



TO: Honorable Raymond J. Carroll, Supervisor, District # 4

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

DATE: November 19, 2014

SUBJECT: Co9-14-12 JANICEK – SOUTH HOUGHTON ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, DECEMBER 2, 2014** hearing.

REQUEST: For a rezoning of approximately 2.1 acres at 16461 S. Houghton Road from the TR (Transitional) zone to the CB-1 (Local Business) zone. The proposal is for expansion of the existing uses on site, to include a restaurant, dance school, and retail store. The property is Lot 31 of New Tucson Unit No. 4 subdivision (Book 17 and Page 50) located at the northeast corner of Houghton Road and Vista Monte Drive.

OWNERS: Jay and Marjorie Janicek
1098 S. Chatfield Place
Corona de Tucson, AZ 85641

AGENT: SDG Architecture, LLC
Scott Felheim
10501 Seven Generations Way 201-13
Tucson, AZ 85747

DISTRICT: 4

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of November 19, 2014, staff has received no public comments.

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL WITH STANDARD AND SPECIAL CONDITIONS, (8-0; Commissioners Bain and Cook were absent).

STAFF RECOMMENDATION: APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.

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

CP/TT/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: Co9-14-12

Page 1 of 4

FOR DECEMBER 2, 2014 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: November 19, 2014

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

Co9-14-12 JANICEK – SOUTH HOUGHTON ROAD REZONING

Request of Jay and Marjorie Janicek, represented by SDG Architecture, LLC, for a rezoning of approximately 2.1 acres at 16461 S. Houghton Road from the TR (Transitional) zone to the CB-1 (Local Business) zone. The proposal is for expansion of the existing uses on site, to include a restaurant, dance school, and retail store. The property is Lot 31 of New Tucson Unit No. 4 subdivision (Book 17 and Page 50) located at the northeast corner of Houghton Road and Vista Monte Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property CAC (Community Activity Center). On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS** (Commissioners Bain and Cook were absent). Staff recommends **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS**. (District 4)

Planning and Zoning Commission Public Hearing Summary (October 29, 2014)

Staff presented the staff report to the commission.

The applicant and owner provided additional details of the request.

There was no one from the audience to speak.

A motion to close the public hearing was approved.

The motion to recommend approval of the request subject to standard and special conditions passed 8-0.

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

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

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record a covenant holding Pima County harmless in the event of flooding.
 - C. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - D. Provide development related assurances as required by the appropriate agencies.
 - E. 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.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the north and east. Cross access easements shall be provided by the property owner for all affected portions of the rezoning site to adjacent properties.
 - B. The development is limited to the access shown on the preliminary development plan, subject to approval of the driveway location by the Subdivision and Development Street Standards Modification Committee.
4. Regional Flood Control District conditions:
 - A. Prior to development the property owner shall submit to the Pima County Regional Flood Control District for review and approval; a drainage report documenting compliance with the Lee Moore Wash Basin Management Study including Development Standards and to determine basin sizing, maximum encroachment limits, building sites, elevations and setbacks.
 - B. Due to existing flooding problems, the development shall meet Critical Basin detention and retention requirements.

5. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner 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 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 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 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 shall complete the construction of all necessary public and/or private 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.
6. Adherence to the preliminary development plan as approved at public hearing including the uses and square footage of the restaurant, dance school, and retail.
7. 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.
8. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

9. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

CP/TT/ar
Attachments

c: Jay and Marjorie Janicek, 1098 S. Chatfield Place, Corona de Tucson, AZ 85641
SDG Architecture, LLC, Scott Felheim, 10501 Seven Generations Way 201-13
Tucson, AZ 85747
Chris Poirier, Assistant Planning Director
Co9-14-12 File

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

HEARING October 29, 2014

DISTRICT 4

CASE Co9-14-12 Janicek
Houghton Road Rezoning

REQUEST TR (Transitional Zone)
to CB-1 (Local Business Zone)
2.1 acres

OWNER Jay and Marjorie Janicek
1098 S. Chatfield Place
Corona de Tucson, AZ 85641

AGENT SDG Architecture, LLC
Scott Felheim
10501 Seven Generations Way 201-13
Tucson, AZ 85747

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APPLICANT'S PROPOSED USE

The applicant proposes expansion of an existing site for restaurant, retail, and dance school uses.

APPLICANT'S STATED REASON

"Zoning reclassification has been deemed necessary to accommodate the future development of potential restaurants and retail as well as expand upon the dance studio."

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. There are no significant constraints on the site, the request is consistent with the Comprehensive Plan designation, and the use should benefit the area by providing a cultural activity opportunity, a restaurant, and additional local retail for an underserved population.

