas stations, and the Legacy Traditional School campus. Within a mile to the northeast and southeast, respectively, are Ironwood Elementary and Tortolita Middle Schools. An 8.19-acre shopping center is planned for the northwest corner of Thornydale and Cortaro Farms Roads.

Major improvements are scheduled within the next 2 years for Thornydale Road between Cortaro Farms Road and Linda Vista Boulevard. The roadway currently provides three lanes with a continuous center turn lane. It has no curbs, bike lanes, or sidewalk. Thornydale Road is over-capacity in the vicinity of the amendment site. A widening to four lanes with potential sidewalks and bike lanes is proposed. Roadway widening to four lanes with enhancements is also proposed for the two-lane cross section of Cortaro Farms Road between Camino de Oeste and Thornydale Road. The project is currently in the design stage.

Overton Road is a low volume three-lane cross section with a continuous center turn lane. The roadway does not continue west past Thornydale Road and ends at the Arthur Pack Park entrance. There is a left turn lane at the Thornydale Road intersection. No major improvements are planned.

Sun Shuttle Route 412 primarily traverses the Thornydale Road corridor up to Tangerine Road and along River Road with key stops at commercial and service centers; the Tucson Mall, and the Tohono Transit Center. There are opportunities throughout the route to connect to Sun Tran bus routes to reach key destination points throughout the region.

#### *History:*

Since 2006, there have been eight approved Comprehensive Plan Amendments within a  $\frac{1}{2}$  mile of the proposed amendment site. The movement in amendment approvals in the area have been LIU-0.3 to MIU or MLIU. There currently is a concurrent amendment request (P16RZ00002) near the Thornydale Road/Linda Vista Boulevard intersection. That request is LIU-0.3 to MLIU on 76.74 acres.

In addition, there have been five rezonings from SR to CR-4 or CR-5 within a  $\frac{1}{2}$  mile in the last 10 years. A 55-acre rezoning case at the Thornydale Road/Cortaro Farms Road intersection rezoned 8.19 acres to CB-1 from SR for a neighborhood shopping center, with the balance of the site remaining in its present state.

#### **Plan Amendment Criteria**

Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

1. The plan amendment would promote:

- a. Implementation of the **Growing Smarter Acts**, with particular emphasis given to the principles of smart growth, such as: (i) mixed use planning, (ii) compact development, (iii) multi-modal transportation opportunities, (iv) rational infrastructure expansion/improvements, (v) conservation of natural resources, and (vi) the growth area element (where applicable);
  - b. The implementation of other Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies.
  - c. Compatibility with the **Maeveen Marie Behan Conservation Lands System**;
2. Fulfillment of the purpose of the Annual Plan Amendment Program as stated in the Pima County Zoning Code, 18.89.040(A) (2) & (3):
- The annual plan amendment program provides an opportunity to address oversights, inconsistencies, or land use related inequities in the plan, or to acknowledge significant changes in a particular area since the adoption of the plan or plan updates. Annual amendments are reviewed concurrently in order to analyze potential cumulative impacts.

### **Growing Smarter Acts**

The plan amendment to the higher intensity NAC and MLIU land use designations meets the mixed use planning, compact development, multi-modal transportation, and rational infrastructure improvements principles of the Growing Smarter Acts. A combination of residential lots and commercial proposed for the site complements existing mixed-use development surrounding the property and along the Thornydale Road corridor. The applicant proposes a compact configuration of infill development, preserving the entire Important Riparian Area and wash as open space. For multi-modal transportation, the site is located at the intersection of two urban arterials, with Thornydale Road proposed for widening, bike lanes, and pedestrian facilities. The Sun Shuttle Route 412 has flag stop service on Thornydale Road. All necessary infrastructure and utilities are established for infill development.

### **Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies**

Long-range viability of the region is a key goal of the Land Use Element within the 2015 Comprehensive Plan Update (Pima Prospers). The proposed amendment supports a number of the goal's policies, including:

- Policy 2a: Supporting a balance of housing, employment, shopping, recreation, and civic uses;
- Policy 2b: Recognizing in the unincorporated County the dominant suburban growth pattern within the metropolitan area;
- Policy 2d: Promoting the integrated and efficient use of infrastructure and services;
- Policy 4: Supporting land uses, densities, and intensities appropriate for the urban, suburban, and rural areas of the unincorporated County;
- Policy 5: Including regulatory floodplain and regulated riparian areas as open space priorities to maintain hydrologic integrity, wildlife corridor connectivity, and contiguous open space corridors; and
- Policy 6: Promote a compact form of development in urban and suburban areas where infrastructure is planned or in place and the market is receptive.

