



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/16/2023

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

RESOLUTION: P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING

***Introduction/Background:**

The Board of Supervisors approved a five-year time extension and a modification (non-substantial change) of rezoning conditions #4C, 4E and 10 subject to modified standard and special rezoning conditions on February 7, 2023.

***Discussion:**

The time limit and rezoning conditions contained in Rezoning Ordinance 2017-5 may be modified by resolution.

***Conclusion:**

The resolution reflects the Board of Supervisors' approval.

***Recommendation:**

Approval

***Fiscal Impact:**

0

***Board of Supervisor District:**


1 2 3 4 5 All


Department: Development Services - Planning

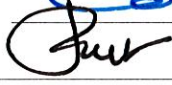
Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature:  Date: _____

Deputy County Administrator Signature:  Date: 4/28/2023

County Administrator Signature:  Date: 4/28/23



Subject: P16RZ0007

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MAY 16, 2023 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division
DATE: April 25, 2023

RESOLUTION FOR ADOPTION

P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING

Owners: Andrada Wilmot 180, LLC
(District 4)

If approved, adopt RESOLUTION NO. 2023 - _____

OWNERS: Andrada Wilmot 180, LLC
2200 E. River Road, Suite 115
Tucson, AZ 85718-6577

AGENT: Engineering and Environmental Consultants, Inc.
Attn: William B. Carroll, P.E., President
555 E. River Road, Suite 301
Tucson, AZ 85704

DISTRICT: 4

STAFF CONTACT: Donna Spicola, Senior Planner

STAFF RECOMMENDATION: APPROVAL

TD/DS
Attachments

c: William B. Carroll, P.E., President

RESOLUTION 2023-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE P16RZ00007 ANDRADA WILMOT 180, LLC – S. WILMOT ROAD REZONING; LOCATED ON THE EAST SIDE OF S. WILMOT ROAD, APPROXIMATELY 754 FEET SOUTH OF E. ANDRADA ROAD, AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND TIME LIMIT SET FORTH IN SECTION 3 OF ORDINANCE NO. 2017-05.

The Board of Supervisors of Pima County, Arizona finds that:

1. On November 22, 2016, in rezoning case P16RZ00007, the Pima County Board of Supervisors approved the rezoning of approximately 359 acres located on the east side of W. Wilmot Road, approximately 754 feet south of E. Andrada Road, as shown on Exhibit A, from the RH (Rural Homestead) to the CR-5 (Multiple Residence-Small Lot Option) zone, subject to standard and special conditions.
2. On March 7, 2017, the Pima County Board of Supervisors adopted rezoning Ordinance 2017-05, recorded at Sequence #20170740733, rezoning the approximate 356 acres described in rezoning case P16RZ00007 and memorializing the standard and special conditions.
3. On March 24, 2022, the owner of the rezoning site applied for a five-year extension of the time limit and a modification (non-substantial change) of rezoning conditions #4C which requires construction of half of the future 150-foot arterial cross section including drainage infrastructure along the Wilmot Road frontage and the frontage of the rezoning site shall be built as an all-weather roadway, #4E which limits Wilmot Road access points to two (2) and #10 which requires adherence to the approved preliminary development plan with a maximum of 800 dwelling units as set forth in Section 3 in Ordinance 2017-05.
4. On February 7, 2023, the Pima County Board of Supervisors approved a five-year extension and a modification (non-substantial change) of rezoning conditions #4C, #4E and #10 subject to original and modified standard and special conditions.
5. Section 3 of Ordinance No. 2017-05, allows the Board of Supervisors to amend the rezoning time limit and conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1: The rezoning conditions in Section 2 of Ordinance 2017-05, are restated and modified as follows:

1. ~~The owner shall:~~
 - A. ~~Submit a development plan if determined necessary by the appropriate County agencies.~~
 - B. ~~Record the necessary development related covenants as determined appropriate by the various County agencies.~~
 - C. ~~Provide development related assurances as required by the appropriate agencies.~~