COMPREHENSIVE PLAN

The subject property is designated as Community Activity Center (CAC) by the Pima County Comprehensive Plan. A rezoning request to CB-1 (Local Business) complies with the CAC designation. The property is subject to Special Area Policy S-18 which is the Lee Moore Wash Basin Special Area Policy. The policy states:

Development shall be regulated per the Lee Moore Wash Basin Management Study. This study provides hydrology and hydraulics to ensure consistency

between land uses, identifies permanent natural flow corridors and establishes development criteria in addition to those contained within Floodplain and Erosion Hazard Management ordinances. This policy adopts by reference the entire study including floodplain maps, flow corridor maps, flood hazard data, and development criteria as described in development criteria for the Lee Moore Wash Basin Management Study, as adopted by the Pima County Flood Control District Board of Directors on June 1, 2010 (Resolution 2010-FC6).

Proposed rezoning condition #4A-B addresses the above policy.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM CLASSIFICATION

The subject property is located outside the Maeveen Marie Behan Conservation Land System (MMBCLS).

SURROUNDING LAND USES/GENERAL CHARACTER

North	TR & CB-1	(TR)Vacant & (CB-1)Ace Hardware
South	SP	Corona Middle School
East	SR & CR-3	Single-family residential/Defunct Santa Rita Golf Course
West	TR	Single-family residential

The immediate properties to the north are vacant. Beyond the five vacant parcels to the north is an Ace Hardware. There are single-family residences east of the defunct golf course and the west of the subject rezoning site. The nearest convenience store is the Roadrunner Market and Gas Station located approximately one-third of a mile north of the proposed site, on the southeast corner of Sahuarita Road and Houghton Road.

PUBLIC COMMENT

No public comment has been received to the date of this writing.

PREVIOUS REZONING CASES ON

A previous rezoning from GR (General Rural) to TR (Transitional) was approved by case Co9-63-006 in 1963 as part of a larger rezoning for Corona de Tucson. No rezoning conditions apply to this site.

PREVIOUS REZONING CASES IN GENERAL AREA

The properties to the far north were rezoned from GR (General Rural) to CB-1(Local Business) in 1963 (Co9-63-006), and from CB-1 to CB-2 (General Business) in 1992 (Co9-92-031). The area to the east was rezoned from GR to SR (Suburban Ranch) and CR-3 (Single Residence), along with the area to the north that was also rezoned from GR to TR (Transitional) in 1963 (Co9-63-006). The area to the west was rezoned from GR to TR in 1962 (Co9-62-057).

CONCURRENCY CONSIDERATIONS		
<i>Department</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes subject to conditions	Conditions recommended
FLOOD CONTROL	Yes subject to conditions	Conditions recommended
WASTEWATER/ ENVIRONMENTAL QUALITY	Yes subject to conditions	Conditions recommended
PARKS AND RECREATION	N/A	N/A

PLANNING REPORT

Staff supports this request because the area is growing and the population is underserved. The services in the area are limited to the Ace Hardware store and the Roadrunner Market convenience store with a gasoline station. The increased usage of the site should not significantly affect the neighboring residential properties since this has been a long standing commercial use of the property. The subject property was originally developed with an approved development plan (DP Book 17 and Page 23) for the Santa Rita County Club in 1998 in conjunction with the golf course. The club house with a restaurant was allowed under the existing TR zoning designation, but the proposed change of use requires CB-1 zoning. The golf course is now defunct and the subject site is being used for a dance school. Multi-modal means of transportation to the site may be employed because of the proximity to the residential uses.

The applicant is proposing an expansion of the existing developed site. The preliminary development plan indicates proposed building "A" will contain 7,028 square feet of restaurant, proposed building "B" will contain 5,712 square feet for the dance school, and existing building "C" will be converted to 2,580 square feet of retail. The maximum height proposed is 25 feet. The existing covered patio areas will be used for access to outside restrooms and walkways between buildings. The site is served by public sewer with no known constraints for sewer service.

Staff is proposing rezoning condition #6 to require adherence to the preliminary development plan which limits the uses to restaurant, dance school, and retail. The adherence to the preliminary development plan also demonstrates the limitation of square footage for each use. An administrative ten percent increase in square footage would be allowed from an approved preliminary development plan. Any request in square footage over the ten percent threshold would require Board of Supervisors approval.

The site will be accessed by the existing driveways onto north bound Houghton Road. Houghton Road is a Major Route according to the Major Streets and Scenic Routes Plan. A 30 foot building setback is required from the required right-of-way line with a landscape bufferyard Type "D". The setback does not appear to be an issue for the proposed expansion because parking is proposed along Houghton Road. The existing paved parking will be reconfigured and re-striped. There is an existing 10 foot wide bufferyard "D" adjacent to Houghton Road that may need additional plantings and enhancement. A 25 foot building height is proposed even though the CB-1 zone allows a building height of 39 feet. One hundred twenty-one parking spaces will be provided which is consistent with the parking requirements for the proposed uses.

The area along Houghton Road has been planned for medium-intensity, mixed-use development, given the Community Activity Center (CAC) designation by the Comprehensive Plan. The purpose of the CAC designation is to designate medium intensity mixed-use areas designed to provide goods and services along with compatible medium to high density housing types.

