



MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Honorable Ally Miller, Supervisor, District # 1

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

DATE: November 6, 2013

SUBJECT: Co7-13-05 MANDARIN ASSOCIATES - N. THORNYDALE ROAD PLAN
AMENDMENT

The above referenced Comprehensive Plan Amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, NOVEMBER 19, 2013** hearing.

REQUEST: To amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT)** to **Medium Intensity Urban (MIU) for approximately 17.77 acres** located at the northwest corner of N. Thornydale Road and W. Magee Road, in Section 30, Township 12 South, Range 13 East, in the Northwest Subregion.

OWNER: Mandarin Associates
c/o Larry Kreis, General Mgr., Red Pointe Development, Inc.
8710 N. Thornydale Road, Suite 120
Tucson, AZ 85742

AGENT: Projects International, Inc.
Attn: Jim Portner
10836 E. Armada Lane
Tucson, AZ 85749-9460

DISTRICT: 1

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of November 6, 2013, staff has received four written comments in opposition to the proposed plan amendment and one written comment stating concern that the maximum 10 residences per acre density of MIU not be achieved and that there be substantial natural area buffering from the adjacent subdivision.

PLANNING AND ZONING COMMISSION RECOMMENDATION: **DENIAL** (4 – 3; Commissioners Richey, Bain, and Johns voted **NAY**, Commissioners Poulos, Holdridge, and Membrilla were absent).

STAFF RECOMMENDATION: **APPROVAL SUBJECT TO REZONING POLICIES.**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The site contains Multiple Use Management Area overlaid by Special Species Management Area within the Maeveen Marie Behan Conservation Lands System (MMBCLS).

CP/DP/ar
Attachments



Board of Supervisors Memorandum

Subject: Co7-13-05

Page 1 of 6

FOR NOVEMBER 19, 2013 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 6, 2013

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT

Co7-13-05 MANDARIN ASSOCIATES - N. THORNYDALE ROAD PLAN AMENDMENT

Request of Mandarin Associates, represented by Jim Portner, Projects International, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT)** to **Medium Intensity Urban (MIU)** for approximately 17.77 acres located at the northwest corner of N. Thornydale Road and W. Magee Road, in Section 30, Township 12 South, Range 13 East, in the Northwest Subregion. On motion, the Planning and Zoning Commission voted 4-3 to recommend **DENIAL**. (Commissioners Richey, Bain, and Johns voted **NAY**, Commissioners Poulos, Holdridge, and Membrilla were absent). Staff recommends **APPROVAL SUBJECT TO REZONING POLICIES**. (District 1)

Planning and Zoning Commission Public Hearing Summary (September 25, 2013)

The following Public Hearing Summary is for comprehensive plan amendment cases Co7-13-04, Co7-13-05, and Co7-13-06 that were heard together, but voted on separately, by the Planning and Zoning Commission. This particular case being Co7-13-05, all references specific to this case number have been underlined

The Commission Chair stated that since all of the materials in the plan amendment cases (in the vicinity of Thornydale Road) are related, even though they are separate cases, there was an idea to present them all together as a way of saving time and so that the members

of the audience would not need to address each individually. Each person speaking could identify which case they were addressing, if not all. There was no objection to combining the staff presentation and hearing for the remaining three cases.

Staff identified the locations of each of the three remaining cases. Staff indicated that all of the cases had similar dynamics. All were down-planned and all are being sought for up-planning to at least Medium Intensity Urban (MIU), with the Co7-13-04 case including a request for Neighborhood Activity Center (NAC). The Co7-13-04 and 05 case are currently designated Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT). The Co7-13-0-06 case does not include RT.

The Co7-13-04 case is requested for 42.95 acres of MIU and 12.0 acres of NAC. Because of what appeared to be a substantial amount of developed and undeveloped commercial zoning in the area, staff is advocating for a true mixed-use development within the proposed NAC area if possible. This case contains the property that the bulk of which is sought for preservation per the County Administrator's memo. The preservation would be from the diagonal wash, which runs through the property, to the west property boundary. This is the site south of the Tucson Audubon Society. Two written comments in opposition have been received.

The Co7-13-05 case is 17.77 acres sought for MIU at Magee and Thornydale. It's much the same as the other sites being highly vegetated with a variety of species. Three written objections to the request have been received, with one additional comment that the maximum 10 residences per acre density of MIU not be achieved and that there be substantial natural area buffering from the adjacent subdivision. (One additional written comment in opposition was received after the Planning and Zoning Commission hearing.)

The Co7-13-06 case along Hardy Road is 30 acres being sought for MIU. As with the other cases, this site has washes that will mostly be preserved. Staff has received six written comments in opposition and a petition with 69 signatures in opposition.

Staff recommended approval for all cases.

The applicant spoke. He concurred with staff's technical evaluation of the requests and recommendations for approval subject to rezoning policies. He showed and described the mostly medium density residential and commercial land uses and zoning surrounding the three plan amendment sites. He noted the wash areas would be mostly preserved and that their status as either or both Important Riparian Area and Xeroriparian Area "C". For the Co7-13-06 case, he noted that Hardy Road is not a through street east of the site and that he has no objection with it remaining that way as resident's desire. He noted that proposed development of the sites would be similar in nature and density as development in the area.

A commissioner asked if the applicant was willing to drop the request for MIU in the broad area west of the wash for the Co7-13-04 case which the County Administrator seeks for preservation. The applicant indicated that would be a problem and does not want to isolate elements of the County Administrator's memo that appear to satisfy CLS policies while rejecting other elements. He wished to apply the holistic approach that the memo entails. He noted that whether it's MIU or LIU 0.3, if it's set aside for preservation, the underlying plan designation would not matter.

A commissioner reiterated that if the CLS set-aside percentages were met for the four cases in the aggregate, some more, some less, then the applicant would likely receive positive recommendations from the Commission. The applicant indicated that they cannot make a commitment for full compliance with the CLS because they do not know how it would ultimately be applied, potentially locking in 80 percent set-aside on each site. He again stated that they have done projects that did not meet the full set-aside ratios that were otherwise effective in preserving habitat.

A commissioner noted that, if anything, the bar should be raised, not lowered.

Speaker #1 spoke in opposition. She said because of the lack of sidewalks in her area, she likes to walk on the Co7-13-04 site. She indicated that the site supports many animals and that her neighbors also use the property as an amenity to walk their dogs and that kids ride their bikes. She considered the site to be a "natural oasis". She stated that development of the site will cause rodents and reptiles to be killed or to migrate to the neighborhood where some people will poison them and hawks will eat them and they will die. Other animals that are nature's rodent pest control will also die. There are centuries-old tall saguaros on the site that cannot be moved. She also noted road congestion that will be made worse and that there are ample commercial services in the area.

Speaker #2 stated that he was the executive director of the Tucson Audubon Society. He indicated a desire that the majority of the Co7-13-04 site be preserved. He stated that his organization was not opposed to the amendment, but wanted a minimum of 80 percent preservation. He noted that the site supports diverse wildlife. He stated that the ironwood forest cover that is left needs to be preserved. He noted that individual parcels have habitat significance, but that connectivity enhances habitat value. This property features connectivity. He disagreed with the notions that that three of the four sites have little habitat value. He said that the pygmy owl was still a special species in the CLS despite being de-listed as an endangered species.

Speaker #3 stated that she represented the Coalition for Sonoran Desert Protection. She indicated that the down-planning in the 2001 cycle was not done because SR zoning is particularly a better land use, but because of the importance of the habitat and that if up-planned, the CLS would apply as this is often a better "land use" than SR zoning for natural resources. She stated that the County did an assessment prior to 2008 that found that open space set-asides and acquisitions were doing mostly well pertaining to the goals of

the SDCP with exception of the Tortollita fan that is a bit behind. The Co7-13-04 site is an important parcel that has been sought for acquisition or protection as a Habitat Protection Priority. Within Arthur Pack Regional Park to the north of the Audubon Society site (which is adjacent to the subject site) planned capital improvements were relocated away from natural area nearest to the Audubon Society site. She proposed plan amendment approval with 90 percent open space set-aside (allowing for some open space leeway on the other plan amendment sites) and allowing the remaining 10 percent in the southeast corner for “whatever kind of development”.

Speaker #4 spoke in opposition to Co7-13-06 citing concern with traffic on Hardy Road which provides the only access to three subdivisions. He questioned whether the CLS would be complied with by citing a narrow bufferyard and the salvage of one saguaro cactus that has died for the vacant commercial development at Hardy and Thornydale.

Speaker #5 had concerns with increased crime and traffic with added houses, and also with flooding across the road pertaining to the Magee Road site (Co7-13-05). He wanted the site preserved.