- ~~D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.~~
21. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
32. A master block plat along with the studies and/or plans required by various departments shall be submitted prior to any individual subdivision plats.
43. Transportation conditions:
- A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east. Provision shall also be made for future access to Andrada Road, when and if constructed.
 - B. The property owner shall dedicate 30 feet of right-of-way for Wilmot Road.
 - C. ~~The property owner shall construct half of the future 150-foot arterial roadway cross section including drainage infrastructure along the Wilmot Road frontage. The frontage of the rezoning site shall be built as an all-weather roadway.~~
 - ~~DC.~~ The property owner shall notify all future home buyers of the lack of all-weather access in the vicinity of this project.
 - ~~ED.~~ The property shall be limited to 2 3 (three) access points on Wilmot Road.
 - E. The location and design of access points on Wilmot Road shall be determined at the time of Tentative Plat submittal and are subject to the Department of Transportation approval.
 - F. An updated Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the Tentative Plat submittal.
 - G. The property owner(s) shall construct any offsite improvements determined necessary by the TIS at the time of permitting, including but not limited to additional travel lanes and/or auxiliary lanes.
 - H. Off-site improvements shall be constructed to all-weather standards. The development and any offsite improvements shall not create any adverse drainage impacts to upstream and downstream properties.
 - I. Prior to Tentative Plat approval, written proof of coordination with the City of Tucson is required regarding any traffic impacts to their roadway system.
 - J. The 75-foot easement along the southern boundary of the site may be required to be abandoned as determined by the Department of Transportation at time of subdivision plat submittal.
54. Regional Flood Control District conditions:
- A. Development shall provide flow Corridors that are equivalent to the Flood Control Resource Areas as shown on the Pima Prospers Regional Hydrology Maps shall be created in order to preserve flow conveyance and provide wildlife connectivity. Flow Corridors should minimize encroachment into the Important Riparian Area and shall remain Natural Undisturbed Open Space within Common Area. Flow Corridors are subject to review and approval by the District.
 - B. ~~Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.~~
 - B. All off-site improvements shall be constructed to all-weather standards. The development and any off-site improvements shall not create any adverse drainage

- impact to upstream or downstream properties.
- C. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table A found in Attachment A Preliminary Integrated Water Management Plan Requirements in the Site Analysis Rezoning Packet such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
- D. First Flush retention will be distributed throughout the site instead of being directed and located within a detention basin to supplement landscaping irrigation and to reduce stormwater runoff volumes.
65. Regional Wastewater Reclamation conditions:
- A. The owner 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 owner to that effect.
- B. The owner acknowledges and agrees that there is no existing treatment facility for this development in the Southlands Service Basin and that the Corona de Tucson WRF was not designed to provide service for these downstream parcels. Any connection to the Corona de Tucson WRF will require augmentation of the treatment capacity.
- C. The owner acknowledges and agrees that in order to be served by the Corona de Tucson WRF, a conveyance system must be constructed by the owner. Pima County shall decide whether this system will be conveyed to public ownership or operated as a private sewer system by the owner.
- D. The owner shall prepare a study of the sewer basin at his or her sole expense for the purposes of determining the routing and sizing of all off-site and on-site private or public sewer facilities necessary to provide both conveyance and treatment capacity and service to the rezoning area, and/or for the purpose of conceptual phasing of a pump station. The owner shall fund, design and construct the necessary wastewater collection, conveyance and treatment facility improvements necessary to serve the rezoning area, as determined by the basin study.
- E. If Pima County allows the conveyance system to be public, the rezoning area may be sewerred using public sewers, if and only if the owner meets the following conditions:
- 1) The owner may fund, design and construct 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 Pima County Regional Wastewater Reclamation Department.
 - 2) Upon approval of the basin study, the owner shall enter into a master sewer service agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system and their timing.
 - 3) A sewer master sewer service agreement must be approved by the Pima County Regional Wastewater Reclamation Department prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit.
 - 4) Should the rezoning area be serviced to the Corona de Tucson Wastewater Treatment facility, the owner shall provide all weather, unrestricted vehicular access to all new public sewer manholes within the rezoning area. The owner shall obtain all necessary public sewer easements within the rezoning area prior to approval of a master block plat, any tentative plat, development plan, sewer construction plan, or request for building permit at his/her own expense.
- F. No more than 90 days before submitting any tentative plat, development plan, sewer

improvement plan or request for building permit for review, the owner shall obtain written documentation that sanitary sewerage treatment and conveyance capacity for the proposed development will be available when needed to serve the development.