There are no slope issues, the site is not within the Maeveen Marie Behan Conservation Lands System (MMBCLS), and will be serviced by Tucson Water.

TRANSPORTATION REPORT

Concurrency criteria have been met for this site, as all the roads in the area are functioning well below capacity.

Access to this site is via two driveways on Houghton Road. The southern access point is located approximately 125 feet north of the intersection of Vista Monte Drive and Houghton Road. The subdivision and development street standards require this distance (corner clearance) to be a minimum of 230 feet. Thus, this driveway will need to be approved by the SDSS modification committee. The second access point is located approximately 204 feet north of the first access point. The SDSS requires a minimum of 150 feet driveway separation based on the 35 mph speed limit on this segment of Houghton Road. (Camino Aurelia – Sahuarita Road) This access point meets the driveway separation requirements. Because the applicant is requesting a rezoning, all current development standards will need to be met.

Since the parcels to the north and east are vacant, cross access will be required as a condition of this rezoning.

Houghton Road, south of Sahuarita Road, is a paved, 2-lane rural major collector with a raised median and is designated as a Major Route on the Major Streets and Scenic Routes Plan. There are 200 feet of existing right-of-way on Houghton Road, and the speed limit is 35 miles per hour. There are approximately 5,500 ADT on the segment of Houghton Road Adjacent to this development. Capacity on Houghton Road is approximately 14,000 ADT.

Sahuarita Road is a two lane, county maintained urban principal arterial. It is designated as a Scenic, Major Route on the Major Streets and Scenic Routes Plan. Traffic on Sahuarita Road is approximately 5,000 ADT in the vicinity of this project. Capacity on Sahuarita Road is 14,900 ADT.

There are several scheduled improvements to Houghton Road planned in the next 5-years; however these improvements are all over 5-miles north of the proposed development.

The Department of Transportation has no objection to the request and recommends the rezoning conditions #3A-B.

REGIONAL FLOOD CONTROL DISTRICT (RFCD) REPORT

The Pima County Regional Flood Control District (District) has the following comments:

1. The site is impacted by regulatory floodplains identified in the Lee Moore Wash Basin Management Study (LMWBMS). These have been shown and the submittal indicates the buildings will be elevated as required, however it is unclear how this will be accomplished. While a drainage report has been submitted indicating the buildings are outside of a theoretical flow path for Fagan Wash, the report does not demonstrate that the breakout flows shown in the LMWBMS do not occur. If the breakout flows of about 500 cfs do cross the site, existing and proposed structures may require elevation and erosion protection which must be designed to meet encroachment criteria. Building and parking configurations may have to be modified in order to address or mitigate the issue of breakout flows.
2. Numerous downstream drainage complaints are on file. Although none of them are directly associated with this parcel, they do involve the same flow path that also impacts this parcel. The submitted drainage report indicates that the entire site drains to Houghton Road, while it appears that some of the site drains to the north. It is not clear without more detailed site analysis if the proposed site and basin configurations concentrate flows so that flows discharge along the right-of-way at locations that do not approximate existing conditions and which may contribute to a traffic hazard.
3. Due to existing drainage problems and the inadequacy of downstream infrastructure peak reduction is required and critical basin standards shall apply.
4. It is possible that the existing structures can be considered non-conforming uses as they predate the floodplain delineation. Should the final drainage report fail to show that the existing structures are outside the regulatory floodplain, any proposed improvements to these structures are limited to 50% of the value of each non-conforming structure unless the structure is brought into compliance.

In conclusion the District has no objection subject to rezoning conditions #4A-B.

WASTEWATER MANAGEMENT REPORT

The rezoning area is located within the area served by Pima County's public sewer system and is tributary to the Corona de Tucson Water Reclamation Facility. The existing studio is currently connected to the 10-inch (S-244B) public sewer in Houghton Road.

The PCRWRD has no objection to the proposed rezoning and requests and the addition of rezoning conditions 10A-10E.

ENVIRONMENTAL QUALITY REPORT

No comment.

CULTURAL RESOURCES REPORT

No comment.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

No comment.

CORONA DE TUCSON VOLUNTEER FIRE DEPARTMENT

The Corona de Tucson Fire Department operates under the 2012 International Fire Code (IFC). Within this code and Amendments, the fire department will require Commercial Fire Suppression Systems in all Commercial/Business buildings (Amendment-Section 903.2.13) and will also require that Fire Hydrants are to be provided in accordance with Appendix C of the 2012 IFC at the time of permitting.

US FISH AND WILDLIFE SERVICE (USFW)

The U.S. Fish and Wildlife Service have no concerns relating to the subject property.

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

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

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Recording of a covenant holding Pima County harmless in the event of flooding.
 - C. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - D. Provide development related assurances as required by the appropriate agencies.
 - E. 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.