The site is not currently covered by Special Area or Rezoning policies.

### **Maeveen Marie Behan Conservation Lands System (CLS)**

The amendment site is entirely within the CLS, with Important Riparian Area (IRA), Multiple Use Management Area, and Special Species Management Area designations. A wash that crosses the amendment site is an important natural resource and is a tributary to the Hardy Wash. There are no CLS Critical Landscape Connection or any wildlife linkages identified by the Arizona Department of

Transportation or Arizona Game and Fish Department. Combined preservation of on-site IRA areas with off-site mitigation will be used to comply with CLS conservation guidelines. Property provided as off-site mitigation is subject to CLS Off-site Mitigation Policies established in Pima Prosper. Disturbances to on-site vegetation will be regulated by the Native Plant Preservation Ordinance.

### **Fulfillment of the Purpose of the Annual Plan Amendment Program**

An increase in land use intensity and density for the subject property will be compatible with the MLIU designations on properties directly to the south, east, and northeast; and the NAC designation directly to the north. Light commercial, including a drug store, is located directly north of the property and is surrounded by medium density CR-4 and CR-5 residential zoning. The property is well served by all utilities needed to support urban infill development and is located in an area with established public services such as schools, parks, recreation, post office, library, churches, fire station, and nearby commercial development on Linda Vista Boulevard and Cortaro Farms Road.

The objective of NAC is to designate lower intensity mixed-use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. MLIU allocates areas for a mix of medium density single family and lower density attached dwelling units. An Annual Plan amendment and subsequent rezoning to the subject site would appropriately allow the owner to plan and develop a mixed-use residential and limited commercial infill project at a significant northwest intersection of two county classified arterials and support the dominant suburban growth pattern within unincorporated Pima County as identified in Pima Prosper.

## **AGENCY/DEPARTMENT COMMENTS:**

### **Environmental Planning**

#### Site Characteristics

- The approximately 18-acre amendment site is in an area of Northwest Tucson that is transitioning from low density residential uses (LIU 0.3, RC, SR zoning) to higher intensity uses (Activity Centers, MIU, MLIU, CR-4 & CR-5 zoning); immediately surrounding properties are designated MLIU with CR-3 and CR-5 zoning; NAC with CB-1 zoning; and Resource Conservation with SR at Arthur Pack Regional Park.
- The amendment site is not identified for acquisition under the 2004 Open Space Bond Program.
- The amendment site does not occur within any CLS Critical Landscape Connection or any wildlife linkage or movement area identified by Arizona Dept. of Transportation or Arizona Game and Fish Dept.
- The un-named wash that crosses the amendment site is a resource feature that has both on- and off-site importance; it supports and is a tributary to Hardy Wash. Disturbances are regulated by the Regional Flood Control District according to the Watercourse and Riparian Protection and Mitigation Requirements of Pima County Code Title 16.
- No cactus ferruginous pygmy-owl (CFPO) have been detected in Northwest Tucson since 2006 when the last known CFPO was captured and placed in a captive breeding program.
- The amendment site lies outside the range of Pima pineapple cactus and needle-spined pineapple cactus.
- Lesser long-nosed bats (a federally-endangered species) are known to forage in the general area and use it to move between roosts and other forage areas.
- The amendment site is considered medium value as potential habitat for the Western burrowing owl.
- Disturbances to on-site vegetation (e.g., saguaro, ironwood trees, and any agave) are regulated by DSD according to the Native Plant Preservation Ordinance of Pima County Code Title 18.
- Arthur Pack Park, which lies directly west of the amendment site across Thornydale, and the Stevens Property, which PCDOT acquired as mitigation, are the only County-maintained

conservation open space properties within one mile of the amendment site. The amendment site is also approximately 1300 feet north of Tucson Audubon's Mason Center.

- The amendment site is entirely within the CLS (IRA and Multiple Use, both with a Special Species Management Area overlay).
- The application states that preservation of on-site IRA areas in combination with off-site mitigation will be used to comply with CLS conservation guidelines.

### Conclusions

No Special Area or Rezoning Policies are recommended at this time. As regards CLS compliance, property provided as off-site mitigation is subject to CLS Off-site Mitigation Policies established in Pima Prospers (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11).

### **Regional Flood Control District**

The District has no objection or policy recommendations, and offer the following comments:

The FEMA and proposed revised floodplains, and riparian habitat designated as Important Riparian Area have been shown on the special features exhibit. Per Pima Prospers Section 4.9 Goal 1 these areas are to be avoided when appropriate. The FEMA floodplain is designated as Zone A, indicating that the floodplain boundaries are approximate. The applicant has provided more accurate floodplain delineation based upon better topography and existing conditions. This better floodplain boundary information shall be avoided and shall not be reduced using structural flood control measures except as shown on the Concept Plan. Riparian habitat boundary modifications, per District Technical Policy 104, may be allowed to adjust map accuracy but not to reduce the net area. A rezoning condition will be recommended at the time of rezoning to ensure this occurs.

