

Requested Board Meeting Date: June 22, 2021

Title: FIDELITY NATIONAL TITLE TR 60405, ET AL. – W. VALENCIA ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT
Introduction/Background:
The applicant requests Concurrent Plan Amendment and Specific Plan rezoning on approximately 125 acres for a mixed-use live/work/play multi-modal destination that include potential uses such as offices, restaurant, commercial services, single and multi-family housing. The Belnor Vista Specific Plan is intended to be flexible in nature to attract end users interested in a unique development opportunity.
Discussion:
Staggered heights ranging from 40 feet to 75 feet high are planned for the commercial uses. Single-family residential heights are planned at a maximum of 25 feet and two-stories except for the perimeter of the residential development along the east and west property boundaries, planned for one-story.
Conclusion:
Approval of the Specific Plan rezoning and concurrent plan amendment will have the effect of changing the three existing land use designations on the site to the Planned Development Community (PDC) designation, which will bring the Specific Plan (zoning) and Comprehensive Plan land use designation into conformity.
Recommendation:
Staff and the Planning and Zoning Commission recommend APPROVAL of the rezoning subject to standard and special conditions.
Fiscal Impact:
0
Board of Supervisor District:
□ 1 □ 2 □ 3 □ 4 □ 5 □ AII
Department: Development Services - Planning Telephone: 520-724-8800
Contact: Terrill L. Tillman, AICP, Principal Planner Telephone: 520-724-6921
Department Director Signature/Date:
Deputy County Administrator Signature/Date:
County Administrator Signature/Date: C. Dahelbeun 6/1/21



TO:

Honorable Adelita Grijalva, Supervisor, District 5

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services Department-Planning Division

DATE:

June 1, 2021

SUBJECT:

P20SP00001 FIDELITY NATIONAL TITLE TR 60405, ET AL. - W. VALENCIA

ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' TUESDAY, June 22, 2021 hearing.

REQUEST: For a comprehensive plan amendment and specific plan for approximately 125

acres from the Higher Intensity Urban (HIU), Medium Low Intensity Urban (MLIU), and Community Activity Center (CAC) to the Planned Development Community (PDC) land use designation and from the CR-3 (Single Residence) and GR-1 (Rural Residential) zones to the SP (Specific Plan) zone located on the south side of W. Valencia Road, approximately 400 feet west of the intersection of S. Camino de la Tierra and W. Valencia Road in Section

17, Township 15 South, Range 13 East, in the Southwest Planning Area.

OWNERS:

Fidelity National Title Tr 60405

Attn: Southern AZ Land Trust Inc.

3044 N. Alvernon Way Tucson, AZ 85712

AGENT:

The Planning Center

Brian Underwood

2 E. Congress Street, Suite 600

Tucson, AZ 85701

DISTRICT:

5

STAFF CONTACT: Terrill L. Tillman, AICP, Principal Planner

PUBLIC COMMENT TO DATE: As of May 31, 2021, staff has received 2 written comments in protest to the request.

<u>PLANNING & ZONING COMMISSION RECOMMENDATION:</u> APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (7 – 1 Commissioner Gungle voted NAY, Commissioners Maese and Matter were absent).

<u>STAFF RECOMMENDATION</u>: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

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

TD/TT/ds Attachments



SUBJECT: P20SP00001

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FOR JUNE 22, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO:

HONORABLE BOARD OF SUPERVISORS:

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services Department-Planning Division

DATE:

June 1, 2021

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT AND SPECIFIC PLAN

P20SP00001

<u>P20SP00001 FIDELITY NATIONAL TITLE TR 60405, ET AL. – W. VALENCIA ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT</u>

Fidelity National Title TR 60405, et al. represented by the Planning Center request a comprehensive plan amendment and specific plan for approximately 125 acres (parcels 138-26-319H, 138-26-320B, 138-26-320C, 138-26-320D, 138-26-6880 and all of Belnor Vista II, recorded at Book 62, Page 53, Sequence Number 20070880286) from the Higher Intensity Urban (HIU), Medium Low Intensity Urban (MLIU), and Community Activity Center (CAC) to the Planned Development Community (PDC) land use designation and from the CR-3 (Single Residence) and GR-1 (Rural Residential) zones to the SP (Specific Plan) zone located on the south side of W. Valencia Road, approximately 400 feet west of the intersection of S. Camino de la Tierra and W. Valencia Road in Section 17, Township 15 South, Range 13 East, in the Southwest Planning Area. On motion. the Planning and Zoning Commission voted to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (7 - 1, Commissioner Gungle voted NAY, Commissioners Maese and Matter were absent). Staff recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

(District 5)

Planning and Zoning Commission Public Hearing Summary (April 28, 2021)

The public hearing was held virtually. Some commissioners were virtual while others attended through the telephonic option. Staff and the applicant attended and presented virtually.

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

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The applicant's representative presented additional information about the proposed project and discussed the necessity to blend the allowable comprehensive plan land uses toward the center of the site to create a more sensitive design to the natural environment and adjacent developed residential uses. He discussed the uses within the proposed Campus Core area of the site and that the washes will be preserved and treated as Resource Sensitive and integrated into the development as an amenity. The hillside areas will be preserved and the planned Sorrel Lane extension will connect through the site to the south and extend the multi-use path through the property. The existing Gas Line Single Track Trail, wash areas and many pathways connecting throughout the development will create a nature walk with incredible views and scenery throughout the entire property. He further discussed the planned Residential Neighborhood area and the re-design of the existing approved Belnor Vista II subdivision plat. The Residential Neighborhood development is meant to transition from the lower intensity to uses to the higher intensity uses of the Campus Core area. Potential uses within the Campus Core include corporate offices or headquarters that can take advantage of the compact design and needs the flexibility of the additional heights. To sustain those types of uses, neighborhood level services are planned to support the community and surrounding area. The housing component offers an economic development driver to bring some potential employment into the area along with the potential public component uses such as a fire station or public library which combined would have a tremendous community and economic impact. The residential area will contain single and twostory detached and attached dwellings. Single story homes are planned within 60 feet of the east, west, and south property boundaries.

A commissioner asked about the property owner, SALT (Southern Arizona Land Trust) organization and whether it is a non-profit. The applicant responded that while the acronym contains "Land Trust" within its name, it is not a true land trust. SALT is a non-profit organization that was started in 2008 due to the financial crisis and is the largest recipient of NSP2 (Neighborhood Stabilization Program 2) grants, and a part of a larger consortium of local government and non-profits. SALT was awarded 8 million dollars through HUD and the Pima County consortium of other non-profits. SALT works with Pima County in the down payment assistance program and affordable housing. Currently, there are 132 homes throughout Tucson developed as affordable housing and 38 of those homes are in District 5 as affordable housing rentals. SALT owns the homes, manages the homes and the rentals. The rent per month is \$900 for a 1,500 square foot home and the occupants have an average income of \$35,000 per year. SALT will be the developer of this project and any monies made from the sale of this project will be re-invested back into affordable housing. A commissioner asked whether the Neighborhood Area and Campus Core area will be sold. The applicant discussed that the commercial area will be block platted. Both the commercial and the residential properties will be sold. commissioner stated how he was a part of the Civano development and supports the mission of SALT.