2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the north and east. Cross access easements shall be provided by the property owner for all affected portions of the rezoning site to adjacent properties.
 - B. The development is limited to the access shown on the preliminary development plan, subject to approval of the driveway location by the Subdivision and Development Street Standards Modification Committee.
4. Regional Flood Control District conditions:
 - A. Prior to development the property owner shall submit to the Pima County Regional Flood Control District for review and approval; a drainage report documenting compliance with the Lee Moore Wash Basin Management Study including Development Standards and to determine basin sizing, maximum encroachment limits, building sites, elevations and setbacks.
 - B. Due to existing flooding problems, the development shall meet Critical Basin detention and retention requirements.
5. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner 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 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 shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the do
 - D. The owner 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 shall complete the construction of all necessary public and/or private 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.

6. Adherence to the preliminary development plan as approved at public hearing including the uses and square footage of the restaurant, dance school, and retail.
7. 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.
8. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."
9. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Respectfully Submitted,



Terrill L. Tillman, Senior Planner

C: SDG Architecture, LLC, Attn: Scott Felheim



0 145 290 580 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**



Notes:
Ref: Co7-00-20 Pima County Comprehensive Plan Amendment
Co9-63-006

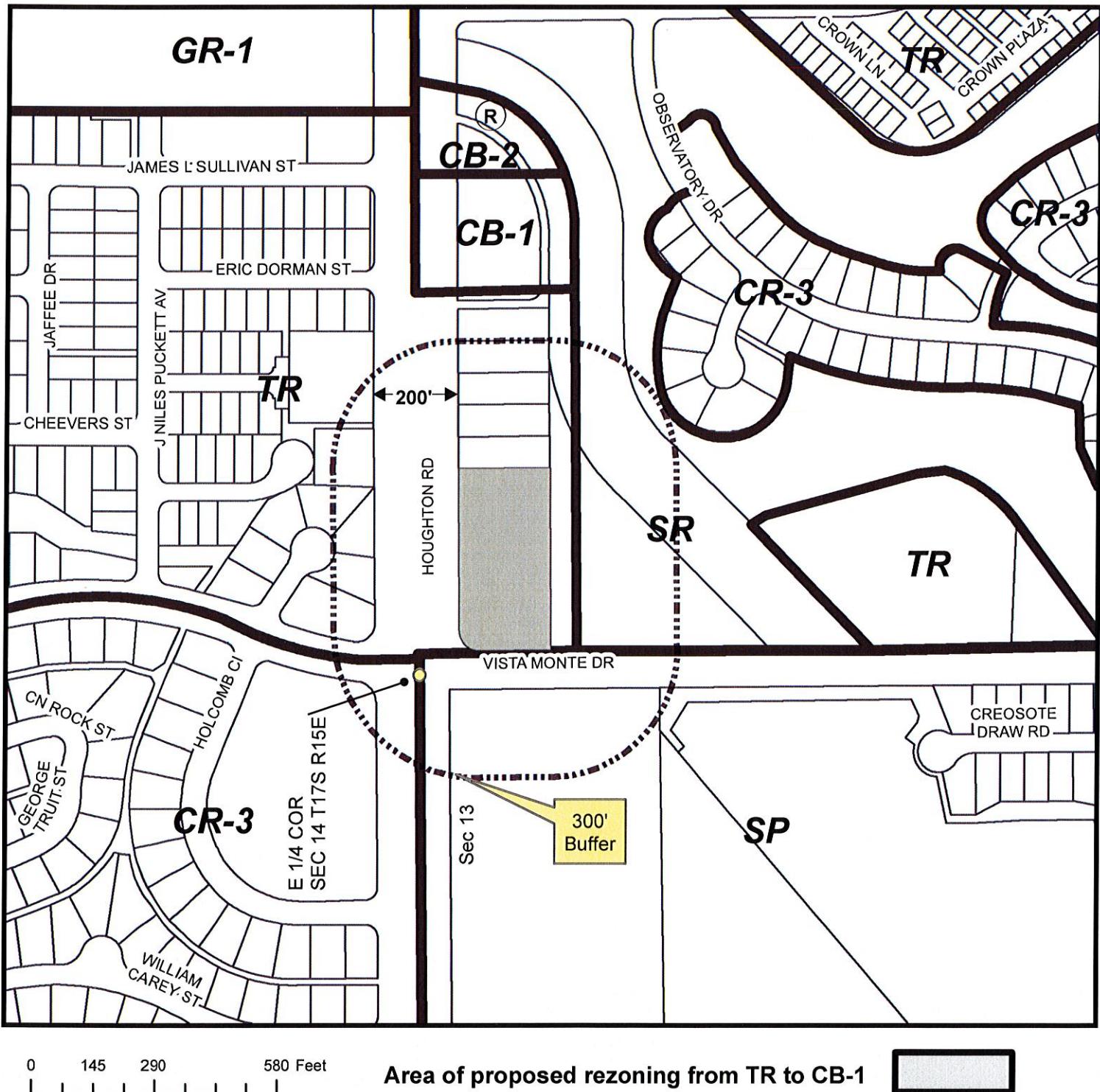
Planning & Zoning Commission Hearing: 10/29/14 Board of Supervisors Hearing: 11/18/14 (projected)