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

- The site is in the Metropolitan Water Obligated Service Area.
- Per the ADWR Well Inventory the closest wells had depths to groundwater between 250 and 325 feet.
- The site is not located within a covered subsidence zone.
- The nearest Groundwater-Dependent Ecosystem is the perennial section of the Santa Cruz River 3.5 miles away.
- The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1600-3200 feet.

In conclusion, while the distance to groundwater and proximity to the Tucson Water service area suggests the project is not likely to have adverse impacts on groundwater dependent ecosystems. At the time of rezoning the applicant must identify their provider and proposed yield in order to confirm that there will be no impact on shallow groundwater dependent ecosystems. Policy is in place to ensure this occurs.

### **Department of Transportation**

The proposed comprehensive plan amendment is for an 18.08-acre site located on the southeast corner of Thornydale Road and Overton Road. The applicants have not stated where the proposed access points will be located; however, the site has direct access to Thornydale Road, Overton Road, Ironwood Meadows Drive and Jessy Lane. The site has approximately 1,300 feet of frontage on Thornydale and 650 feet of frontage on Overton. The applicant is proposing the NAC designation for the northwest corner of the property for future commercial/office use. The remainder of the site is proposed for medium/low intensity urban residential uses. The adjacent uses are a mix of commercial and residential uses with a large park on the opposite site of Thornydale Road.

Thornydale is a three-lane roadway with a continuous center turn lane. It has no curbs, bike lanes, or sidewalk on either side. It has a posted speed of 45 mph. Current traffic volumes are 23,093 ADT south of Cortaro Farms Road, 19,959 ADT from Cortaro Farms Road to Overton Road, and 18,193 ADT from Overton to Linda Vista Road. The capacity is approximately 16,700 ADT. Although the roadway is overcapacity in the vicinity of this site, improvements are scheduled within the next two years.

Overton Road is a paved county maintained low volume arterial roadway with an existing right-of-way of 75 feet. The planned future right-of-way is 90 feet. A right-of-way dedication is expected at the time of the rezoning. Overton is currently constructed as a three-lane cross section with a continuous center turn lane. There is a left turn lane at the intersection of Thornydale and Overton. Overton Road does not continue west past Thornydale Road. The most recent traffic count in the vicinity of this site is 6,700 ADT. The capacity is 14,000 ADT.

### **Regional Wastewater Reclamation Department**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has received and reviewed the proposed amendment. The plan amendment would allow the subject property to be developed in conjunction with adjacent properties north, south and east as a mixed-use development subject to obtaining the proper zoning. The applicant is requesting the Medium-Low Intensity Urban (MLIU) and the Neighborhood Activity Center (NAC) designation to support the proposed use, over the current designation of Low Intensity Urban 0.3 (LIU 0.3). The proposed plan amendment area is located on the east side of Thornydale Road and south of Overton Road.

The plan amendment area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. There is an existing 21-inch public sewer line G-84-024 located along the western boundary of the site along Thornydale Road, and an existing 8-inch sewer line G-87-170 adjacent to the southern and southeastern boundary of the site. Both sewer lines are located within the dedicated public sewer easements.

The PCRWRD has no objection to the proposed comprehensive plan amendment. A no objection shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area and does not ensure that there is adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system.

### **Cultural Resources & Historic Preservation**

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.

### **Natural Resources, Parks and Recreation Department**

The Department reviewed the proposed amendment and has no objections.

## **United States Fish and Wildlife Service**

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

With regard to the pygmy-owl, this parcel occurs in an area where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. This parcel has significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Without on-site or off-site natural open space set asides as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. It appears that the owner does intend to acquire and provide off-site mitigation. The pygmy-owl is a proposed covered species under Pima County's MSCP and this area is a Special Species Management Area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the CLS and Comprehensive Plan be applied to this parcel if this Comprehensive Plan amendment is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that this parcel complies with the CLS guidelines for the special species management designation through either on-site or off-site natural open space set asides. Given the proposed configuration of potential development on this site, it appears that off-site natural open space set asides will need to be included.

## **Pima County Department of Environmental Quality**

PDEQ has no objections to this Comprehensive Plan Amendment.

## **Marana Unified School District (MUSD)**

MUSD has no objections to this development and has capacity to support the students it may produce.