Speaker #6 spoke in opposition to Co7-13-06. He wanted preservation of the site with existing SR zoning. He had concerns with property values, density, destruction of natural vegetation, and increased traffic.

Speaker #7 spoke in opposition to Co7-13-06. He agreed with the previous speaker. He noted that there is a continuous SR zoning corridor in the site’s vicinity. He had concerns with too much density (up to 300 homes) that would cause flooding.

Speaker #8 spoke in opposition to Co7-13-06. She concurred with the previous speakers.

Speaker #9 spoke in opposition to Co7-13-06. He agreed with the other speakers. He noted that there were many species on the site and that he would be satisfied with a total of nine homes under SR zoning.

Speaker #10 spoke in opposition to Co7-13-06. He stated that he represented the homeowners of the 28-lot adjacent subdivision to the east. He stated concern with traffic, views, and property values. He was also concerned about homes in close proximity to each other.

Speaker #11 spoke in opposition to Co7-13-06. She was concerned with harm to wildlife, flooding. She stated that there is matching open space in the vicinity of the site.

Speaker #12 spoke in opposition to Co7-13-06. He stated concern with what MIU would allow, such as apartments that would interfere with his privacy. He indicated that Pima County wants development for tax money.

Speaker #13 spoke in opposition to Co7-13-06. He stated he lives on an SR lot via Hardy Road. He had concerns with too much density, property values, and traffic on Hardy Road. He preferred 3.3 acre or even one acre development.

Speaker #14 spoke in opposition to Co7-13-06. She agreed with the other speakers. She stated she was a nature lover and was concerned with privacy within her adjacent subdivision lot. She also stated concern with preservation of her views, too much commercial vacancy, crowding, wildlife preservation, and heat generation from additional development.

The applicant indicated that he had no further comments.

The public hearing was closed.

Co7-13-04 Action

The commissioners briefly discussed the idea of a policy for greater open space set-aside than the CLS policy guidelines on the Co7-13-04 site.

Commissioner Neeley moved to deny the Co7-13-04 plan amendment. Commission Cook seconded the motion. Commissioner Neeley said that the site had significant biological value and connectivity. She noted the glut of commercial zoning in the area. She questioned the idea that the site is infill. She cited the lack of infrastructure such as sidewalks. She saw no reason to up-plan the site again.

A commissioner noted that the plan amendment sites are fundamentally different. Some are not pristine. However development of one site entails neighborhood impacts.

A commissioner stated that the County needs to consider acquiring the whole Co7-13-04 site. He saw no reason to up-plan any of the sites.

A commissioner noted that the County Administrator did look at the Co7-13-04 site for significant preservation and that the request at hand is not a rezoning. A commissioner agreed, saying that the rezoning is the time to make decisions on the particulars of the development.

Upon a vote, the motion to **DENY** passed (4 – 3, Commissioners Richey, Bain, and Johns voted **NAY**, Commissioners Poulos, Holdridge, and Membrila were absent).

Co7-13-05 Action

Commissioner Neeley moved to deny the Co7-13-05 plan amendment. Commission Cook seconded the motion.

A commissioner noted that this site is located at a major intersection that is planned for improvements and reiterated that the particulars of the development are best discussed at the time of rezoning.

Upon a vote, the motion to **DENY** passed (4 – 3, Commissioners Richey, Bain, and Johns voted **NAY**, Commissioners Poulos, Holdridge, and Membrila were absent).

Co7-13-06 Action

Commissioner Neeley moved to deny the Co7-13-06 plan amendment. Commission Matter seconded the motion.

Upon a vote, the motion to **DENY** passed (6 – 1, Commissioner Richey voted **NAY**, Commissioners Poulos, Holdridge, and Membrila were absent).

CP/DP/ar
Attachments

c: Mandarin Associates, LLC, c/o Larry Kreis, General Mgr., Red Pointe
Development, Inc., 8710 N. Thornydale Road, Suite 120, Tucson, AZ 85742
Projects International, Inc., Attn: Jim Portner, 10836 E. Armada Lane
Tucson, AZ 85749-9460
Chris Poirier, Assistant Planning Director
Co7-13-05 File



2013 PLAN AMENDMENT PROGRAM

PLANNING AND ZONING COMMISSION

STAFF REPORT



| | |
|--------------|--|
| HEARING DATE | September 25, 2013 |
| CASE | Co7-13-05 MANDARIN ASSOCIATES – N. THORNYDALE ROAD PLAN AMENDMENT |
| SUBREGION | Northwest |
| DISTRICT | 1 |
| LOCATION | Northwest corner of N. Thornydale Road and W. Magee Road |
| REQUEST | Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Medium Intensity Urban (MIU) 17.77 acres |
| OWNER | Mandarin Associates |
| AGENT | Jim Portner, Projects International, Inc. |

APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:

The following summarizes the applicant's justification of the proposed plan amendment based upon the attached narrative (Section IV of the plan amendment application Reasons for Proposed Amendment):

- The subject property is an infill development site by virtue of being "located within an urbanized context" with properties to the east zoned CB-1 (convenience store and undeveloped), TR (residential subdivision and church), and CR-5 (residential subdivision), to the southeast zoned CB-1 (credit union and drive-in restaurant), to the south zoned CB-2 (post office and self-storage) and CR-3 (residential subdivision), to the west zoned CR-5 (residential subdivision), and to the north zoned SH (residential subdivision). Further beyond the site is a mix of residential subdivision and commercial and non-residential uses. Additionally, a network of public and utility infrastructure is in place for utilization.
- "The project is envisioned as containing a single-family residential subdivision similar in type and density to that which already exist immediately west and southwest of the site, together with a potential higher density multi-family use component near the intersection of Thornydale and Magee Roads."
- The project is consistent with, or furthers, several Smart Growth Principles including mix of land uses, use of compact building designs and spatial arrangements providing efficient on-site infrastructure and creating open space elements valuable in size and continuity, multi-modal transportation opportunity, rational infrastructure expansion and improvements, and conservation of natural resources.
- Regional Plan policies will be complied with or furthered including those related to Land Use Element (Cultural Heritage, Site Design and Housing), Public Services and Facilities (Wastewater, Flood Control), Solar Energy Systems (Structure and Site Design, Subdivision/Development Design), Circulation Element (Timing/Concurrency,

Neighborhoods, Density and Use, Bikeways), Water Resources Element, Open Space Element, Growth Area Element (increase mix of land uses), and Environmental Element (Natural Resources/Conservation Lands System).

- The mitigation of the site's Conservation Lands System designation of Multiple Use Management, together with the Special Species Management Overlay, "... will be accomplished by on-site set-asides, off-site mitigation, or a suitable combination of the two."
- The proposed development of a mix of higher-density residential uses, including multi-family will be consistent with the character of development in the area and the trend toward urbanization. Adjacent property uses and character will be given appropriate consideration in design of proposed development.

| EXISTING ZONING/LAND USE | |
|-----------------------------------|--|
| SR (Suburban Ranch) / Undeveloped | |

| SURROUNDING LAND USE DESIGNATIONS | |
|--|--|
| North | Low Intensity Urban 0.3 (LIU 0.3) |
| South | Community Activity Center (CAC), Medium Intensity Urban (MIU), LIU 0.3, Resource Transition (RT) |
| East | CAC, LIU 0.3 |
| West | MIU |

| SURROUNDING ZONING/EXISTING LAND USE | |
|---|---|
| North | SH (Suburban Homestead) / Residential Subdivision (Detached), Vacant |
| South | CB-2 (General Business) / Magee Road / Post Office, Self-Storage / CR-5 (Multiple Residence) / Residential Subdivision (Detached) & Undeveloped Lot |
| East | TR (Transitional) / Thornydale Road / CB-1 (Local Business) Convenience Store, Undeveloped |
| West | CR-4 / Residential Subdivision (Detached) |

STAFF REPORT:

Staff recommends **APPROVAL** of the plan amendment from Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT) to Medium Intensity Urban (MIU) for the 17.77-acre site, subject to the following rezoning policies:

1. Notwithstanding the land use designation on the Land Use Plan, areas which will not be removed from the 100-year floodplain through implementation of plans approved by the Pima County Regional Flood Control District and areas of Pima County Regulated Riparian Habitat shall revert to Resource Transition at the next appropriate annual plan amendment program period.
2. Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.