76. Environmental Planning conditions:

- A. Upon the effective date of the Ordinance, the owner(s)/developer(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. ~~Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.~~

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Oncosiphon piluliferum</i>	Stinknet
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

87. Cultural Resources condition: Archaeological field inspections (submitted with the Site Analysis Appendix C) resulted in a finding of cultural resources on the subject property. The reports did not include a Significance Assessment of sites--However, it appears that the sites may not be eligible for listing in the NRHP. Formal review and submittal of survey report(s) to Office of Sustainability and Conservation will be required at the time of Site Construction Permit review. ~~the master block plat.~~

98. Parks and Recreation conditions:

- A. Construct the Wilnot Road Greenway G053 trail using the Pima County Greenway cross-section.

- B. With the submittal of a subdivision plat, a recreation area plan shall be submitted and meet the requirements of the Pima County Zoning Code, Section 18.69.090.
 - C. Construct internal, non-vehicular circulation that will link the residential development blocks.
409. Adherence to the revised preliminary development plan (Exhibit B) as approved at public hearing. A maximum of 800 dwelling units is allowed.
4410. The planning and development of the subject site shall occur such that transportation, wastewater, recreational, and other major infrastructure, and the protection of riparian areas and other natural resources are integrated and coordinated.
4211. Parcel code 305-23-0260A shall be developed at an average density of four residences per acre per the comprehensive plan amendment resolution 2009-240. The density calculation is based upon lot area.
4312. A mix of housing types shall be provided to insure a diverse community. Residential densities shall support multi-modal transportation opportunities including public transit even if such transit facilities are not currently in close proximity.
4413. The subject site shall be surveyed for presence of the Pima pineapple cactus and its habitat. Surveys 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 prior to master block plat approval. If Pima Pineapple cactus are found to be present on the project site, a copy of the report shall also be sent to the Arizona Game and Fish Department's Heritage Data Management System.
4514. The owner shall provide a 50-foot bufferyard and one row of single-story homes along the northern boundary and a 100-foot bufferyard and one row of single-story homes along the southern boundary of the subject properties and abutting the Mann Avenue frontage in adherence with the preliminary development plan.
4615. No recreation areas, parks, playgrounds, bike paths, or walking trails shall be located within the perimeter bufferyards.
4716. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
4817. The property owner shall execute and record the following disclaimer regarding the Private Property Rights Protection Act ~~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)."

Section 2. The time limit in Section 3 of Ordinance 2017-05, is amended and extended as follows:

1. Conditions 1 through 48 17 shall be completed by November 22, ~~2021~~ 2026.

Section 3. The rezoning conditions may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Passed and adopted, this _____ day of _____, 2023.

Chair, Pima County Board of Supervisors

ATTEST:

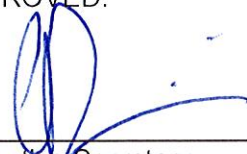
Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney
Jacob Kavkewitz

APPROVED:



Executive Secretary
Planning and Zoning Commission

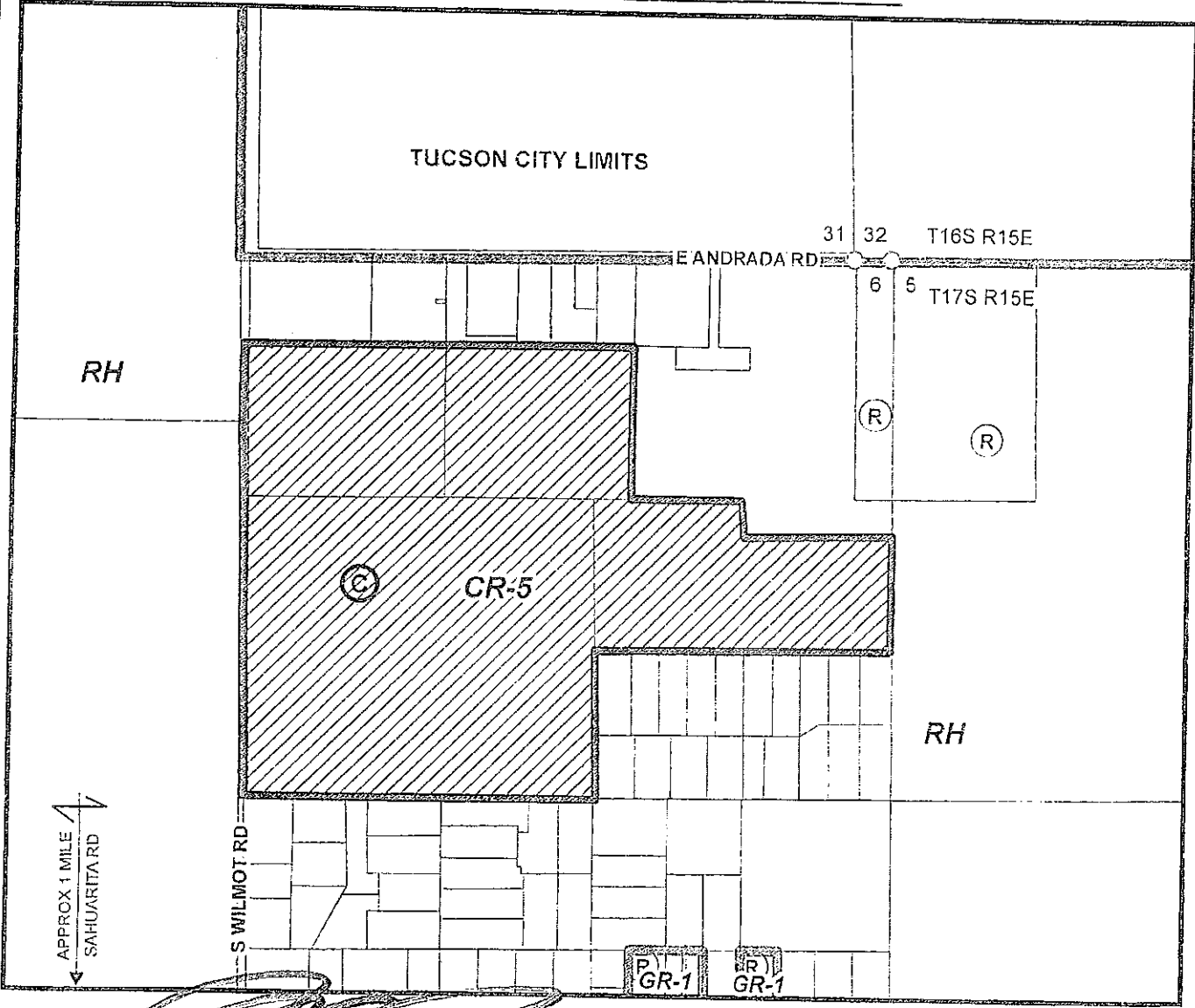
EXHIBIT A

AMENDMENT NO. 137 BY ORDINANCE NO. 2017-005
TO PIMA COUNTY ZONING MAP NO. EPC TUCSON AZ.
PARCELS 18D, 26A, 27B. AND PTN OF 18A OF SEC 6 T17S R15E.



ADOPTED: March 7, 2017 EFFECTIVE: March 7, 2017

0 320 640 1,280 Feet
[Scale bar]