A commissioner asked about the verticality of the project and how many stories will fit into a 75-foot-high structure. The applicant's representative stated that it is possible to have 7 to 8 stories and discussed that the view shed will remain due to the highest buildings location at the lowest elevations of the site. The commissioner indicated that staff's report addressed the location of similar verticality at the Casino del Sol. He questioned whether the Casino is visible from this location. The applicant's representative stated he was unsure. The commissioner continued that he has concerns regarding the dis-similarity of the uses considering the existing uses in the area. He continued to share his concerns about this project in this location. He questioned the discussion of millennials desiring to live within a work/live/play development and commented that typically that is in the urban core area where they can enjoy the amenities of a downtown. The representative stated that the live/work/play component has a broad definition for everyone. Some want to be in the downtown area with bars and restaurants nearby and others would like to

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have some of that, but live close to work and have the outdoor connection retaining the convenience of a work/live/play development. The commissioner discussed how Civano's project was heralded as a green development for people to live and work in one location and ultimately amounted to sprawl and what we are looking at is a population pocket that will lead to sprawl because they will be working and doing other things in town. A commissioner responded that he was one of the later critics of Civano because they failed to create a comprehensive, sustainable community which included a local economy in the community and it did become a bedroom community because there was little developer interest in the visionary project in the 90's and appreciates the goal of this project to bring live/work/play development forward. The commissioner believes that there is a group of millennials that would like to live in a less congested environment and some that prefer the downtown, but with the downtown land values, it would be difficult to do. There are few employment opportunities in this area and this could be a seed that begins to create Tucson villages that are self-sustaining.

A commissioner asked about the approximate height of the three hills. The representative responded that one of hills is approximately 40-50 feet in height. The western hill is the largest and tallest at approximately 70 feet.

A commissioner asked about the length of the trails. The representative stated that they are approximately one-mile.

The hearing was opened to the public.

Speaker #1 stated that you cannot see the Casino. She further stated that the height of 75 feet seems excessive and with occupants of apartments along Valencia, it would make it more difficult to access Valencia Road on a daily basis, the wait is five minutes just to turn right. High density housing is not suitable for the area because to the west there are one-acre lots and to the south, larger lots. If there is a fire, fire would spread throughout the whole community. Crime rates go up with high density housing and she is totally against the high density housing and the 75-foot height and believes it should not be any higher than two-stories.

Speaker #2 discussed that he is adjacent to the development. As a neighbor and concerned citizen, he is requesting the vote for the plan amendment and specific plan be postponed - the pandemic has postponed many similar agendas and the pandemic has made community outreach challenging and limited and having a vote now is suspect and seems like the proposal is being pushed through without community input and proper scrutiny. He requests a pause on the development. He wishes he could say that he doesn't have a dog in this race, but he does. He lives adjacent to Belnor Estates and will be able to see every rooftop, window, and porch light. He would like to see a pause on this development and how it was platted.

He continued that if the commission has a vote, a *no* vote is requested as this will have a negative impact on the environment that will disrupt the rich biological diversity that has existed on the mountain over the last 10,000 years. Satellite imagery of this property discloses that this is part of a larger mountain complex that comprises A Mountain, Tumamoc Hill, Tucson Mountain Park, Saguaro National Park and Black Mountain Park. We don't build on Tumamoc Hill, A Mountain and certainly not in the park and he questioned why this property been platted for development. It's a dated perspective that should be reviewed. This dark, open, wild space has been compromised but still supports the rich biodiversity of life that is the character of Arizona. Recent development has cut into the wildlife corridor which requires heavy machinery to chisel out building spots and the mountain has taken a brutal beating and these land owners have the right to do so, but perhaps we should have viewed these properties a little differently because it is in the heart of a wildlife corridor - two wrongs don't make a right and three wrongs don't either, just

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because the neighbor degraded the mountain doesn't make it OK for others to do the same. He stated that he is trying to save Tucson from itself, so it doesn't go California on itself. He discussed that he didn't have time to review the report but believes there are 932 saguaros and even more palo verde trees that cover the area, (maybe 5,000?), there are 3,000 staghorn cholla, 2,000 chain fruit cholla cactus, a multitude of prickly pear cactus, acacia trees and creosote bushes that cover the whole mountain side. A recent study of the Drexel Heights area indicated it is one of Tucson's hottest spots and without the foliage of these 10,000 plants and replaced by concrete and asphalt, we are going to be as hot as Phoenix or look like the East Bay or worse, Southern California. This area bakes in the summer, freezes in the winter, floods during monsoon and in between the wind rifts by. There are only two of the three recognized washes. Aragon wash has been ignored. These homes will have great views of Tucson and Tucson will have great views of the reflective glass and porch glass all across the Pueblo. This proposal needs to be greened up. He challenged the Planning Center to return to their core values and prioritize culture, sustainability and the environment. He provided another reason to vote no, due to the many idle tracts of land along Valencia Road. Housing tracts by the dozen out Valencia Road and Ajo Highway are available and stated that we don't need this at this time. There is plenty of infrastructure near the airport which should be utilized before we carve out the mountainside. He doesn't mean to sound like a NIMBY (Not in my backyard) but this project will be seen from the U of A campus, downtown all the way to Tanque Verde. He suggested that future plans be more conducive with co-existing with the Sonoran Desert.

Speaker #3 as a millennial is very much in favor of this idea. She does not want to be near to downtown or any bar or lively environment there. She has chosen to live on the west side with her family, because they don't want that and are very excited about the proposal and appreciate the thoughtful planning that went into it and would like to register her support.

Speaker #4 has been a neighbor in the area for 45 years and understands the necessity for development but has concerns regarding controlling the traffic, the noise and the lighting. She stated that this neighborhood has been pushed into the mountain side and she is concerned about the additional traffic onto Valencia, as it has been previously stated that Valencia Road is difficult to access now.

Staff clarified that this proposal is surrounded by existing development, so it is hard to call this sprawl. A portion of the property is already platted and most importantly, the site lies outside of the Conservation Lands System where sensitive development is encouraged. Any new home development will have to meet dark sky and lighting ordinances, provide transportation studies and meet much more rigid requirements than in the past. The county is promoting this type of mixed use development and smart verticality that is sensitive to existing development. The ultimate cure for heights is the greater distance to other structures, which is demonstrated with this development. With a master developer, there may be better engineering to deal with traffic and light pollution. Staff added that there are very strict outdoor lighting codes and there is the ability for full cut-off and shielding of lighting to prevent light trespass. He stated that there is an effort underway to update the 2012 outdoor lighting code with the Building Official. In the last nine years there have been great advances in technology LED and amber LED where astronomers and observatories can further regulate and restrict out these lights for the greatest amount of dark skies. The Building Official is working on the lighting code effort to get to the Board of Supervisors within the next year and these new developments will be subject to newly proposed restrictions and believe that there will be less impact from light trespass.

A commissioner asked where a development of this type has been successful in the region. Staff replied that there has not been one, but believes that this type of development is cutting edge and supported by the policies of the comprehensive plan. If property is outside of the Conservation

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Lands System, and density is promoted in the right spot, this is supported by our policies. The verticality is not customary, however, supported, but exactly what we would like to see.

The representative responded to the speakers and discussed what went into the proposed heights of 75 feet and the vantage points that the height would be impactful. He discussed how the vertical heights are in the lowest elevations and sit behind the hill along Valencia Road and will not impede the ability to see all the way across the property. The height of the structures as proposed are sensitive to the existing development. The existing homes will still retain the viewshed across the property and see the northern rock outcroppings. The proposal includes 30% natural open space set-aside and will add additional landscaping that will add up to as much as 50-60 acres of open space. Wildlife will be able to continue to move through the property on either side. The noise will be regulated by the orientation and setback of the buildings to prevent noise trespass.