Rezoning policy #1 ensures that the remaining 100-year floodplain will be RT, consistent with comprehensive plan policy which assigns RT to privately-held floodplain areas (Land Use Element Regional Plan Policy 1.A.4.d). It will also maintain the continuity of the linear RT watercourse as it runs through this site from northeast to southwest. The current bounds of the floodplain may change once plans for development are approved; therefore, the reversion to RT should occur after these plans are approved so as not to impede rezoning.

Rezoning policy #2 ensures preservation and maintenance responsibility of the floodplain and riparian habitat, regardless of underlying zoning.

Staff's recommendation is based on certain Growing Smarter Acts principles, suburban infill, plan designation inconsistency, infrastructure and commercial service availability, and a strategy for satisfaction of Maeveen Marie Behan Conservation Lands System policies (CLS).

A plan amendment to MIU is justified, in part, per elements of the Growing Smarter Acts (compact development, rational use of existing and planned infrastructure, and enhancement of multi-modal transportation opportunity). (Relative to the Acts, conservation of natural resources may also play a role on this site specifically, depending on the CLS solution.) Also, while not in a Growth Area, the subject site is an infill site, being mostly surrounded by commercial and residential development that is zoned SH, CR-4, CR-5, CB-1, and CB-2. MIU and Community Activity Center (CAC) plan designations exist adjacent to the site, as well as LIU 0.3. However, the LIU 0.3 contains zoning or residential density that mostly does not conform, including CB-1 (Local Business) zoning to the west and SH (Suburban Homestead) zoning to the north that mostly contains a 0.64 residences per acre (RAC) subdivision.

Except for the RT area, this site and other undeveloped or lesser developed parcels in the vicinity were down-planned from MIU as part of the 2001 Comprehensive Plan Update. The down-planning pertained to the area's inclusion in the (now-named) Maeveen Marie Behan Conservation Lands System (CLS). The down-planning was not an oversight, but did create an inconsistency in planned land use.

The site is relatively flat and consists of mostly undisturbed natural vegetation and a wash that has Pima County Regulated Riparian Habitat that is designated as Xeroriparian C. The CLS designations are Multiple Use Management Area overlaid by Special Species Management Area. An attached memo from the County Administrator refers to this plan amendment and three others being sought by the same applicant in the vicinity of Thornydale Road (Co7-13-03, 04, and 06), all to be heard by the Planning and Zoning Commission on September 25, 2013. The memo indicates that the washes on the properties will likely be required to be preserved, but that given development on three sides of each case site, with exception of the plan amendment (Co7-13-04) adjacent to the south of the Tucson Audubon Society, strict CLS compliance requiring significant set-asides on the sites would be of little value from reserve design and overall ecosystem protection and productivity. However, the memo indicates that preservation of the wash area and the area west of the wash for the Co7-13-04 case is of significance, connecting to the Audubon Society property and natural area within Arthur Pack Regional Park.

As a consequence of the County Administrator's stated holistic viewpoint, should the four plan amendments be approved, the rezonings for the four sites should occur concurrently in order to apply the CLS as stated in the memo. Otherwise, the CLS will need to be applied on a per-site basis, which may result in a different CLS solution.

The site is served by paved roads, sewer, and utilities. Thornydale Road adjacent to the site has been improved and is operating below capacity south of Cortaro Farms Road. (North of Cortaro Farms Road, Thornydale Road is operating over capacity; however, capacity improvements are

scheduled for 2017-18 time period.) Cortaro Farms Road a half-mile north of the site has been improved east of Thornydale Road and is operating below capacity in that direction. (West of Thornydale Road, Cortaro Farms Road is operating over capacity; however, capacity improvements are scheduled for the 2016-17 time period.) Magee Road adjacent to the site is operating below capacity as well. These roadways have or will be receiving sidewalk and bike lane improvements; however, arterial and major collector streets in the area typically do not have sidewalks. A Sun Tran shuttle route exists along Thornydale Road. The density allowance of MIU can further promote transit service. Tucson Water has indicated it will serve the site.

Some commercial services and potential employers are located at the immediate intersection and there are additional services less than a half mile to the north at the intersection of Thornydale Road and Cortaro Farms Road and a mile to the south along Ina Road. The applicant also owns about 10 undeveloped acres zoned CB-1 across the street from the site at the northeast corner of Thornydale Road and Magee Road. A post office across the street from the site at the southwest corner of Thornydale Road and Magee Road offers both service and potential employment. A fire station is located near the southeast corner of the intersection. Marana Unified School District has schools in the vicinity and a charter school is located within a half mile. Arthur Pack Regional Park is located a mile north of the site.

The current SR zoning conforms to the LIU 0.3 and RT plan designations. LIU 0.3 designates areas for low density residential and other compatible uses at a maximum density of 0.3 RAC (or 1.2 RAC under the cluster subdivision option with 30 percent cluster open space plus 40 percent natural open space).

RT designates private land with environmentally sensitive characteristics that include wildlife corridors, natural washes, floodplains, peaks and ridges, buffers to public preserves, and other environmentally sensitive areas. Development of such land shall emphasize design that blends with the natural landscape and supports environmentally sensitive linkages in developing areas. The maximum density allowed is 0.3 RAC.

The requested MIU designates areas for a mix of medium density housing types and other compatible uses. The maximum residential density is 10 RAC.

Plan Amendment Criteria

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

1. The plan amendment would promote:
 - a. Implementation of the ***Growing Smarter Acts***, with particular emphasis given to the principles of smart growth, such as: (i) mixed use planning, (ii) compact development, (iii) multi-modal transportation opportunities, (iv) rational infrastructure expansion/improvements, (v) conservation of natural resources, and (vi) the growth area element (where applicable);
 - b. The implementation of other Comprehensive Plan policies set forth in the Regional Plan Policies, Special Area Policies, and Rezoning Policies.
 - c. Compatibility with the ***Maeveen Marie Behan Conservation Lands System***;
2. Fulfillment of the purpose of the Annual Plan Amendment Program as stated in the Pima County Zoning Code, 18.89.040(A) (2) & (3):

The annual plan amendment program provides an opportunity to address oversights, inconsistencies, or land use related inequities in the plan, or to acknowledge significant changes in a particular area since the adoption of the plan or plan updates. Annual amendments are reviewed concurrently in order to analyze potential cumulative impacts.

Growing Smarter Acts

The plan amendment to the recommended higher intensity MIU plan designation can promote Growing Smarter principles of compact development (relative to the area) leading to rational use of existing infrastructure and planned and to multi-modal transportation opportunities. MIU also provides limited mixed use opportunity with the TR (Transitional) zoning option that allows office, health, and lodging-related uses; however, the applicant has indicated that residential development similar to adjacent detached residential subdivisions west and southwest will be sought along with potential higher density multi-family use near the intersection.

Compared to LIU 0.3 (and RT), MIU allows the potential for more efficient compact residential development. The potential multi-family component would provide housing type and cost variety. There are MIU designated CR-4 and CR-5 residential subdivisions adjacent to or across the street from the site. The density of the 169-lot CR-4 subdivision to the west is 3.7 RAC. The density of the 50-lot CR-5 subdivision to the southwest is 3.34 RAC. The 50 lots are a phased portion of a larger subdivision of nearly 500 lots.

Higher density infill over an expanded area would potentially enable better bus service, which is currently limited to shuttle service along Thornydale Road which includes stops at Cortaro Farms Road a half-mile north and Massingale Road a half mile south. The shuttle provides very limited service as noted in the Transportation comments below. *Land Use Element Regional Plan Policy 1.A.4.a calls for residential rezonings in MIU to be a minimum of five RAC, which is generally recognized as sufficient to support bus service. (The site's potential density could be reduced if significant undisturbed natural open space set-aside is required on-site related to the CLS.)*

Nearby commercial services can also reasonable be accessed by walking or bicycling. However, the general pattern and intensity of most of the residential and commercial development in the area is auto-oriented. Commercial services are mostly segregated, being located at major intersections. The nearest Marana Unified School District elementary schools are located about a half mile from the site, with a middle school about a mile away and a high school about two miles away. A charter school is located about a half mile away. Most employment opportunity is outside the area and accessed by personal vehicles.

The site is served by existing infrastructure including paved roads, sewer, and utilities. Thornydale Road has been improved to a four-lane divided roadway south of Cortaro Farms Road (which is located a half mile north of the site). This segment of Thornydale Road is operating below capacity. But north of Cortaro Farms Road, Thornydale Road tapers to a two-lane cross section. This segment of Thornydale Road is operating above capacity by about 6,000 vehicles per day. However, the mile segment of Thornydale Road between Cortaro Farms Road and Linda Vista Boulevard (two miles north of Magee Road) is scheduled to be widened to four lanes in 2017-18.