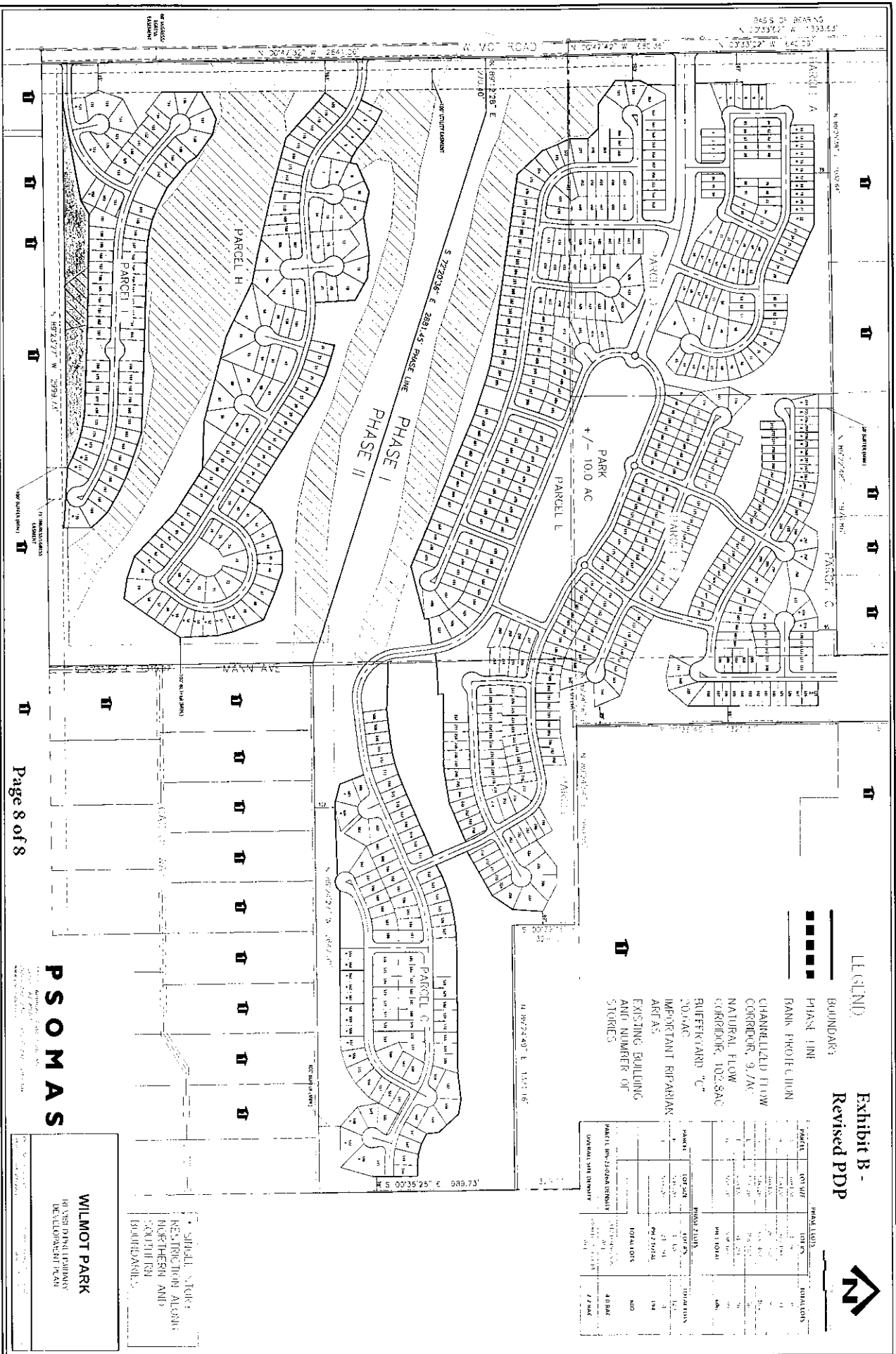
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM RH 359.0 ac
ds-January 10, 2017



P16RZ00007
Co7-13-10/Co7-07-25
305-23-018D, 026A, 027B
and Ptn of 018A

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LEGEND

BOUNDARY

PLANS LINE

BANK PROF. CLON

CHANNELLED FLOW CORRIDOR 9.7AC

NATURAL FLOW CORRIDOR 102.5AC

BIUFFERYARD "C"

20+AC IMPDETANT RIPARIAN ARTAS

EXISTING BUILDING AND NUMBER OF STORES



Exhibit B - Revised PDP

PARCEL	ACROSS	TOTAL	TOTAL LOTS	
			RESIDENTIAL	COMMERCIAL
PARCEL A	1.5	15	15	0
PARCEL B	1.5	15	15	0
PARCEL C	1.5	15	15	0
PARCEL D	1.5	15	15	0
PARCEL E	1.5	15	15	0
PARCEL F	1.5	15	15	0
PARCEL G	1.5	15	15	0
PARCEL H	1.5	15	15	0
TOTAL	12.0	120	120	0

PARCEL	ACROSS	TOTAL	TOTAL LOTS	
			RESIDENTIAL	COMMERCIAL
PARCEL A	1.5	15	15	0
PARCEL B	1.5	15	15	0
PARCEL C	1.5	15	15	0
PARCEL D	1.5	15	15	0
PARCEL E	1.5	15	15	0
PARCEL F	1.5	15	15	0
PARCEL G	1.5	15	15	0
PARCEL H	1.5	15	15	0
TOTAL	12.0	120	120	0

PSOMAS

WILMOT PARK
 PLANNING AND DEVELOPMENT PLAN

SHOULD NOT BE
 RESTRUCTURED AGAIN
 FOR THE EAST AND
 SOUTHERN
 PORTLAND