## **Mountain Vista Fire District**

No comments were received.

## **Tucson Electric Power Company**

No comments were received.

## **Metropolitan Water District**

No comments were received.


## **SunTran**

No comments were received.

**PUBLIC COMMENTS**

A notice of the hearings for this amendment request has been sent to property owners of record within 1000 feet of the amendment site. As of the writing of this report, staff has not received any comments for the proposed amendment.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Artemio Hoyos". The signature is fluid and cursive, with a large initial "A" and "H".

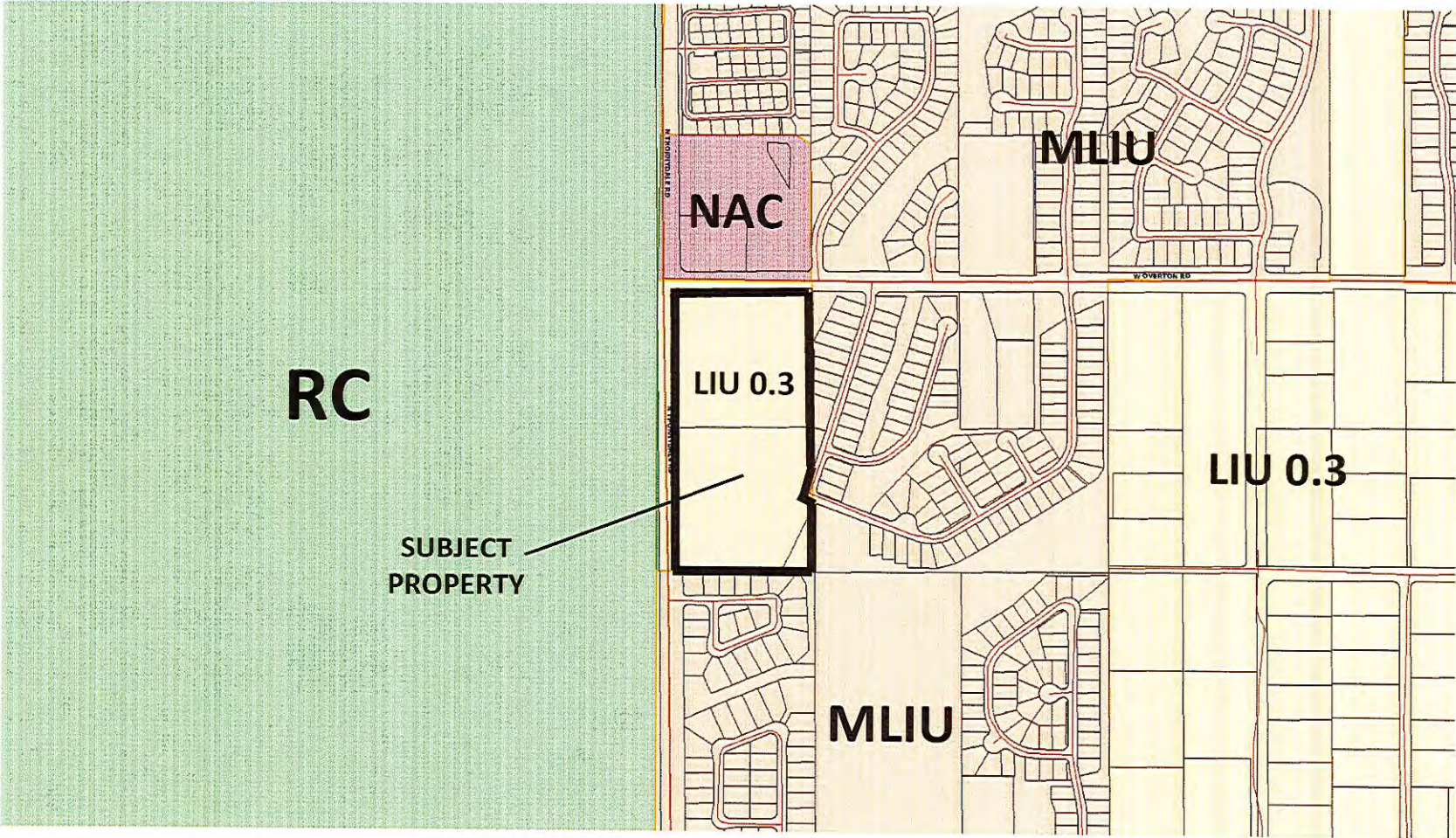
Artemio Hoyos, AICP  
Case Planner

cc: MJM Consulting, Inc, Michael Marks, Tucson, AZ 85710



P16CA00001 Wong Family LP – N. Thornydale Road

Current Comprehensive Plan Land Use Designations



# COMPREHENSIVE PLAN LAND-USE CATEGORY DEFINITION

## Neighborhood Activity Center (NAC)

- a. Objective: To designate lower intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are to be located on arterials. Smaller mixed use centers may contain medium density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how the project serves to create or enhance the mixed use character of the designated activity center as a whole.
- b. Residential Gross Density: Residential gross density, if applicable, shall conform to the following:
  - Minimum – 5 RAC
  - Maximum - 12 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:
  - Minimum – 5 RAC
  - Maximum – 8 RAC