Cortaro Farms Road has been improved to a four-lane divided roadway east of Thornydale Road. This segment of Cortaro Farms Road is operating below capacity. But west of Thornydale Road, Cortaro Farms Road tapers to a two-lane cross section for about a mile then returns to a divided four-lane cross section. This segment of Cortaro Farms Road is also operating above capacity by about 4,000 vehicles per day. However, this segment is scheduled to be widened to four lanes in 2016-17.

A sewer service agreement will be required along with adequate sewage conveyance and treatment capacity (or arrangement for such capacity by the owner/developer or other affected parties) to be determined at the time of development.

The site is adjacent to, but outside the service areas of both Tucson Water and Metropolitan Water. However, an attached letter from Tucson Water indicates that it will serve the site.

Regional Plan Policies, Special Area Policies, and Rezoning Policies

Relative to Regional Plan Policies, the site it is not within a Growth Area as designated by the comprehensive plan (Growth Area Element). Designated Growth Areas include the Flowing Wells area, the area in the vicinity of Tucson International Airport, and the City of Tucson. However growth continues in many areas outside of Growth Areas, including the area of the subject plan amendment. There is a stark contrast between the undeveloped site's low density plan designation and zoning and the adjacent medium density subdivision developments to the south and west along with non-residential development at the other corners of the street intersection. Undeveloped parcels to the east can be expected to be developed under existing CR-5, TR, and CB-1 zoning. However, less intensive SH-zoned acre-sized lots exist to the north along with one 5.1-acre parcel that formerly contained a residence and still maintains natural desert area.

Requested annual plan amendments that result in greater land use intensity do not, in and of themselves, promote comprehensive plan policies. Applicable policies are applied at the rezoning stage in the form of the applicant's proposal and as rezoning conditions. On pages 4-7 of the plan amendment application, the applicant cites Regional Plan Policies that will be complied with or furthered with the planned rezoning and subsequent residential development of the site. Staff makes particular note of the applicant's citation for Land Use Element policies for Site Design and Housing.

Land Use Element policies for Site Design and Housing, in part, are designed to protect existing neighborhoods and lower intensity uses through use of adequate buffering and sensitive design. The applicant states, "A primary element of the project will be providing adequate buffering and intelligent placement of residential uses so as to properly recognize the existing lower-density residential subdivision to the immediate north." The potential placement of higher-density multi-family residential nearer to the street intersection follows the intent of the applicant's statement.

These policies also note that, *where possible*, new development shall be designed at the human scale, i.e. development with multi-modal opportunities and mixed uses, rather than a solely auto-oriented land use pattern. As noted above, the land use pattern that has emerged in the area is primarily auto-oriented, but the potential increase in density will promote better bus service; and there is (limited) potential to walk or bike to destinations in the area. The improved segment of Thornydale Road has a sidewalk (west side) and bike lanes, but there is currently no sidewalk along the immediate segment of Magee Road.

Finally, these policies also encourage linkage of natural resources. The applicant indicates that portions of existing Xeroriparian C area will be set-aside. This area is shown on the Framework Plan exhibit as linking to relatively natural drainage areas across Thornydale Road to the northeast and across Magee Road to the southwest.

There are no Special Area or Rezoning policies applicable to the site.

Conservation Lands System

The site is located within Multiple Use Management Area and Special Species Management Area of the Maeveen Marie Behan Conservation Lands System (CLS). Comprehensive Plan policies call for at least 66⅔ percent and 80 percent of the total acreage of lands within the respective designations to be conserved as undisturbed natural open space. The policy may be met through a combination of on- and off-site conservation. In line with these policies, the applicant states, "CLS-related mitigation for impacted areas will be accomplished by on-site set-asides, off-site mitigation areas, or a suitable combination of the two."

The site has mostly undisturbed natural vegetation and a wash that has Pima County Regulated Riparian Habitat that is designated as Xeroriparian C. However, it is mostly surrounded by development, including CR-4 and CR-5 subdivisions and non-residential development. Existing

natural vegetation across Thornydale Road to the east will likely not be subject to CLS policies because existing intensive zoning likely precludes future rezoning. As noted above, the County Administrator's memo dated August 27, 2013 provides direction for a strategic solution for CLS undisturbed natural open space set-aside relative to this plan amendment and three others being sought by the applicant.

Fulfillment of the Purpose of the Annual Plan Amendment Program

Excluding the RT area, this site and other undeveloped or lesser developed parcels in the vicinity were down-planned from MIU as part of the 2001 Comprehensive Plan Update. The down-planning pertained to the area's importance as natural habitat. It was included in the Conservation Lands System. Appeal of the down-planning (Co7-02-08) was denied by the Board of Supervisors in 2002. Staff and the commission also recommended denial.

The down-planning was not an oversight, but did create an inconsistency in planned land use compared to most of the surrounding development and zoning. Development under the existing low-density SR zoning would likely result in retention of natural open space, but this is not guaranteed, especially, for instance, if the property were to contain horses or be developed as a church. An up-planning of the site leading to a rezoning would be necessary in order to potentially implement CLS policies.

Regarding significant changes to the area since the 2001 Comprehensive Plan Update, there has been incremental development and road improvements in the vicinity. A self-storage facility has been developed across Magee Road adjacent to the post office. Another self-storage facility has been developed, also on the south side of Magee Road about one-quarter mile to the east. Additional TR (Transitional) subdivision development has occurred on the north side of Magee Road less than one-quarter mile to the east and on the east side of Thornydale Road also less than one-quarter mile to the northeast. About a quarter-mile to the north, 135 casitas have been constructed on the south side of Cortaro Farms Road, west of Thornydale Road; additional subdivision development has occurred on the south side of Cortaro Farms Road, east of Thornydale Road. Thornydale Road has been improved south of Cortaro Farms Road. Cortaro Farms Road has been improved east of Thornydale Road. Pertaining to the larger area, the cactus ferruginous pygmy owl has been delisted as an endangered species.

AGENCY/DEPARTMENT COMMENTS:

Environmental Planning Comments:

In accordance with the Environmental Element - Regional Plan Policy, comprehensive plan amendments and rezoning requests are subject to the Maeveen Marie Behan Conservation Lands System (CLS). As part of this application for a comprehensive plan amendment, the applicant is not disputing the fact that CLS designations apply to the amendment area; they are likewise aware that any future request for rezoning that implements this plan amendment (should it be approved) is obligated to demonstrate, in detail, compliance with the CLS. There is, therefore, no compelling reason to debate the specifics of how this comprehensive plan amendment will arrive at CLS compliance at this stage of the development process. In this case, staff and the applicant concur that it is appropriate to defer the determination of CLS compliance to any future rezoning application(s). At that time, information on the presence/absence and condition of natural resources that occur on-site as well as more definitive information on the anticipated land uses will be available – all of which is absent at the comprehensive plan amendment stage but which are all essential in specifying those measures necessary to achieve compliance with the CLS.

Regional Flood Control District (Planning and Development):

Staff has reviewed the request and has the following comments:

1. One mapped regulatory watercourse impacts the site and it is mapped by FEMA as a Special Flood Hazard Area Zone A indicating that further study is needed. The District has conducted additional studies and clarified the extent of this floodplain. Both have been shown on the Framework Plan.
2. The wash also has Pima County Regulated Riparian Habitat (PCRRH) that is designated as Xeroriparian Class C habitat (habitat).
3. The application requests to change the RT plan designation corresponding to floodplains and habitat to MIU, however no rationale is presented. Modifications to and development within the RT floodplain area require local and federal approvals. The application does not address this issue. Typically post development floodplains and habitat are preserved within open space. While not addressed within the application or clearly depicted on the "framework plan", in follow-up correspondence, the applicant's representative has stated their intent to avoid floodplains and habitat. Furthermore the plan notes the requirement to work with the District on these designs.

In conclusion, PCRFCD has **no objection** to this request subject to the recommended rezoning policies below.

- a. Post development floodplains and riparian habitat shall be preserved in open space and be identified on the rezoning preliminary development plan and subdivision plat or development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.
- b. Post development floodplains and Pima County Regulated Riparian Habitat shall remain RT.