The public hearing was closed.

Commissioner Hook made a motion to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**, Commissioner Membrila gave second.

A commissioner discussed that he loves this plan. He has millennial children and they have a hard time with Tucson because they don't have a lot of developments that look this and they live elsewhere. He understands that it takes way a lot of natural habitat that a lot of people enjoy, but it is already platted for a subdivision. The 75 foot building height seems appropriate, it intensifies all the commercial development in one area. He thinks this is bold and is very much in favor of it.

A commissioner discussed that he hopes that this development is successful and agrees that this development would be terrific if it actually is developed. Not all developments come to fruition. There is a development of this type that seems to be stuck in limbo and in a location that may be more appropriate. It is his view that this is more of the right thing in the wrong place, but hopes it is successful, but will be voting against the request.

A commissioner stated that he is shares the commissioners concerns and addressed the lengthy speaker by stating that he agrees with many of the comment that were made, but thinks the speaker missed the nuances of the project that make it different. This is a project that is not a money making scheme. This is a development by a non-profit that brings together many development elements into a single proposal and added that it is unfortunate that there are not a lot of locations for this type of development, but creating a comprehensive development outside of existing infrastructure is almost impossible. This property, while rural in nature is connected to major arterials and if you look at the SWIP policies, it was envisioned to develop village-like, self-sufficient, comprehensive living patterns outside urban core areas of Tucson. He commended the Planning Center for beginning to create some new criteria for moving forward with new creative, development and supports the request and believes the feedback form the community will guide the way that these developments go.

A commissioner discussed that he is excited about this project. He stated that Tucson is growing dramatically and a growing number of people are moving to Tucson. Housing prices have climbed significantly and are becoming unaffordable in the core areas. There is a need to build more housing and this is an area that makes a lot of sense. There is a lot of development is taking place around the airport and this relatively close to that growth area.

The commission voted to recommend **APPROVAL** of the rezoning (7 - 1, Commissioner Gungle voted NAY, Commissioners Maese and Matter were absent), subject to the following conditions:

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IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

- 1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
- 2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply.
- 3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.
- 4. Transportation conditions:
 - A. A Master Traffic Impact Study shall be provided with the block plat submittal and shall be updated with each subsequent individual block development. The Master Traffic Impact Study and subsequent updates shall evaluate traffic conditions at that time including those of previous block plat submittals, projected site traffic impacts, and provide necessary mitigation.
 - B. A construction phasing and sequencing plan for both onsite and offsite improvements shall be provided with the submittal of each and any block plat.
 - C. Trip reduction strategies shall be included within the master traffic impact study during the block plat submittal process and subsequent updates. The trip reduction strategies shall be designed and intended to reduce peak hour trips and impacts on the adjacent roadway network.
 - D. The property owner shall dedicate the 25-feet of right-of-way for Valencia Road prior to block plat approval.
- 5. Flood Control District conditions:
 - A. The Flood Control Resource Area shall be avoided to the maximum extent possible. The north wash floodplain, erosion hazard area and riparian habitat shall be treated as a designated Resource Sensitive area and remain natural. The northerly wash should have no bank protection or bank protection which mimics the natural environment, such as gabions or terraced rock with vegetation. The corridor should be enhanced with riparian vegetation and provide a neighborhood resource amenity with pedestrian and/or multi-use trails.
 - B. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
- 6. Wastewater Reclamation conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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

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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.
- 7. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

Ailanthus altissima Tree of Heaven Alhagi pseudalhagi Camelthorn Arundo donax Giant reed Brassica tournefortii Sahara mustard Bromus rubens Red brome Bromus tectorum Cheatgrass Centaurea melitensis Malta starthistle Yellow starthistle Centaurea solstitalis Cortaderia spp. Pampas grass

Cynodon dactylon Bermuda grass (excluding sod hybrid)

Digitaria spp. Crabgrass Elaeagnus angustifolia Russian olive

Eragrostis spp. Lovegrass (excluding *E. intermedia*, plains lovegrass)

Melinis repens Natal grass Mesembryanthemum spp. Iceplant Oncosiphon pilulifer Stinknet Peganum harmala African rue Pennisetum ciliare **Buffelgrass** Pennisetum setaceum Fountain grass Rhus lancea African sumac Salsola spp. Russian thistle Schinus spp. Pepper tree Schismus arabicus Arabian grass

Schismus barbatus Mediterranean grass

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Sorghum halepense Johnson grass Tamarix spp. Tamarisk

8. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

- 9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
- 10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
- 11. In the event the subject property is annexed, the property owner shall adhere to all applicable 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.
- 12. 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/ds Attachments

Cc: The WLB Group, Rob Longacre, 4444 E. Broadway Boulevard, Tucson, AZ 85711 Thomas Drzagowski, Chief Zoning Inspector P20RZ00014