Base Map(s): 470

Map Scale: 1:4,000

Map Date: 10/06/2014





**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**



Notes:
Ref: Co7-00-20 Pima County Comprehensive Plan Amendment
Co9-63-006

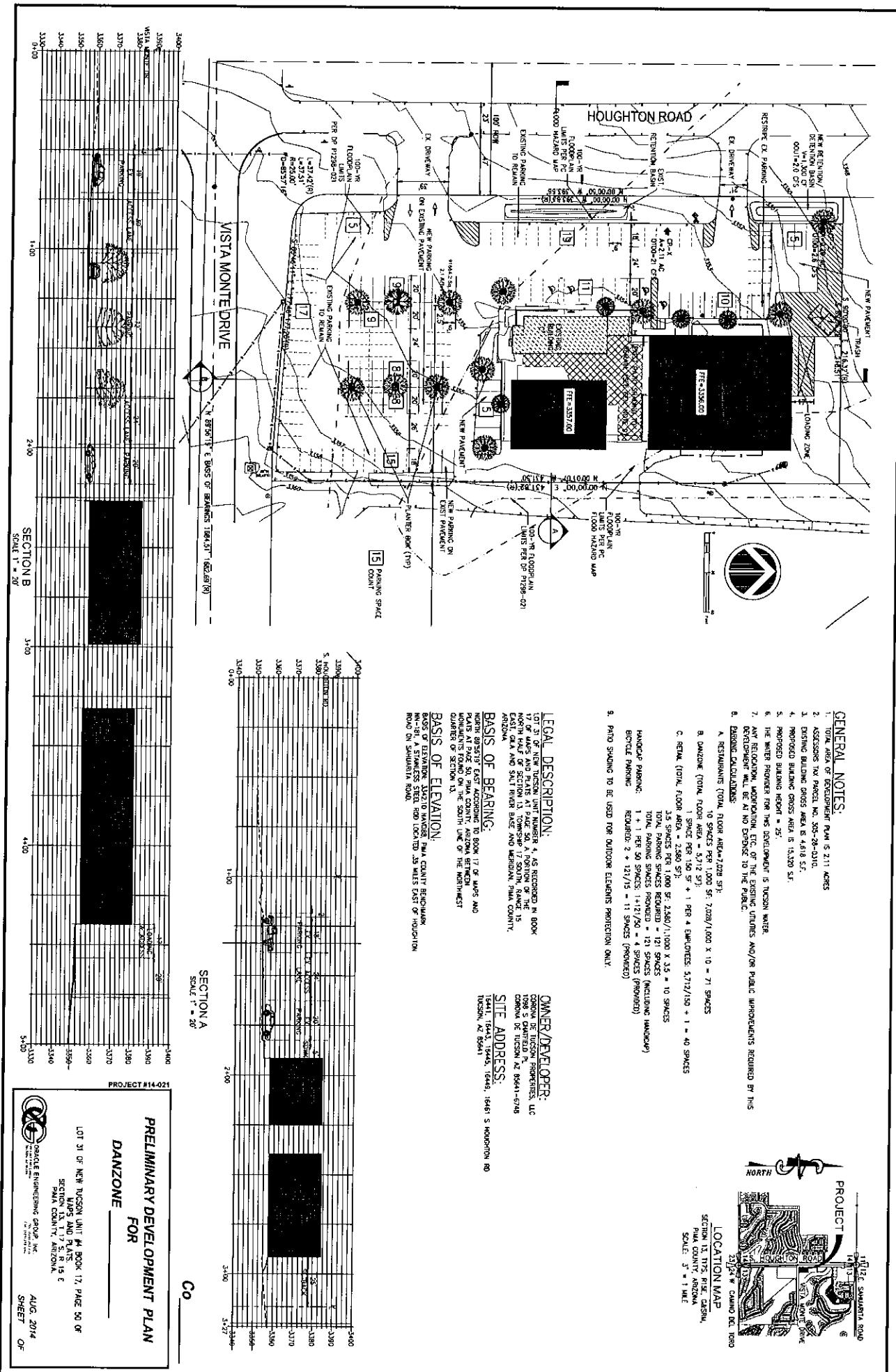
Planning & Zoning Commission Hearing: 10/29/14 Board of Supervisors Hearing: 11/18/14 (projected)