Regional Flood Control District (Water Resources):

A Water Supply Impact Analysis has been conducted on proposed Comprehensive Plan Amendment Co7-13-05 Mandarin Associates - N. Thornydale Road Plan Amendment for Pima County. Pima County conducts a Water Supply Impact Analysis on Comprehensive Plan Amendments four acres or greater regarding how the proposal would affect five critical issues.

| PIMA COUNTY'S WATER SUPPLY IMPACT ANALYSIS | | |
|--|---|---|
| | CRITICAL ISSUE | RESPONSE |
| 1. | Water Service and Renewable Water Supply Options | No water supply options are mentioned in the application. However, the proposed plan amendment area is immediately adjacent to the Tucson Water (TW) service area. TW has indicated they can serve the site. Presently, TW does have access to a renewable and potable water supply (a blend of CAP and Avra Valley groundwater). Since TW is able to provide water for the intended project, the project will have access to a renewable and potable water source. |
| 2. | Current and Projected Depth to Groundwater and Groundwater Trend Data | The average depth to groundwater in this area is approximately 280 feet. Groundwater at this depth is not likely to support vegetation or aquatic ecosystems. Groundwater levels have declined in the area between 1992 and 2012 as much as 2 feet/yr. Groundwater levels are projected to decline by 10-20 feet over the next 15 years, according to the ADWR updated 2012 TAMA model. |
| 3. | Proximity to Areas of Known or Potential Ground Subsidence | The proposed plan amendment is in an area of moderate subsidence. |

| | | |
|----|---|---|
| 4. | Proximity to Known Groundwater-Dependent Ecosystems | The proposed plan amendment area is not within 5-miles of a groundwater dependent ecosystem. |
| 5. | Location within a Hydrogeologic Basin, including Depth to Bedrock | The proposed plan amendment is located in the Tucson Hydrogeologic Basin area. This sub-basin has not been identified as being sensitive to groundwater removal. Depth to bedrock in this area is estimated at greater than 1,000 feet. |

TW Service area is immediately adjacent and surrounding the subject site. TW in an August 16, 2013 letter has indicated they could serve the site. Pima County's Water Supply Impact Analysis finds that this **Comprehensive Plan Amendment does appear to meet TW policy for parcel size and proximity, and therefore does presently appear to have access to renewable and potable water.**

Based on this analysis, we recommend the following as a Rezoning Policy should the Board of Supervisors approve this plan amendment:

A letter of intent to serve from a water service provider shall be submitted as part of any subsequent rezoning application. If the letter of intent to serve is from a water service provider other than Tucson Water, the applicant will provide documentation as to why Tucson Water is not able to provide service.

Department of Transportation:

The Department of Transportation has no objection to the proposed comprehensive plan amendment.

The amendment area is located at the northwest corner of Thornydale Road and Magee Road. The property has approximately 540 feet of frontage along Thornydale Road, a scenic major street with an existing and proposed right-of-way of 150 feet per the Major Streets and Scenic Routes Plan. Thornydale Road has been improved to a four-lane divided roadway south of Cortaro Farms Road, including adjacent to this project. Thornydale Road adjacent to this project has a current average daily traffic (ADT) volume of approximately 24,000 vehicles per day with a speed limit of 45 mph. The existing capacity is approximately 33,000 vehicles per day. Thornydale Road is currently served by Sun Shuttle Route 412, a neighborhood transit service that provides service approximately every 80 minutes between 6 AM and 6 PM Monday through Friday and between 9 AM and 2 PM on Saturday.

The site also has approximately 1,300 feet of frontage along Magee Road. Magee is also a scenic major route per the Major Streets and Scenic Routes Plan with a planned right-of-way of 90 feet. The existing right-of-way varies from 45 feet on the west end of the property to 120 feet at Thornydale Road, so a 45-foot right-of-way dedication for the west 500 feet of the property will be required with any future rezoning. The existing road is two lanes with widening for turn lanes at Thornydale Road which is signalized. Magee Road adjacent to this project has a current ADT volume of approximately 5,000 vehicles per day with a speed limit of 35 mph.

Regional Wastewater Reclamation Department:

The subject property is within the PCRWRD service area and tributary to the Ina Road Wastewater Reclamation Facility via the Canada del Oro Interceptor (CDO).

The Plan Amendment would allow approximately 18 acres to be developed as a single and multi-family residential development. The applicant is requesting the Medium Intensity Urban (MIU) designation to support the proposed uses, over the current designation of Low Intensity Urban 0.3 (LIU-0.3) and Resource Transition (RT).

The PCRWRD has no objection to the proposed comprehensive plan amendment but recommends the following policy be adopted for this area:

No person shall construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner/developer to that effect. By accepting this plan amendment, the owner/developer acknowledges that adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner/developer and other affected parties.

Environmental Quality Department:

The department has no objection to the proposed Plan Amendment request provided the property is served by public or private sewer. On-site wastewater disposal shall not be allowed.

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

Cultural Resources & Historic Preservation:

No archaeological or historic sites have been previously identified on the subject property. However, the currently undeveloped property has not been surveyed for cultural resources. The property is within a high archaeological sensitivity zone (SDCP) and situated near the Middle Santa Cruz Priority Archaeological Site Complex associated with the Canada del Oro Wash and Santa Cruz River. Therefore if any development were to be planned on the property in the future, a cultural resources survey would be needed prior to ground disturbing activities.

Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

Natural Resources, Parks and Recreation Department:

NRPR has no objection to the proposed plan amendment.

United States Fish and Wildlife Service:

To date, staff has not received a response to a request for comments.

Metropolitan Water:

To date, staff has not received a response to a request for comments.

Tucson Water:

Tucson Water indicates that it will serve the site per the attached letter.

Town of Marana:

Staff has reviewed the Comprehensive Plan Amendment and has no comment. The proposed amendment site does not fall within Marana's Planning Area.

Town of Oro Valley:

To date, staff has not received a response to a request for comments.

Marana Unified School District:

To date, staff has not received a response to a request for comments.

Northwest Fire District:

To date, staff has not received a response to a request for comments.

Sun Tran:

To date, staff has not received a response to a request for comments.

Tucson Electric Power:

To date, staff has not received a response to a request for comments.

PUBLIC COMMENTS:

As of the writing of this report, staff has not received any written public comment based on the public notice of the hearings for this amendment request. The applicant's representative also reports no written public comment based on his outreach to area property owners.

Respectfully Submitted,



David Petersen, AICP
Senior Planner

c: Mandarin Associates, c/o Larry Kreis, General Mgr., Red Pointe Development, Inc., 8710 N. Thornydale Road, Suite 120, Tucson, AZ 85742
Projects International, Inc., Attn: Jim Portner, 10836 E. Armada Lane, Tucson, AZ 85749-9460



MEMORANDUM

Date: August 27, 2013

To: Arlan Colton, Planning Director
Development Services Department

From: C.H. Huckelberry
County Administrator

A handwritten signature in dark ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Comprehensive Plan Amendments Along Thornydale Road within the Northwest Area of Unincorporated Pima County**

I recently met with Mr. Jim Portner, representing the property owners who are pursuing Comprehensive Plan amendments, three of which are along Thornydale Road and the fourth slightly removed from Thornydale Road. The properties are identified on the attached aerial photograph.