## Medium Low Intensity Urban (MLIU)

- a. Objective: To designate areas for a mix of medium density single-family and lower density attached dwelling units; to provide opportunities for a mix of housing types throughout the region.
- b. Residential Gross Density: Residential gross density shall conform to the following:
  - Minimum – 2.5 RAC
  - Maximum – 5 RAC
- c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
  - Minimum – 2.5 RAC
  - Maximum – 4 RAC

### Low Intensity Urban 0.3 (LIU 0.3)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU 3.0, LIU 1.2, LIU 0.5, and LIU 0.3.

- a. Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.
- b. Residential Gross Density:
  - Minimum – none
  - Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following options:
    - Gross density of 0.7 RAC with 50 percent open space; or
    - Gross density of 1.2 RAC with 65 percent open space.
- 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:
  - Minimum density – none
  - Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following option:
    - Gross density of 0.7 RAC with 60 percent open space.



## Coalition for Sonoran Desert Protection

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August 31, 2016

Arizona Center for Law  
in the Public Interest  
Arizona League of Conservation  
Voters Education Fund  
Arizona Native Plant Society  
Bat Conservation International  
Cascabel Conservation  
Association  
Center for Biological Diversity  
Center for Environmental  
Connections  
Center for Environmental Ethics  
Defenders of Wildlife  
Desert Watch  
Drylands Institute  
Empire Fagan Coalition  
Environmental and Cultural  
Conservation Organization  
Environmental Law Society  
Friends of Cabeza Prieta  
Friends of Ironwood Forest  
Friends of Madera Canyon  
Friends of Saguaro National  
Park  
Friends of Tortolita  
Gates Pass Area Neighborhood  
Association  
Native Seeds/SEARCH  
Neighborhood Coalition of  
Greater Tucson  
Northwest Neighborhoods  
Alliance  
Protect Land and  
Neighborhoods  
Safford Peak Watershed  
Education Team  
Save the Scenic Santa Ritas  
Sierra Club - Grand Canyon  
Chapter  
Sierra Club - Rincon Group  
Silverbell Mountain Alliance  
Sky Island Alliance  
Sky Island Watch  
Society for Ecological  
Restoration  
Sonoran Arthropod  
Studies Institute  
Sonoran Permaculture Guild  
Southwestern Biological  
Institute  
Tortolita Homeowners  
Association  
Tucson Audubon Society  
Tucson Herpetological Society  
Tucson Mountains Association  
Wildlands Network  
Women for Sustainable  
Technologies

Eddie Peabody Jr., Chair, and Commissioners  
Pima County Planning & Zoning Commission  
130 W. Congress St.  
Tucson, AZ 85701

**RE: P16CA00001 Wong Family LP – N. Thornydale Rd.**

Dear Chair Peabody & Commissioners,

Thank you for the opportunity to provide comments on the proposed N. Thornydale Rd. Comprehensive Plan Amendment (P16CA00001 Wong Family LP – N. Thornydale Rd.).

This 18.3-acre parcel contains multiple Conservation Lands System (CLS) categories under the Comprehensive Land Use Plan. These include Important Riparian Area (IRA) and an underlying Multiple Use Management Area with a Special Species Management Area (SSMA) overlay.

The CLS categories present on the property have associated open space guidelines: at least 95% open space in IRA and 80% open space in SSMA. CLS guidelines call for on-site conservation and/or off-site mitigation if development commences. We expect that any future request for rezoning on this property will be obligated to demonstrate, in detail, full compliance with CLS guidelines.

The Coalition for Sonoran Desert Protection supports the applicant's proposal to comply with CLS guidelines by using on-site conservation and off-site mitigation. We can support the proposal *if* guidelines for off-site mitigation are conditions for approval and are included and agreed to by the applicant at the Comprehensive Plan Amendment stage, to be applied at the time of rezoning. These guidelines have been implemented by Pima County on other projects and are included in the new draft Environment Element in *Pima Prospers*. The guidelines provide direction on how to appropriately select off-site mitigation lands and state the following:

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

- 3) Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

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

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Campbell".

Carolyn Campbell  
Director