CONCEPTUAL LAND USE PLAN

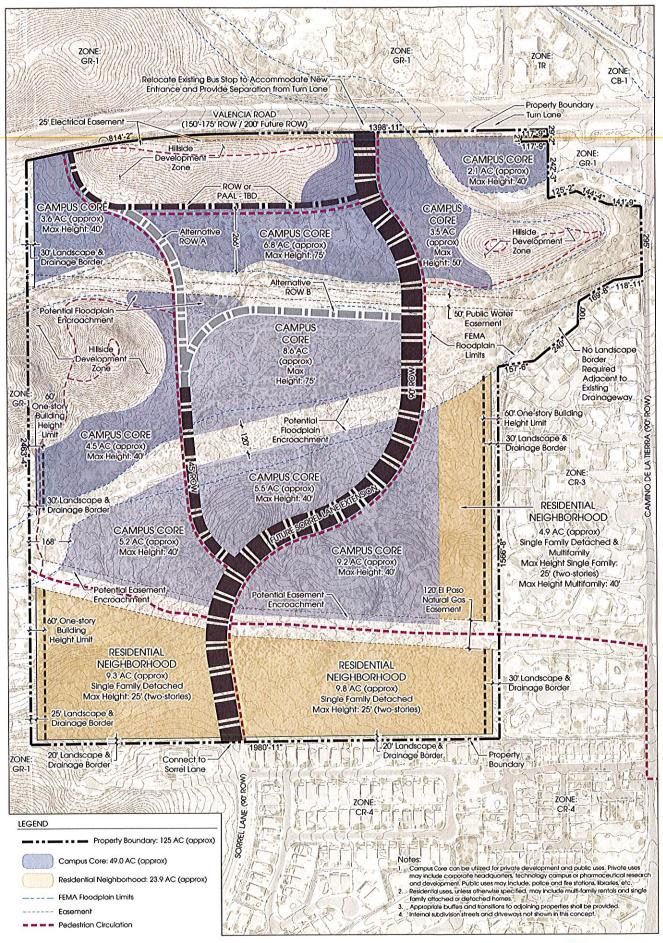






Exhibit A.1: Illustrative Development Concept 1

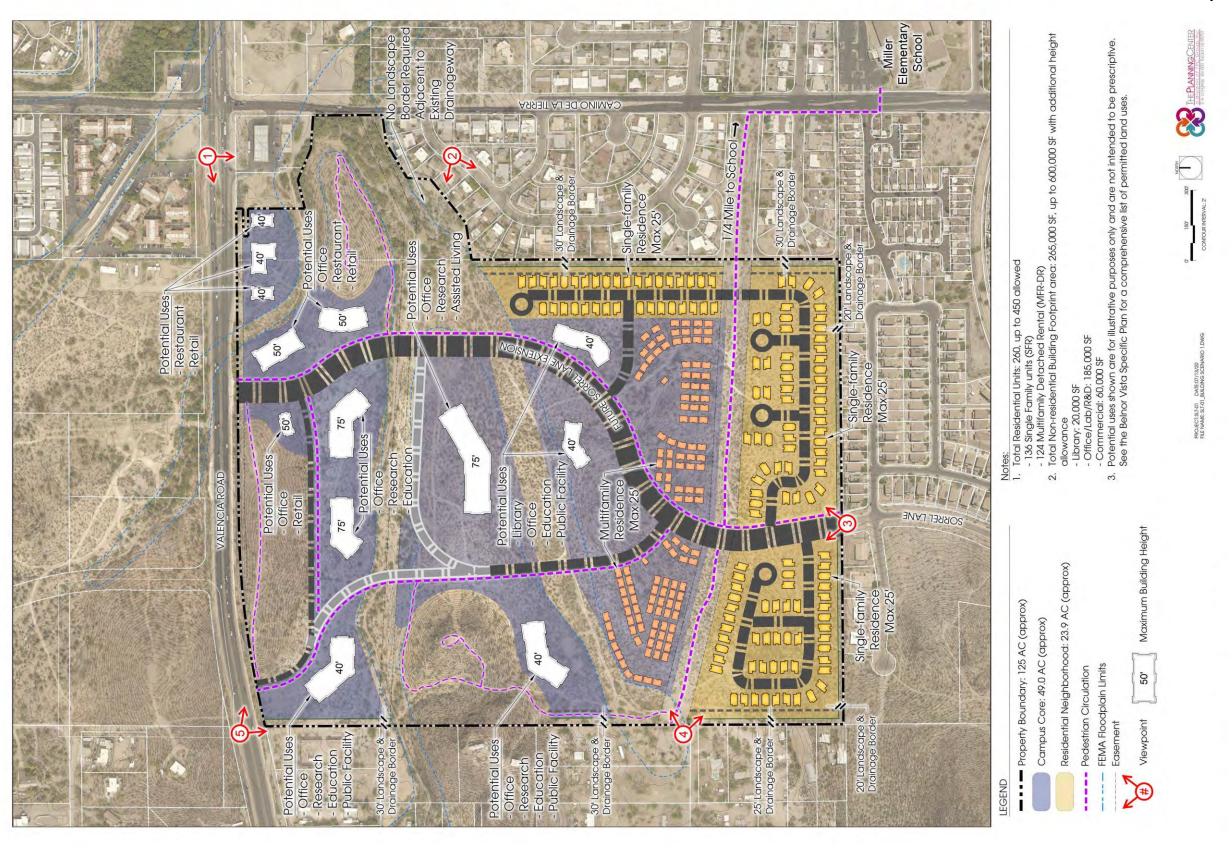


Exhibit A.2: Illustrative Development Concept 2

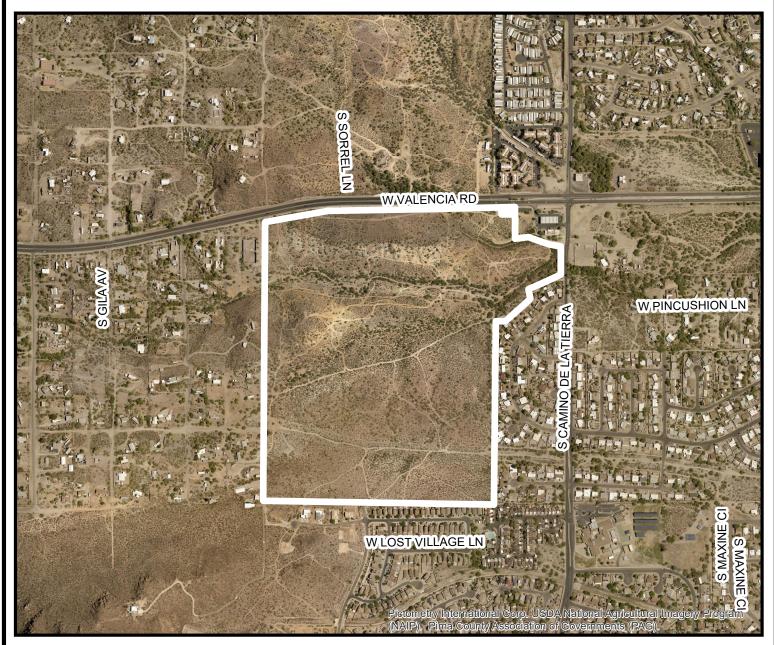


Case #: P20SP00001

Case Name: FIDELITY NATIONAL TITLE TR 60405, ET AL - W. VALENCIA ROAD SPECIFIC PLAN AND COMPREHENISIVE PLAN AMENDMENT

Tax Code(s): 138-26-319H, 320B, 320C,320D, 6880, and Belnor Vista II (Bk. 62 Pg. 53)

AERIAL EXHIBIT



0 360 720 1,440 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION Notes: Map Scale: 1:10,000 Map Date: 4/13/2021 - ds



SPECIFIC PLAN PLANNING AND ZONING COMMISSION STAFF REPORT

HEARING DATE	April 28, 2021		
CASE	P20SP00001 Belnor Vista Specific Plan		
SUBREGION	Southwest Planning Area		
DISTRICT	5		
LOCATION	The property is located on the south side of W. Valencia Road, approximately 400 feet west of the intersection of S. Camino de la Tierra and W. Valencia Road		
ACREAGE	125 (+/-) acres		
REQUEST	Specific Plan for Phased, Residential and Commercial Development		
OWNER	Fidelity National Title TR 60405, et al. Attn: Southern AZ Land TR, Inc. 3044 N. Alvernon Way Tucson, AZ 85712-1431		
AGENT	The Planning Center Brian Underwood 201 E. Congress, Suite 600 Tucson, AZ 85701		

APPLICANT'S PROPOSED USE

The applicant proposes a Concurrent Plan Amendment and Specific Plan rezoning on approximately 125 acres for a mixed-use live/work/play multi-modal destination that include potential uses such as offices, restaurant, commercial services, single and multi-family housing and a regional County library. The Belnor Vista Specific Plan is intended to be flexible in nature to attract end users interested in a unique development opportunity. In addition to the proposed uses, the specific plan allows all CB-2 (General Business) and CPI (Campus Park Industrial) zoning uses. Staggered heights ranging from 40 feet to 75 feet high are planned for the commercial uses. *Single-family residential heights are planned at a maximum of 25 feet and two-stories except for the perimeter of the residential development along the east and west property boundaries, planned for one-story. (*This final statement was revised on April 27th from ".....except for the perimeter of the residential development, planned for one-story.)

APPLICANT'S STATED REASON

"As both a local non-profit and a support organization of the Pima County Industrial Development Authority (IDA), Southern Arizona Land Trust (SALT) is uniquely positioned to reimagine the property to provide the greatest benefit to the region and surrounding area. To that end, SALT proposes development of a major employment hub supported by new housing options and the potential for a regional County library that would have a tremendous community impact. The success of the proposed employment hub requires thoughtful integration of office, restaurants, commercial services and housing designed to minimize impacts on neighboring residences.