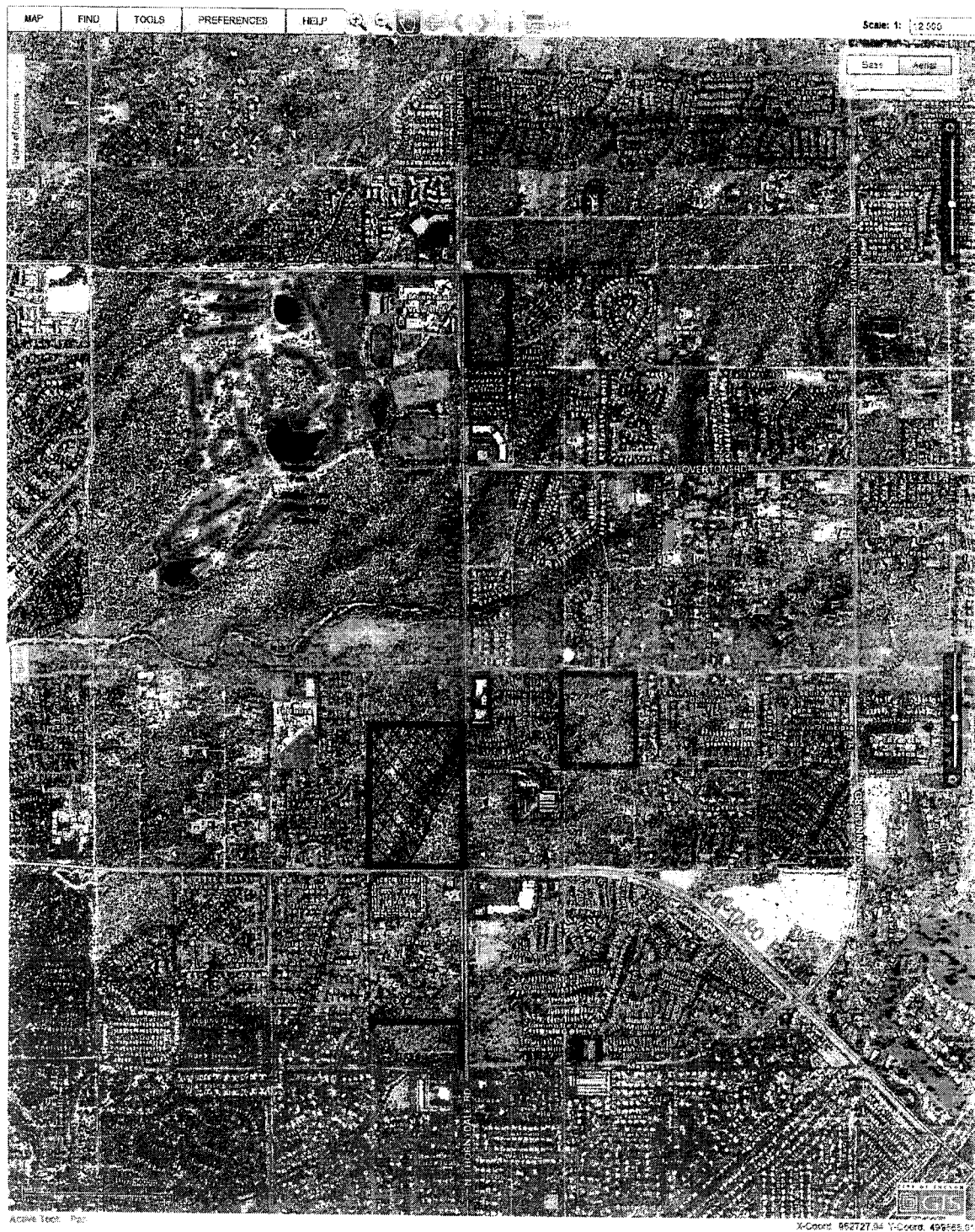
In my discussions with Mr. Portner, the applicability of the Conservation Land System (CLS) arose; specifically regarding the application of special species management, which is somewhat confusing given the delisting of the cactus ferruginous pygmy-owl.

Strict compliance with the CLS would require significant set-asides on all the properties. Such would be of little value, based on reserve design that clearly indicates the properties are surrounded on three sides by already dense urban development with no set-asides.

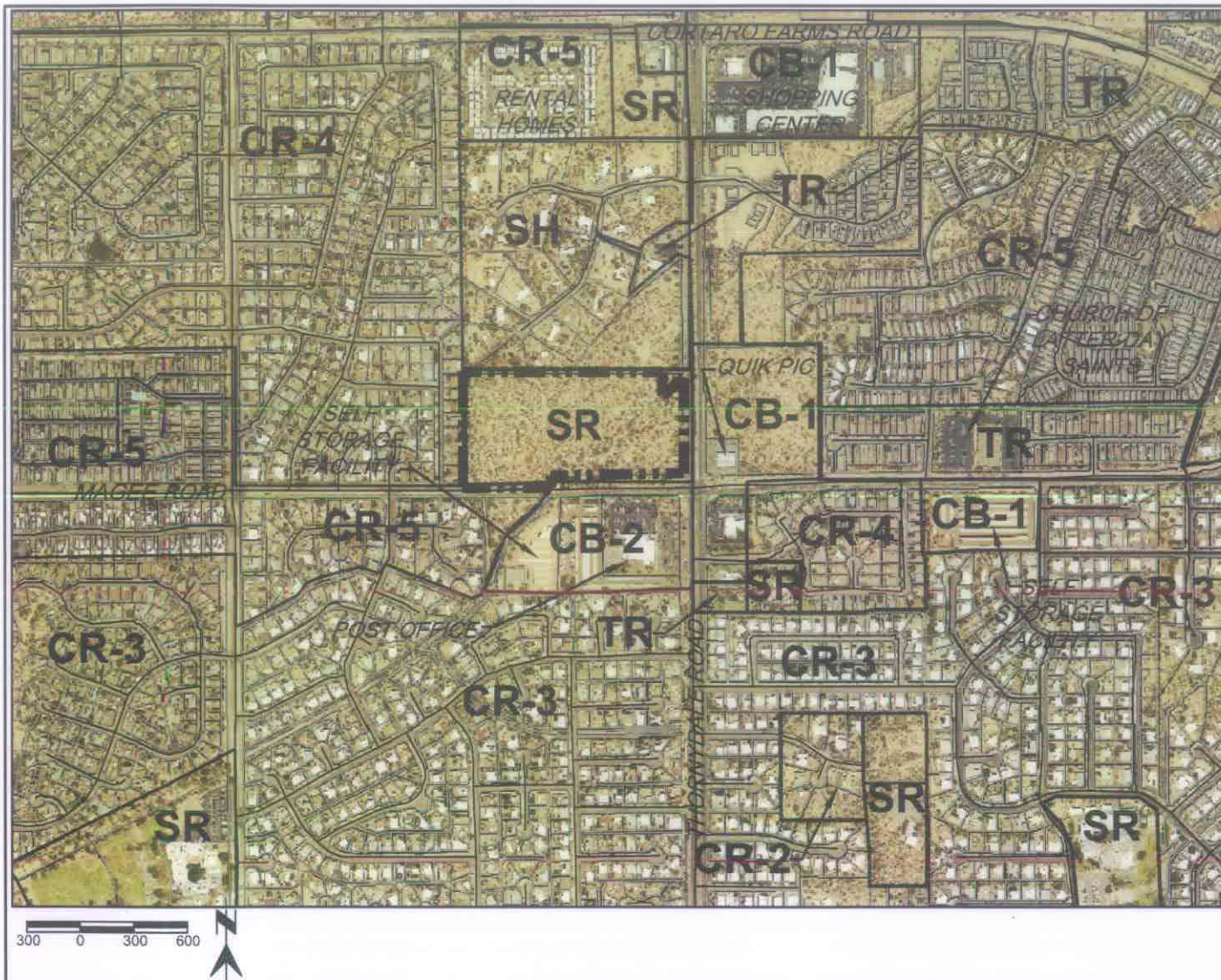
I believe we should look at these four properties strategically and request a significant open space contribution for the one parcel adjacent to Thornydale Road and the Tucson Audubon Society. I have cross-hatched the property in question. I believe it would be appropriate to keep much of this property as open space, attaching to an already large reserve of open space adjacent to Arthur Pack Regional Park and the Nature Conservancy property.

It is likely, given Clean Water Act Section 404 issues, that most of the washes on other parcels will be preserved and protected, requiring each individual property to conform to the CLS, which makes little sense from reserve design and overall ecosystem protection and productivity.

CHH/dph







LEGEND



Boundary of Subject Plan
Amendment Request

CR-4

Existing Zoning, typ.

NOTES:

1. The Subject Property is a vacant, undeveloped property located within an otherwise developed, urbanized residential and commercial context that is characterized predominantly by high intensity residential and commercial zoning classifications.

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917



11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037

Red Point Development, Inc.