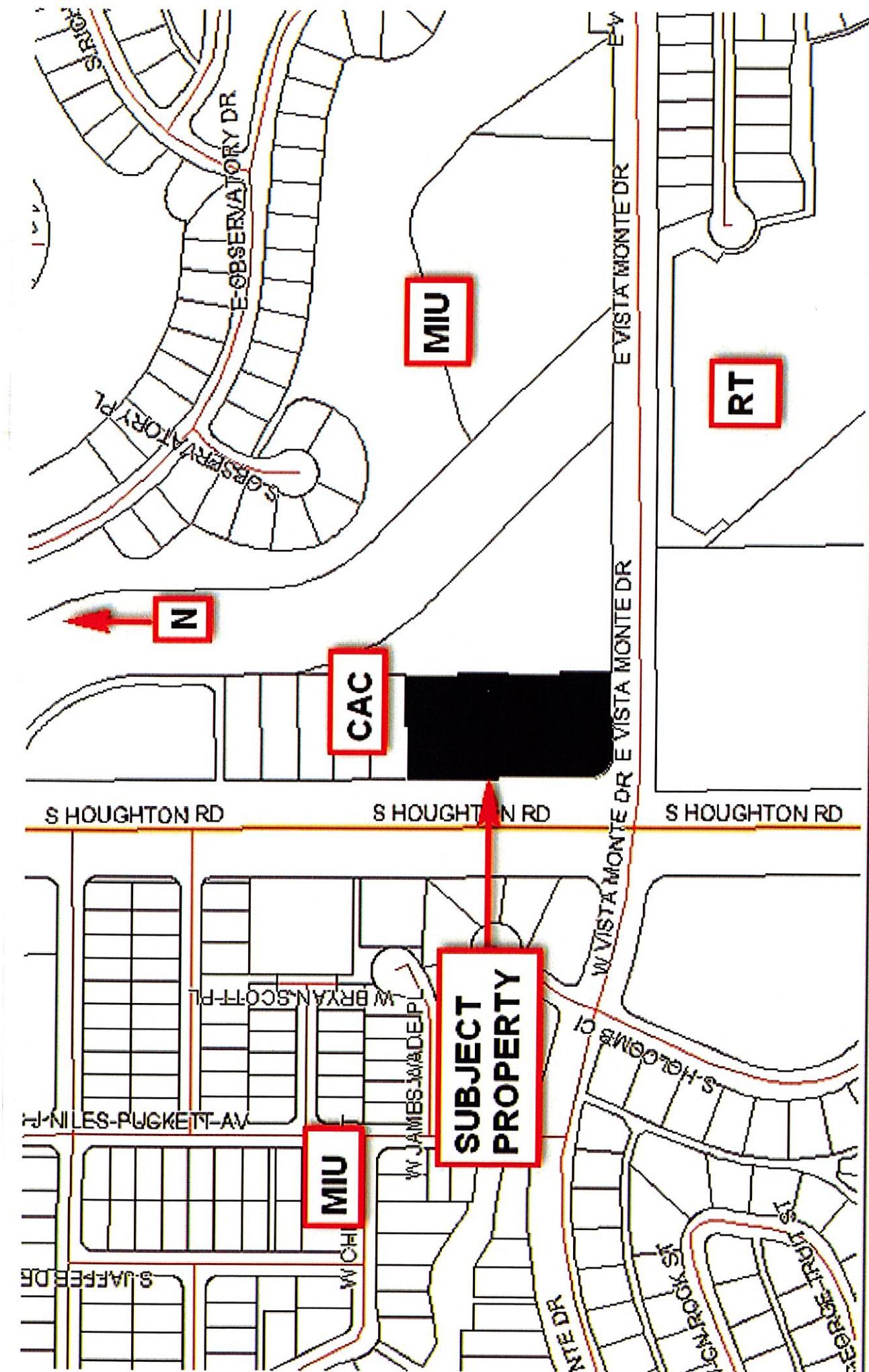
Base Map(s): 470

Map Scale: 1:4,000

Map Date: 10/06/2014







Comprehensive Plan Land Use
Designation - Community Activity Center (CAC)
Subregion - Rincon Southeast/Santa Rita Subregion (RSSR)
Special Area Policy - Floodplain Management - Lee Moore Wash Basin Area Policy (S-18E)

**Community Activity Center
'CAC' on the Land Use Plan Maps**

- a. Purpose: To designate medium intensity mixed-use areas designed to provide goods and services needed generally on a weekly basis along with compatible medium to high density housing types.
- b. Objective: The center provides the range of goods and services necessary to satisfy the weekly shopping and service needs of the surrounding community. The center may include a major supermarket, along with other anchor tenants such as a discount department store, large variety store, or specialty stores such as a hardware/building/home improvement store. The center includes complementary uses, such as high density housing, offices, and government services. Public transit provides direct access to these centers as well as connections to regional activity centers. The center has direct access to a major arterial roadway, with pedestrian and bicycle paths providing access from surrounding neighborhoods. Community Activity Centers are generally less than forty acres in size.
- c. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
 - 1) Minimum - none
 - 2) Maximum - 24 RAC
- d. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's): Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements, however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.
 - 1) Minimum – 6 RAC
 - 2) Maximum – 12 RAC
- e. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
 - 1) CR-2 Single Residence Zone
 - 2) CR-3 Single Residence Zone
 - 3) CR-4 Mixed-Dwelling Type Zone
 - 4) CR-5 Multiple Residence Zone
 - 5) TR Transitional Zone
 - 6) CMH-2 County Manufactured and Mobile Home-2 Zone
 - 7) MR Major Resort Zone
 - 8) CB-1 Local Business Zone
 - 9) CB-2 General Business Zone
 - 10) CPI Campus Park Industrial Zone