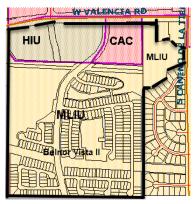
STAFF REPORT SUMMARY

Staff recommends APPROVAL of the proposed plan amendment to Planned Development Community (PDC) and APPROVAL of the Belnor Vista Specific Plan subject to Section IV conditions. The site is located within the Southwest Focused Development Investment Area and adheres to the Pima Prospers Comprehensive Plan Policies by promoting a balance of housing, employment, services, multi-modal forms of transportation and plans for efficient use of existing infrastructure.

PUBLIC COMMENT

As of April 13, 2021, staff has not received any comments.

<u>COMPREHENSIVE PLAN AND REGIONAL PLAN POLICIES</u>
There are three existing land use designations for the subject site. Three parcels directly adjacent to Valencia Road are designated as Higher Intensity Urban (HIU) and Community Activity Center (CAC). Rezoning Policy RP-71 W. Valencia Road (SW) and apply to these properties, all located north of the platted subdivision Belnor Vista II. SWIP also applies to the remaining acreage of the site. Medium Low Intensity Urban (MLIU) land use designation covers the remainder of the site. Special Area Policy S-29, SWIP (Southwest Focused Development Investment Area) applies to the entire site.



HIU designates areas for a mix of medium to high density housing types, such as higher density single-family development, townhomes, condominiums and apartments as well as compatible commercial uses such as offices, hotel, research and development, and other similar uses. These areas have direct access to major transportation corridors and other arterials and are within walking or bicycling distance from major commercial services and employment centers. Small scale residential compatible retail services are allowed on the first floor of a multi-story building. provided that they are accessed from an arterial and are oriented away from lower density residential. HIU has a minimum residences per acre (RAC) of 8 and defers the maximum density to the zoning district.

CAC designates medium and higher intensity mixed use districts to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses and compatible medium to higher density housing. Larger centers may include a regional mall. Smaller centers may provide goods and services needed on a more frequent basis. These may include a major supermarket, discount department stores, large variety stores, or specialty stores such as a hardware/building/home improvement store and may be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods and range from 25 up to 100 acres or more depending on the area served and services provided. The minimum residential gross density is 6 residences per acre (RAC) and also defers the maximum density to the zoning district.

MLIU plans for a mix of medium density single-family and lower density attached dwelling units and provides opportunities for a mix of housing types throughout the region and has a minimum of 2.5 RAC and a maximum of 5 RAC.

Approval of the Specific Plan rezoning and concurrent plan amendment will have the effect of changing the three existing land use designations on the site to the Planned Development Community (PDC) designation, which will bring the Specific Plan (zoning) and Comprehensive Plan land use designation into conformity.

The Specific Plan lays out two distinct planning sub-categories within the proposed plan area: Campus Core (CC) and Residential Neighborhood (RN).

The approximately 40.9-acre planned Campus Core is located in the central and northern portions of the property and plans for the primary use of campus style employment and commercial development which may include educational, office, research and development, light manufacturing, apartments and/or a fire station or regional library. Higher density housing within the Campus Core is designed provide a transition to the Residential Neighborhood sub-category located in the southern and eastern portions of the property and is a buffer between the existing residential developments and the planned uses of the Campus Core. The residential uses and planned densities within the approximately 23.9-acre Residential Neighborhood area have a proposed range of 2.5 to 5 residences per acre, similar to the MLIU designation.

The Campus Core proposed uses are similar uses of the CAC and HIU land use designations. Instead of the separate allowable uses of the CAC or HIU designations, the plan amendment allows for the uses to be mixed within the newly proposed campus core land use areas of the Specific Plan. The northeastern area of the MLIU land use designation adjacent to Valencia Road will be included within the Campus Core. Much of that eastern portion will be retained as natural open space due to the Hillside Development Zone and Floodplain designations.

The proposed uses are supported by many Comprehensive Plan Regional Policies, a few are listed below:

- Support a balance of housing, employment, shopping, recreation and civic uses
- Further expansion of economic development goals;
- Recognize in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area; and
- Promote the integrated and efficient use of infrastructure and services.
- Include regulatory floodplains and regulated riparian areas as open space priorities to maintain hydrologic integrity, wildlife connectivity and contiguous open space corridors.
- Incorporate through good design, housing types within mixed use developments at scales generally compatible, but more dense than adjacent established neighborhoods.
- Continue to use appropriate transitions for dissimilar types of development and provide connectivity to trails, pedestrian walkways, and bicycle routes.
- Encourage new County facilities and the expansion of older facilities to be built to:
 - o Complement the scale, massing, character and identity of adjacent neighborhoods to create an authentic sense of place.
 - Incorporate horizontal and vertical mixed-use when designing new or expanding existing facilities to provide support services and retail to meet the needs of the community; and
 - Be located in areas accessible by multiple forms of transportation (walking, biking, and transit).
- Balance growth management strategies, economic development, conservation, community integrity and efficient use of services and infrastructure.
 - Promote efficient growth in urban, suburban and rural areas compatible with each area's specific scale, character and identity in areas where infrastructure is planned or in place.

- Coordinate public and private investments in capital infrastructure and services within Focused Development Investment Areas through efficient use of land and public/private funding partnerships.
- Recognize the link between urban form, infrastructure availability, resource efficiency and economic development to create a healthy and climate resilient region.

Special Area Policy SWIP S-29 (Southwest Infrastructure Plan) guides the needs, obligations, funding, and provision of infrastructure and services related to transportation, flood control, wastewater, parks and recreation, and other governmental facilities. The SWIP policy will be implemented through additional transportation, flood control, and parks and recreation infrastructure necessary to support the proposed uses.

Rezoning Policy RP-71 W. Valencia Road (SW) exists from a comprehensive plan amendment to Multifunctional Corridor and Medium High Intensity Urban in 2006 that affected the three most northwestern parcels of land adjacent to Valencia Road. Through Pima Prospers Comprehensive Land Use update in 2015, these properties were amended to their current land use designations of CAC and HIU. The rezoning policy remained unchanged through the update.

RP-71 W. Valencia Road (Staff is in agreement with the following excerpt from the site analysis which explains the rationale for implementation of the policies).

A. Realign Sorrel Lane to divide the property into two portions, allowing no more than 10 acres of MFC to the east of the future Sorrel Lane re-alignment, and the remaining portion of the subject site, to the west of the future Sorrel Lane re-alignment, as HIU.

Sorrel Lane was realigned to conform with this policy as a part of the Belnor Vista II Plat in 2007. This Specific Plan proposes to preserve the current alignment of Sorrel Lane where it intersects with Valencia Road to the north and connects to the existing Sorrel Lane alignment to the south. The remaining center section will be reconfigured as shown on the Conceptual Land Use Plan. See *Exhibit II.B.1: Conceptual Land Use Plan.* A comprehensive plan amendment has been filed concurrently with this Specific Plan to change the land use intensity designations for these parcels from CAC and HIU to PDC.

B. Retain the hill parallel to Valencia Road, on the north half of the site, as a buffer and noise barrier to future residential uses in the HIU portion of the site.