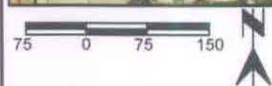
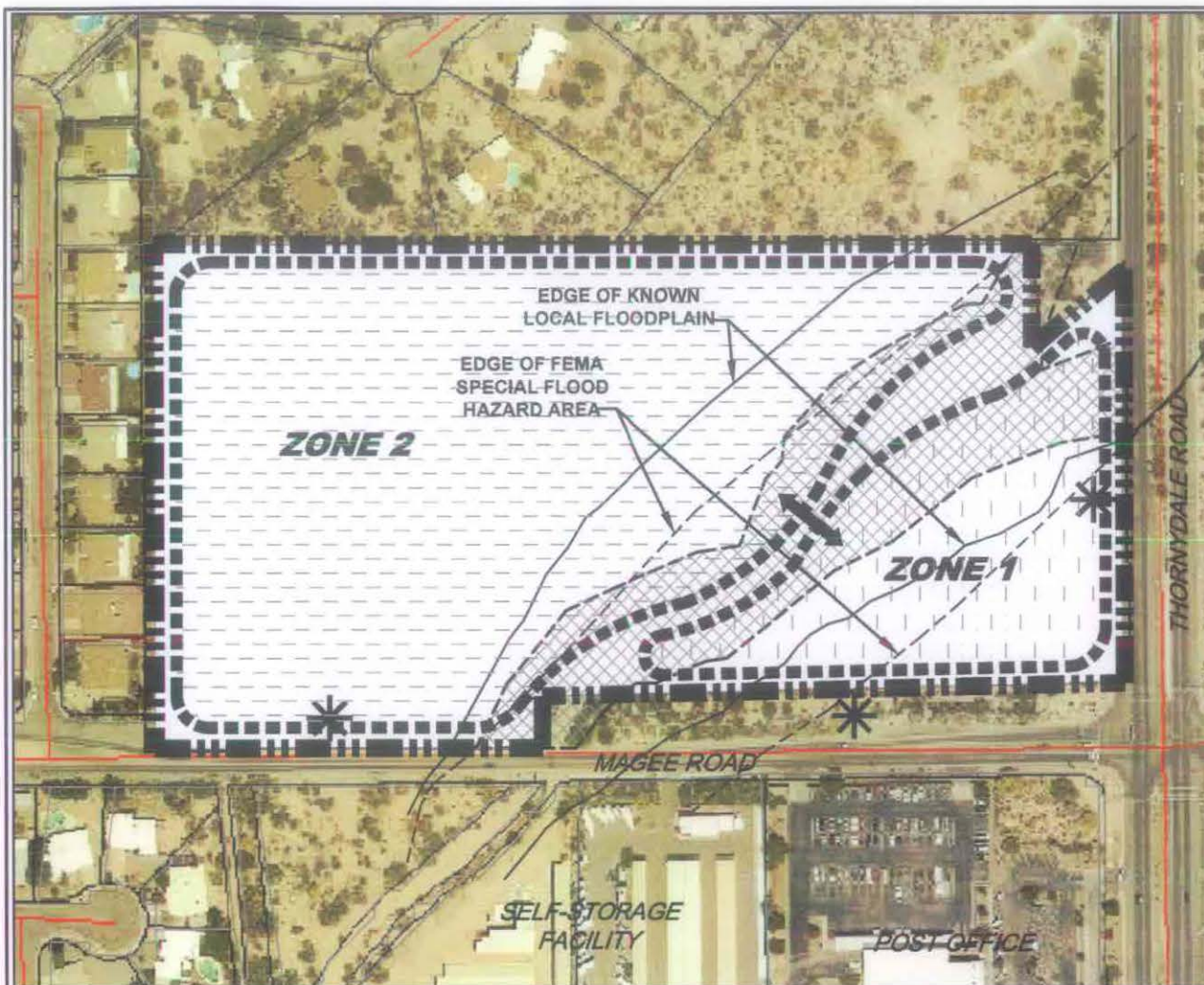
(Ownership Entity: Mandarin Associates)
COMPREHENSIVE PLAN AMENDMENT REQUEST: LIU to MIU

AERIAL PHOTOGRAPH
SURROUNDING LAND-USE
CONTEXT

Planned Land Use and Notice Area



LIU-0.3 Planned Land Use



NOTE:
Final delineation of regulatory floodplains
will occur at time of rezoning.

LEGEND

- Boundary of Subject Plan Amendment Request
- Limits of Xeroriparian "C" – conservation measures to be established in site analysis during the rezoning process in coordination with the Pima County Regional Flood Control District (RFCD). See Note #4 below.
- Access to Public Street (Conceptual Location)
- Vehicular and Pedestrian Connection between Zones

ZONE DESCRIPTIONS

Zone 1: Multi-Family Residential Component; Medium Intensity Urban (MIU) Designation. Area dedicated to higher-density, multi-family units or apartments. Final form and design to be detailed at the time of future rezoning and its accompanying Site Analysis.

Zone 2: Residential Component; Medium Intensity Urban (MIU) Designation. Area dedicated to the higher-density, single-family residential subdivision use (similar in type and density as that to the immediate west), clustered residential units, or single-family rental homes in a subdivision design framework.

GENERAL NOTES

1. Building heights, perimeter setbacks, and perimeter landscape buffers will achieve an appropriate transition to the established residential structures on adjacent developed properties to the west and the north.
2. Perimeter buffers along the west and north boundaries will utilize salvaged native-desert tree and shrub specimens so as to achieve a mature character in project edges as rapidly as possible.
3. Xeroriparian "C" corridor to be incorporated as an amenity element, with specific conservation measures to be detailed in the Site Analysis accompanying the future rezoning process.
4. Final design will incorporate Xeroriparian "C" drainage courses as natural to the greatest extent possible. Any modification and/or alteration to same will be done in conjunction with an approved riparian habitat mitigation plan in accordance with RFCD's "Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines."
5. Conservation Lands System (CLS) mitigation to be accomplished on-site, off-site, or through a combination of the two in coordination with the Pima County Office of Sustainability & Conservation.

Jim Portner, Agent for Owner
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TUCSON, ARIZONA 85749
520 850-0917

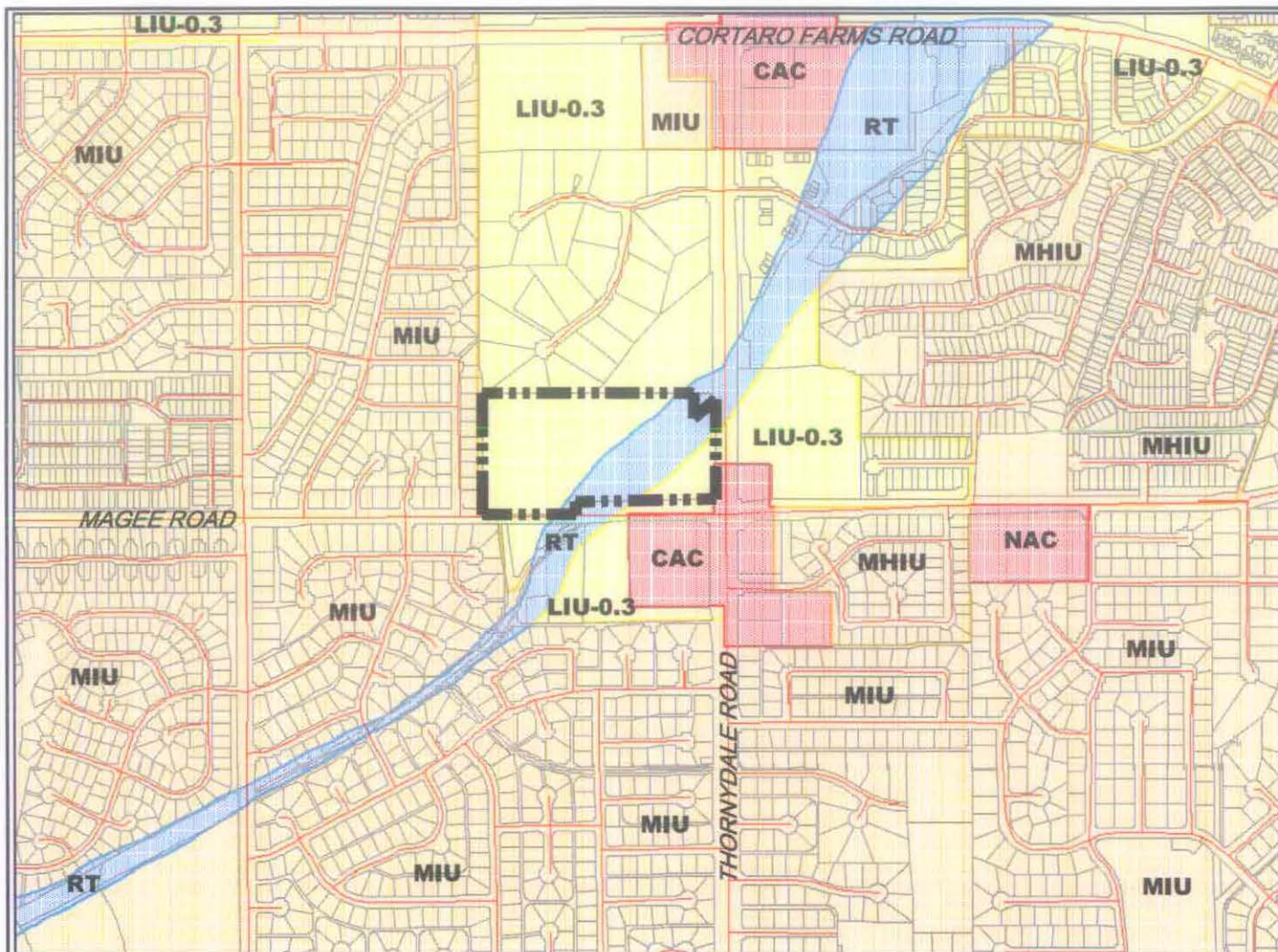


11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037

Red Point Development, Inc.