S-18 Floodplain Management [3-02]

General location

There are several sites within eastern Pima County designated as Floodplain Management Special Areas by the Pima County Flood Control District. They are: Upper Santa Cruz River (Upper Santa Cruz Valley Subregion); Rillito Creek Overbank Storage (Catalina Foothills Subregion); Cienega Creek (Rincon Southeast/Santa Rita Subregion); Wakefield and Anderson Washes (Rincon Southeast/Santa Rita Subregion) and Lee Moore Wash, including eight tributaries: Gunnery Range Wash, Sycamore Canyon Wash, Fagan Wash, Cuprite Wash, Petty Ranch Wash, Franco Wash, Flato Wash, and Summit Wash (Rincon-Southeast/Santa Rita and Upper Santa Cruz Subregions). (Rev Co7-10-03 to add section E, Lee Moore Wash, Resolution 2011-31).

Policies

- A. Upper Santa Cruz River Special Area Policy: Land use planning in the Santa Cruz River floodplain from the Santa Cruz County line downstream to the Tohono O'odham Nation shall be based on a river management study. Channelization, encroachment, development or rezoning shall not be permitted within the Santa Cruz River 100-year floodplain or erosion hazard area, whichever is greater, west of the Southern Pacific Railroad, until completion of the river management study. A landowner proposing to modify the Santa Cruz River floodplain prior to the completion of said study shall be responsible for providing a comparable study addressing impacts of the proposed development, based on a scope of work acceptable to the Flood Control District. The study scope and results shall be submitted to the District for review and approval.
- B. Rillito Creek Overbank Storage Special Area Policy: Proposed improvements in the floodplain designated to be preserved for overbank storage and located on the north side of Rillito Creek between Country Club Boulevard and Columbus Boulevard or between La Cholla Boulevard and the Southern Pacific Railroad shall not unreasonably diminish existing overbank storage volumes.
- C. Cienega Creek Special Area Policy: No channelization or bank stabilization shall be permitted along Cienega Creek upstream of Colossal Cave Road to the Empire-Cienega Resource Conservation Area. Cienega Creek's regulatory floodplain and/or erosion hazard area, whichever is greater, shall be dedicated in fee simple to the Pima County Flood Control District upon approval of any tentative plat or development plan.
- D. Wakefield and Anderson Wash Special Area Policy: The Wakefield and Anderson Washes' 100-year floodplains and/or erosion hazard areas, whichever is greater, shall be dedicated in fee simple to the Pima County Flood Control District upon approval of any tentative plat or development plan.
- E. Lee Moore Wash Basin Special Area Policy: Development shall be regulated per the Lee Moore Wash Basin Management Study. This study provides hydrology and hydraulics to ensure consistency between land uses, identifies permanent natural flow corridors and establishes Development Criteria in addition to those contained within Floodplain and Erosion Hazard Management Ordinances. This policy adopts by reference the entire Study including floodplain maps, flow corridor maps, flood hazard data, and development criteria as described in Development Criteria for the Lee Moore Wash Basin Management Study, as adopted by the Pima County Flood Control District Board of Directors on June 1, 2010 (Resolution 2010-FC6).

TO: Terrill L Tillman, DSD
Senior Planner

DATE: October 16, 2014



FROM: Greg Saxe, Ph.D.
Env. Plg. Mgr

SUBJECT: Co9-14-12 Danzone – Houghton Road Rezoning

The Pima County Regional Flood Control District (District) has reviewed the application and has the following comments:

1. The site is impacted by regulatory floodplains identified in the Lee Moore Wash Basin Management Study (LMWBMS). These have been shown and the submittal indicates the buildings will be elevated as required, however it is unclear how this will be accomplished. While a drainage report has been submitted indicating the buildings are outside of a theoretical flow path for Fagan Wash, the report does not demonstrate that the breakout flows shown in the LMWBMS do not occur. If the breakout flows of about 500 cfs do cross the site, existing and proposed structures may require elevation and erosion protection which must be designed to meet encroachment criteria. Building and parking configurations may have to be modified in order to address or mitigate the issue of breakout flows.
2. Numerous downstream drainage complaints are on file. Although none of them are directly associated with this parcel, they do involve the same flow path that also impacts this parcel. The submitted drainage report indicates that the entire site drains to Houghton Road, while it appears that some of the site drains to the north. It is not clear without more detailed site analysis if the proposed site and basin configurations concentrate flows so that flows discharge along the right-of-way at locations that do not approximate existing conditions and which may contribute to a traffic hazard.
3. Due to existing drainage problems and the inadequacy of downstream infrastructure peak reduction is required and critical basin standards shall apply.
4. It is possible that the existing structures can be considered non-conforming uses as they predate the floodplain delineation. Should the final drainage report fail to show that the existing structures are outside the regulatory floodplain, any proposed improvements to these structures are limited to 50% of the value of each non-conforming structure unless the structure is brought into compliance.