The hill parallel to Valencia will be kept as a barrier, though the land use intensity designation will be changed.

C. Provide opportunities for multi-modal transportation, within the site, between the MFC and HIU uses.

Multi-modal transportation options including sidewalks, walking and bike paths will be encouraged where possible to improve connectivity between parcels subject to RP-71.

D. Develop the site using sound architectural and urban design (avoid strip-mall approach).

The parcels are proposed to be used for commercial and/or civic development. Multi-family development consistent with the current HIU designation is also allowed. The constraints of the site will play a large role in determining the configuration of buildings. Final building

configuration and architectural design will be determined during the development plan process and will adhere to the setbacks required within the Specific Plan.

E. To the best extent possible, provide multi-modal transportation opportunities between the site and properties south of the site.

Sorrel Lane will act as the primary connection between the parcels subject to Rezoning Policy 71 and the remainder of the site to the south. This will connect the southern portion of the site to Valencia Road and provide opportunity to include multi-modal options. Additionally, the Gas Pipeline trail will be preserved to provide east-west connectivity through the southern portion of the site.

F. Policy related to environmental planning: Unless Development Services is provided with information from the U.S. Fish and Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for Pima pineapple cactus prior to the submittal of any subsequent rezoning. The survey shall be conducted by an entity qualified to perform biological surveys. Surveys shall be done according to the most recent protocol approved by the U.S. Fish and Wildlife Service. A report containing the results of these surveys and copies of any data collected shall be provided to Development Services as part of any subsequent rezoning application. The date of the survey should not exceed one year prior to the submittal of any subsequent rezoning. If Pima pineapple cacti are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game & Fish Department's Heritage Data Management System.

Bowers Environmental Consulting performed a biological evaluation in 2016 as part of a due diligence effort for Tucson Electric Power (TEP). The draft report concluded there is not potential for Pima Pineapple Cactus to occur within the Project area.

SURROUNDING LAND USES/GENERAL CHARACTER

North: GR-1/TR Undeveloped Rural Residential/Apartments

South: CR-4 Developed Residential Subdivision/Undeveloped Residential

Subdivision

East: CR-3/GR-1 Developed Residential Subdivision/Quick Trip

West: GR-1 Low Density Rural Residential

The general area consists of apartments to the north and a convenience store to the east. Higher density residential exists to the east and low density residential uses exist to the west. Commercial strip uses with major grocery, bank, restaurants, pharmacies and personal services exist approximately one-half of a mile to the east and continuing along the recently improved major Valencia Road thoroughfare. West of the site, approximately one to two miles away are two casinos, a golf course, Dollar store, and Circle K convenience store with gasoline service.

PREVIOUS REZONING CASES ON PROPERTY

Belnor Vista II was rezoned in 1979 by case Co9-79-118 from GR-1 (Rural Residence) to CR-3 (Single Residence) approved by the Board of Supervisors September 18, 1979. The subdivision plat was approved in 2003. If this rezoning to SP is approved, it will replace the current CR-3 designation.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity: The most recent rezoning in the area was for .85 acres rezoning for a fast food restaurant in 2016.

Past activity:

Most of the properties to the north, south, and east have been rezoned beginning in the 1960's predominately for CR-3, CR-4 (Mixed Dwelling Type), and CR-5 (Multiple Residence) resulting in subdivision or apartment uses. Many properties adjacent to the major Valencia Road thoroughfare have been rezoned to the CB-1 (Local Business) and CB-2 (General Business) commercial zones and commercial development continues to intensify along the major corridor. West and northwest of the subject site are well established low density residential uses that were created through lot splitting resulting in inadequate improved roadway access and sewer infrastructure.

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 subject rezoning site is planned for a compact, mixed-use development located within the Southwest Focused Development Investment area. Development is encouraged within focused development investment areas within the comprehensive plan. Compact, mixed-use developments benefit the residents, environment, health of a community and local government. Residents enjoy work opportunities without the need for automobile transportation, reducing the cost of living. The environmental benefit achieved through compact, mixed-use development is reduced greenhouse gas emissions and greater open space areas which allow for additional recreational opportunities increasing the health of a community. Local government benefits through coordinated infrastructure planning and civic development.

The Millennials, the largest generation since the Baby Boomers, are choosing the inclusive, innovative and highly diverse urban mixed-use environment over the single-family environment. The specific plan has been planned for the utmost in development flexibility to keep up with consumer and generational trends looking into the future. The phased development will occur over a period of years as developers attract potential users to the site. Most likely the commercial portion of the site will initially develop moving into the residential uses to the south at a later date. Densification of the site will have regional economic impacts achieved through structural verticality. New staggered height, mixed-use buildings are planned for the site with the potential for 40- 50- and 75-foot vertical height buildings to maximize existing and planned infrastructure. Staggered heights, staggered buildings with mixed-uses and interesting design elements are planned to create an aesthetically pleasing development. Similar verticality is located approximately 2 miles to the west at Casino del Sol. The topography of the site lends itself to the proposed heights. The property contains areas of hillside development area adjacent to Valencia Road and a very high hillside area along the western portion of the site which slopes down to the lowest elevation in the center of the proposed commercial development area. The tallest buildings are planned for the lowest elevations near the center of the development. The hillside areas will reduce the visual impact of the verticality given their proposed location. Post-development pictorials are included within the site analysis that demonstrate the impact to adjacent property owners. A viewshed analysis demonstrating a 20% clear view corridor will be required at the time of development plan due to Valencia Road's scenic route designation.

The commercial area is planned for a maximum of 600,000 square feet and may contain uses such as office, civic, general commercial and light industrial uses. Multi-family residential uses are designed to transition from the more intense commercial uses on site to the residential uses to the south. A maximum of 350 residential units is planned within the Campus Core commercial use area.

The Residential Neighborhood planning area will contain from 59 - 170 residential units with a maximum cap of 450 residences for the site. If the Campus Core area or Residential Neighborhood area is built out to the maximum allowed within its respective designation, a reduction will be taken in the undeveloped area to comply with the maximum 450 dwelling unit cap.

Primary access from the Valencia Road frontage is planned via the Sorrel Lane extension connecting Valencia Road and the existing terminus of Sorrel Lane to the south. The planned Sorrel Lane alignment will be very close to the approved Sorrel Lane alignment within the Belnor Vista II Subdivision Plat which will be abandoned and re-platted if this specific plan is approved. Additional access from Valencia Road is planned at both the northeast and northwest corners of the site as required at the time of subdivision platting. A master block plat will be completed for the specific plan. Each phase of the development requires a traffic impact study to identify when improvements may be warranted, such as the installation of a turn lane, signalization or restricted movements to the access points. Multi-modal forms of transportation to service the site and adjacent neighborhoods include a10-foot asphalt path from the southern boundary of the property along the planned Sorrel Lane extension to Valencia Road. SunTran bus access is located adjacent to the site's Valencia Road frontage which also contains bicycle and pedestrian paths.

The existing Gas Pipeline Single-Track Trail is located in the southern portion of the project running east to west, ultimately connecting to the Cardinal Single-Track Trail approximately three-fourths of a mile to the east providing additional recreational opportunities. The Sorrel Lane extension connecting to the Gas Pipeline trail will provide safe access to the Miller Elementary School approximately 1,000 feet to the southeast.

Bufferyards ranging in width from 20 to 30 feet will be installed adjacent to the existing residential uses to the south, east and west. Adjacent to the Valencia Road frontage, a 20-foot bufferyard will be installed except for the hillside areas that will remain natural. The site will contain approximately 30% natural open space which includes the portions of the site that contain Hillside Development Zone, Xeroriparian Habitat "C" and rock outcropping preservation. The native plant preservation ordinance will be met at the time of subdivision platting. Pockets of lush vegetation and dense saguaro populations exist on the property. The salvaged vegetation and saguaros will be utilized within bufferyards or streetscapes within the development.

The property also contains an overlay designated of "Transfer of Development Rights – Urban Receiving Area". The specific plan does not affect this overlay and the property owner retains the rights to receive transferred densities depending upon the sending area's development rights.

Arizona Growing Smarter Acts is implemented on the site through public and private cooperation to efficiently develop and encourage the use of community infrastructure; and by providing a range of housing, employment and other essential services with safe environments to enjoy.

Concurrency of Infrastructure:

Concurrency of infrastructure exists or is planned to serve the proposed development:

CONCURRENCY CONSIDERATIONS				
Department/Agency	Concurrency Considerations Met: Yes / No / NA	Other Comments		
TRANSPORTATION	Yes	Primary concern, subject to conditions		

CONCURRENCY CONSIDERATIONS				
FLOOD CONTROL	Yes	No objection, subject to conditions		
WASTEWATER	Yes	No objection, subject to conditions		
PARKS AND RECREATION	Yes	No comment		
WATER	Yes	No comment		
SCHOOLS	Yes	Capacity exists up to 260 units		

TRANSPORTATION REPORT

The primary roadway access to the proposed project is Valencia Road, which is a paved four-lane divided arterial roadway with a two-way, left-turn lane and sidewalk on the south side of the road adjacent to the site. Valencia Road is maintained by the county and has a posted speed limit of 45 miles per hour. Adjacent to the site, the existing right-of-way width of Valencia Road is 150 feet. Valencia Road is a Minor Arterial per ADOT's Statewide Federal Functional System map and has a planned right-of-way of 200 feet per the Major Street Plans and classified as a Scenic Route per the Scenic Routes Plan.

The 2019 traffic volume for Valencia Road adjacent to the site is 28,998 average daily trips (ADT) and the capacity is approximately 35,820 ADT. This segment of Valencia Road currently operates at an acceptable level of service (LOS) - LOS D during peak hour and LOS C during non-peak hour traffic. However, based on assumed background traffic volumes and growth, this segment of Valencia Road is expected to degrade to LOS E by the project opening year 2027. The specific plan project is expected to generate approximately 16,937 new ADT at buildout year 2047 which would greatly exceed the capacity of Valencia Road as 4-lane roadway. Given the current and projected traffic counts and roadway capacity, there is a primary concurrency concern per the current transportation concurrency policy.

The Traffic Impact Study that accompanies this specific plan assumes that the adjacent portion of Valencia Road will be a 6-lane roadway by 2027, the project opening year. Currently, there is no funding or timeline for this improvement by the county or others, therefore; staff does not agree with this assumption.

With the understanding that the specific plan project area will be built in phases, an updated traffic impact study shall be required with the submittal of the master block plat and each development phasing plan submittal to evaluate current conditions at that time, projected site traffic impacts, and necessary mitigation for each phase of development.

To the south of the project site, Sorrel Lane is a two-lane minor collector roadway that serves the adjacent residential neighborhood but terminates at the site boundary. This roadway is planned to provide southern access the project and be extended north and through the project site connecting to Valencia Road. Due to the required re-plat and right-of-way abandonment, the design of Sorrel Lane, connection to the Pima County right-of-way, projected traffic impacts and necessary mitigation will be determined during the block plat submittal process via the updated Traffic Impact Study.

The Department of Transportation has no objection to the request subject to rezoning conditions #4A-D.

FLOOD CONTROL REPORT

- 1. The site is impacted by regulatory floodplain and riparian habitat. Together these make up Pima Prospers Flood Control Resource Areas (FCRA). Neither have been avoided by the land use designations indicated in the Concept Plan. Furthermore the post development hydrology exhibit indicates encroachment of the floodplain. An additional Flood Control and Drainage Policy is recommended below to ensure the Specific plan complies with avoidance policies associated with FCRA.
- 2. The site is completely surrounded by Tucson Water Service Area.
- 3. A condition is recommended below to ensure compliance with the Water Policy of the Comprehensive Plan

Regional Flood Control District has no objection subject to rezoning conditions #5A-B.

WASTEWATER RECLAMATION REPORT

The rezoning area is within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area and is tributary to the Agua Nueva Water Reclamation Facility via the Southwest Interceptor. Capacity for the proposed development is currently available in the 8" public sewer G-2015-033, downstream from manhole 2547-08A (Type I P20WC00072, dated April 27, 2020). The Type I Letter is not a reservation or commitment of treatment or conveyance capacity for this development. Allocation of capacity is made by the Type III Capacity Response.

PCRWRD has no objection to the proposed points of connection as presented in Exhibit II.I.2. Proposed Sewer Connection, page 69. PCRWRD has no objection to the proposed rezoning request subject to the addition of rezoning conditions #6A-F.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection subject to rezoning condition #7.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of conditions #8.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation have no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service have no comment.

WATER DISTRICT REPORT

Tucson Water policies have changed. The eastern 8.8 acres has assured water supply. A master block plat will be completed that conform to the Tucson Water policies to obtain water service for the remainder of the site.

FIRE DISTRICT REPORT

Drexel Heights Fire District have no comment.

PASCUA YAQUI TRIBAL NATION REPORT

Facilities Department

• Would like to see accessible routes within site from public transportation stops, parking areas, passenger loading areas, public streets (sidewalks) to accessible building entries.

- Concerns with site drainage from buildings to retainage areas and storm drains; rainwater removal areas.
- Curious what the finding would be in the hydrology study and Geotech (soils report).
- Like to see more information on proposed retention/detention basins.
- Need protection against offsite drainage flows that could adversely affect the public safety of adjacent new or existing residents.
- All drainage facilities must be designed to be in place and operational for the phase to function during a storm event and not be dependent on future phased drainage facility improvements.
- Landscape improvements should allow access to amenities and trails for the residents within.

Facilities (Transportation)

- The intersection of the Sorrel Lane extension to Valencia might require a signalized intersection along with a right turn lane for east bound Valencia to Sorrel Lane.
- There might be a bus stop in the area as well that might require relocation.

Economic & Community Development Division

- Valencia/Camino de la Tierra intersection currently appears to be an area with frequent vehicular accidents. Proper transportation safety measures will need to be considered with the additional development traffic.
- In practice, a Sorrel Lane extension to Valencia is a good idea, but interested to see the benefit/effect of potentially running through an existing neighborhood.
- The area is known for heavy sheet flow...and the actual site obviously has washes, hills, and different heights in elevation. With additional concrete, pavement, and disturbance to the natural landscape, there are concerns to where the water will go and the adverse effects to the surrounding community.
- Obvious existing signs of disturbance in some areas of the site, however there is an abundance of pristine natural vegetation, including saguaros. There's also hills and hillsides that will be disturbed. We're sure there's a game plan to minimize the disturbance and transplanting necessary plants, but would like to see how the surrounding residents and community feel about the spread-out layout of the large overall development and the potential adverse effects to the desert plants and terrain.
 - Additionally, there are some multi-story building proposed for the development. Some structures are proposed to be 5 to 6 floors. For existing residents, a large development may already be a concern...yet, a large development with multi-story buildings in their immediate backyard would be a visual disturbance they did not anticipate in this suburban/rural area of the metropolitan region.
- A concurrent Comp Plan Amendment and Rezoning request is a 2-for-1 public comment effort. With this type of development and potential adverse effects to the surrounding environment...in addition to multi-story buildings...there should be more, not less, public commenting from the residents. We hope there are assurances that there will be direct public/neighborhood meetings informing the community exactly what is being proposed to be built and allowing them to provide valued comments. Most residents don't know what a Comp Plan Amendment or a Rezoning is, but seeing renderings of a 6-story building behind their yard and in their view will get a reaction.