In conclusion the District has no objection subject to the following conditions:

- a. Prior to development the property owner shall submit to the Pima County Flood Regional Control District for review and approval; a drainage report documenting compliance with the Lee Moore Wash Basin Management Study including Development Standards and to determine basin sizing, maximum encroachment limits, building sites, elevations and setbacks.
- b. Due to existing flooding problems, the development shall meet Critical Basin detention and retention requirements.

GS/AM/ES/sm

cc: File



10613 east kay gentel place
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p 520.829.5188
f 520.833.9827
sdgarchitecture.com

Danzone rezoning neighborhood meeting
10.28.14 - 5 p.m.

Summary of questions and discussions:

1. Question concerning the potential future use of the new pads, specifically if a Dollar Store was planned. We discussed and assured no Dollar Store was in the works
2. Discussion on the potential uses including more dance studio space, a restaurant of some type, and possible small retail such as gift store, doctor office, etc.
3. Discussions on the history of the properties, previous uses and potential for all the current TR zoned properties along Houghton.
4. Question on the proposed rezoning and its implication on seasonal flooding issues along both Vista Monte and Houghton. All agreed that little can be done on the east side of Houghton to drastically change rainwater as it approached west of Houghton, but were told that some retention would be made for this property.
5. One neighbor brought up the current situation of the mass culverts located on Vista Monte and that they are filled with debris, therefore rainwater flow isn't being diverted properly anyway.

Generally, neighbors were positive about the rezoning and the potential for a new restaurant and expanded dance studio. These are the recollected and written down summaries of the various discussion to the best of our abilities. Please call or email with any questions.

Thank you,

Scott Feltheim, ALA, NCARB, Principal, SDG Architecture LLC 520.829.5188



Danzone rezoning neighborhood meeting
10.28.14 - 5 p.m.

NAME

ADDRESS

1. Dorothy Niedbalka 16381 S Houghton Rd
2. PETE SALON 3544 N. Promis Rd
3. GARETT CUNNINGHAM 16381 S. Houghton Rd
4. Mark Gibbs 1372 S Shagov Pines Ln
5. Jacqueline Gilbert 16958 S Vanilla Orchid Drive
6. Erica Southern 10613 S Key Garcia Rd.
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____



10501 Seven Generations Way 201-13
tucson az 85747
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To whom it may concern:

This letter is intended to justify the request for rezoning of **16461 S Houghton Road, Corona de Tucson, AZ 85641** (tax parcel # 305-28-0310) by SDG Architecture LLC on behalf of the property owner, Jay Janicek, of Corona de Tucson Properties LLC. This rezoning request entails a change from **TR** zoning to **CB-1** zoning.

Zoning reclassification has been deemed necessary to accommodate the future development of potential restaurants and retail as well as expand upon the already existing dance studio. Although the existing dance studio does include a small commercial kitchen, a zone change from **TR** to **CB** will be necessary.

It is anticipated that this project will provide jobs for 8 people as opposed to the 2 employees the property currently supports. Also, because the site has been previously developed, the rezoning of this property will have little to no additional effect on the immediate and surrounding biology. The property also has no immediate neighbors so public disruption will be minimal.

Thank you for your consideration,
SDG Architecture LLC on behalf of Jay Janicek

A handwritten signature in black ink, appearing to read 'Jay Janicek'.

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS**

Corona de Tucson Properties LLC 1098 S. Chatfield Pl. Corona de Tucson, AZ, 85641 JayJanicek@aol.com (520)425-6990

Owner	Mailing Address	Email Address/Phone daytime / (FAX)
Scott Felheim	10501 East Seven Generations Way Suite 201-13	SDGarchitecture@mac.com (520)829-5188
Applicant (if other than owner)	Mailing Address	Email Address/Phone daytime / (FAX)
new Tucson unit no 4 lot 31	16461 S Houghton Road, Corona de Tucson, AZ 85641	305-28-0310
Legal description / property address		Tax Parcel Number
2.1 acres	TR	CB-1
Acreage	Present Zone	Proposed Zone
Comprehensive Plan Subregion / Category / Policies		

The following documentation must be attached:

1. Assessor's map showing boundaries of subject parcel and Assessor's Property Inquiry (APIQ) printout showing current ownership of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with a signature matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a signature of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a signature from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with **Chapter 18.91.030.E.1.a. & b** of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. Submit the entire rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

08/11/2014

Date


Signature of Applicant

FOR OFFICIAL USE ONLY

Case name

TR CB-1

Official Zoning Base Map Number

470

\$5996

4

Rezoning from

Rezoning to

Fee

Supervisor District

Conservation Land System category

Co9-63-006


Pima County Zoning

Cross reference: Co9-, Co7-, other

Comprehensive Plan Subregion / Category / Policies

Received by HS

Date

8-12-14

Checked by

DS

Date

8-13-14