To summarize comments that were received, the comments are related to existing Pima County Code requirements and processes and no direct impacts to the Pascua Yaqui Tribal Nation were noted.

TOHONO O'ODAM NATION - SAN XAVIER DISTRICT

The San Xavier District have no comment.

IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

- 1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
- 2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply.
- 3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.
- 4. Transportation conditions:
 - A. A Master Traffic Impact Study shall be provided with the block plat submittal and shall be updated with each subsequent individual block development. The Master Traffic Impact Study and subsequent updates shall evaluate traffic conditions at that time including those of previous block plat submittals, projected site traffic impacts, and provide necessary mitigation.
 - B. A construction phasing and sequencing plan for both onsite and offsite improvements shall be provided with the submittal of each and any block plat.
 - C. Trip reduction strategies shall be included within the master traffic impact study during the block plat submittal process and subsequent updates. The trip reduction strategies shall be designed and intended to reduce peak hour trips and impacts on the adjacent roadway network.
 - D. The property owner shall dedicate the 25-feet of right-of-way for Valencia Road prior to block plat approval.
- 5. Flood Control District conditions:
 - A. The Flood Control Resource Area shall be avoided to the maximum extent possible. The north wash floodplain, erosion hazard area and riparian habitat shall be treated as a designated Resource Sensitive area and remain natural. The northerly wash should have no bank protection or bank protection which mimics the natural environment, such as gabions or terraced rock with vegetation. The corridor should be enhanced with riparian vegetation and provide a neighborhood resource amenity with pedestrian and/or multi-use trails.
 - B. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
- 6. Wastewater Reclamation conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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.
- 7. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

Tree of Heaven Ailanthus altissima Alhagi pseudalhagi Camelthorn Arundo donax Giant reed Brassica tournefortii Sahara mustard Bromus rubens Red brome Bromus tectorum Cheatarass Centaurea melitensis Malta starthistle Centaurea solstitalis Yellow starthistle Cortaderia spp. Pampas grass

Cynodon dactylon Bermuda grass (excluding sod hybrid)

Digitaria spp. Crabgrass Elaeagnus angustifolia Russian olive

Eragrostis spp. Lovegrass (excluding *E. intermedia*, plains lovegrass)

Melinis repens Natal grass Mesembryanthemum spp. Iceplant Oncosiphon pilulifer Stinknet Peganum harmala African rue Pennisetum ciliare Buffelgrass Pennisetum setaceum Fountain grass Rhus lancea African sumac Russian thistle Salsola spp.

Schinus spp. Pepper tree
Schismus arabicus Arabian grass
Schismus barbatus Mediterranean grass

Sorghum halepense Johnson grass Tamarix spp. Tamarisk

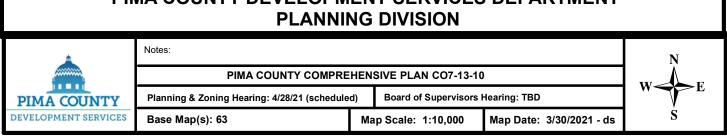
- 8. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
- 9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
- 10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
- 11. In the event the subject property is annexed, the property owner shall adhere to all applicable 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.
- 12. 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,

Terrill L. Tillman, AICP Principal Planner

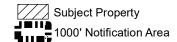
c: The Planning Center, Attn: Brian Underwood, 201 E. Congress St., Ste. 600, Tucson, AZ 85701

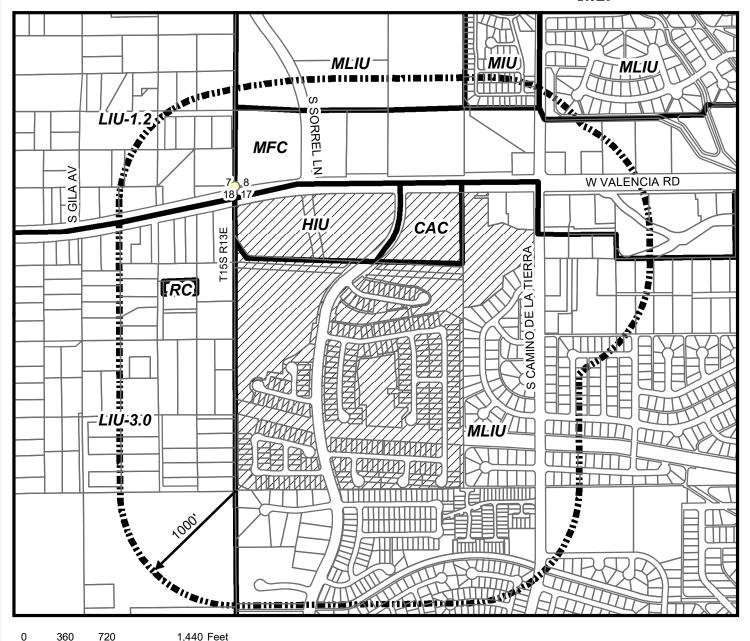
Case #: P20SP00001 Case Name: FIDELITY NATIONAL TITLE TR 60405, ET AL - W. VALENCIA ROAD SPECIFIC PLAN AND COMPREHENISIVE PLAN AMENDMENT Tax Code(s): 138-26-319H, 320B, 320C,320D, 6880, and Belnor Vista II (Bk. 62 Pg. 53) 1000' Notification Area Subject Property 300' Notfication Area Protected Peaks and Ridges - Level 1 Zoning Boundary Trasnsfer of Development Rights - TDR GR-1 CMH-2 CR-3 (TDR-RA) (TDR-RA) TR TR C GR-1 CB-2 15S R13E (TDR-RA SH_ SH SH (PR 1) GR-1 Area of proposed rezoning from CR-3, 360 720 1,440 Feet GR-1 & GR-1 (TDR-RA) to SP PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION



COMPREHENSIVE PLAN AMENDMENT

Planned Land Use





Taxcode:

138-26-319H, 320B,320C, 320D, 6880, & Belnor Vista II P20SP00001 FIDELITY NATIONAL TR 60405, ET AL - W. VALENCIA ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

Request: Higher Intensity Urban (HIU), Medium Low Intensity Urban (MLIIU), and Community Activity Center (CAC) to Planned Development Community (PDC) 125.0 Acres +/-

District 5 Location: Located on south side of W. Valencia Road, 400' W. of intersection of S. Camino de la Tierra and W. Valencia Road



Southwest Planning Area under Pima Prospers Section 17, Township 15 South, Range 13 East

Planning and Zoning Commission Hearing: April 28, 2021 (Scheduled)

Map Scale: 1:10,000

Board of Supervisors Hearing: TBD

Map Date: March 31, 2021 / dms