(Ownership Entity: Mandarin Associates)
COMPREHENSIVE PLAN AMENDMENT REQUEST: LIU to MIU

FRAMEWORK PLAN



LEGEND

- Boundary of Subject Plan Amendment Request
- CAC – Community Activity Center
- NAC – Neighborhood Activity Center
- MHIU – Medium High Intensity Urban
- MIU – Medium Intensity Urban
- LIU-1.2 – Low Intensity Urban 1.2
- LIU-0.3 – Low Intensity Urban 0.3
- RT – Resource Transition

NOTES:

1. Subject Property Existing Comprehensive Plan Designation: LIU-0.3 and RT
2. Requested Designation: MIU (Entire 18 acres)

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
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Red Point Development, Inc.

(Ownership Entity: Mandarin Associates)
COMPREHENSIVE PLAN AMENDMENT REQUEST: LIU to MIU

COMPREHENSIVE PLAN
DESIGNATIONS

Low Intensity Urban

(Low Intensity Urban 3.0, 1.2, 0.5, and 0.3)

- a. Purpose: To designate areas for low density residential and other compatible uses; to provide incentives for clustering residential development and providing natural open space; and to provide opportunities for a mix of housing types throughout the region.
- b. 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. Projects utilizing any of the cluster options set forth in this section shall conform with the provisions of Section 18.09.040 Cluster Development Option. Residential gross density shall conform with the following:

Low Intensity Urban 0.3

'LIU-0.3' or 'C-0.3' on the Land Use Plan Maps

- (a) Minimum - (none)
 - (b) Maximum - 0.3 RAC. The maximum gross density may be increased in accordance with the following cluster options:
 - (i) Gross density of 0.7 RAC with 30 percent cluster open space, plus 20 percent natural open space, or
 - (ii) Gross density of 1.2 RAC with 30 percent cluster open space, plus 40 percent natural open space.
 - (c) 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:
 - (i) Minimum (none)
 - (ii) Maximum 0.3 RAC.
 - (iii) The maximum gross density may be increased in accordance with the following cluster option:
 - (1) Gross density of 0.7 RAC with 30 percent cluster open space plus 30 percent natural open space.
- c. Zoning Districts
- 2) Within **Low Intensity Urban 0.5 and Low Intensity Urban 0.3**, 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:
 - (a) GC Golf Course Zone
 - (b) SR Suburban Ranch Zone
 - (c) SR-2 Suburban Ranch Estate Zone
 - (d) SH Suburban Homestead Zone
 - (e) CR-1 Single Residence Zone
 - (f) CR-2 Single Residence Zone
 - (g) CR-3 Single Residence Zone
 - (h) MR Major Resort Zone
 - (3) Open Space Standards for MR Major Resort Zone: **In Low Intensity Urban 1.2, 0.5, and 0.3**, the following minimum open space requirements shall apply within areas rezoned MR Major Resort Zone. Open space for purposes of these requirements shall be natural open space.
 - (a) Low Intensity Urban 1.2 - 15 percent.
 - (b) Low Intensity Urban 0.5 - 20 percent.
 - (c) Low Intensity Urban 0.3 - 30 percent.

Resource Transition

'RT' on the Land Use Plan Maps

- a. Purpose: Private land with environmentally sensitive characteristics that include wildlife corridors, natural washes, floodplains, peaks and ridges, buffers to public preserves, and other environmentally sensitive areas. Development of such land shall emphasize design that blends with the natural landscape and supports environmentally sensitive linkages in developing areas.
- b. 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 - 0.3 RAC
- c. 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:
 - 1) Minimum – none
 - 2) Maximum – 0.3 RAC
- d. 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) RH Rural Homestead Zone
 - 2) SR Suburban Ranch Zone
 - 3) MR Major Resort
- e. Open Space Standard for MR Major Resort Zone: In Resource Transition a minimum of 30 percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space.

Medium Intensity Urban
'MIU' or 'D' on the Land Use Plan Maps

- a. Purpose: To designate areas for a mix of medium density housing types and other compatible uses.
- b. Objective: These areas provide an opportunity for a variety of residential types, including cluster option developments, and single family attached dwellings. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.
- 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 - 10 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 – 3 RAC
 - 2) Maximum – 5 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) GC Golf Course Zone
 - 2) CR-1 Single Residence Zone
 - 3) CR-2 Single Residence Zone
 - 4) CR-3 Single Residence Zone
 - 5) SH Suburban Homestead Zone
 - 6) CR-4 Mixed-Dwelling Type Zone
 - 7) CR-5 Multiple Residence Zone
 - 8) CMH-1 County Manufactured and Mobile Home-1 Zone
 - 9) CMH-2 County Manufactured and Mobile Home-2 Zone
 - 10) MR Major Resort Zone
 - 11) TR Transitional Zone



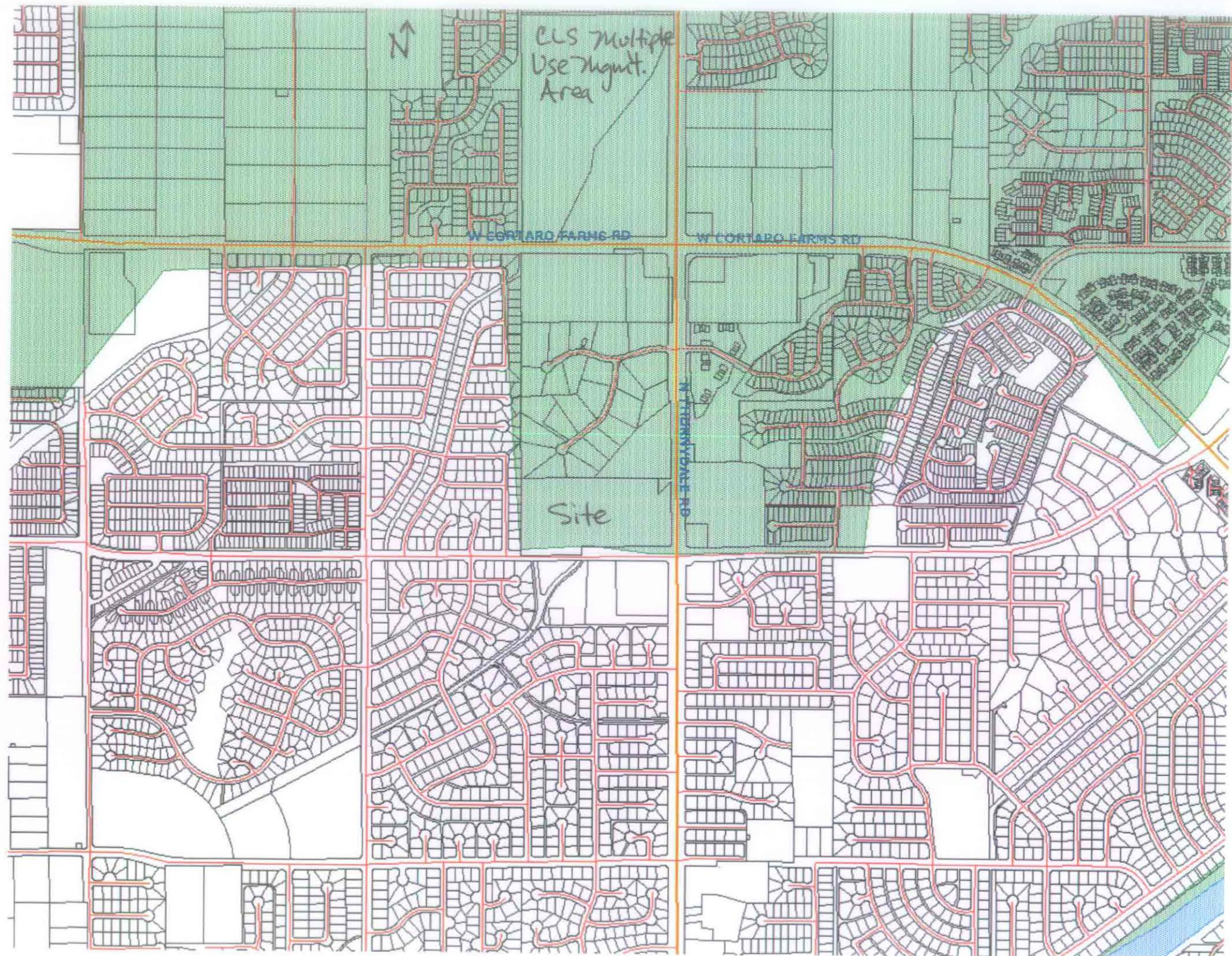
CLS Multiple
Use Mgmt.
Area

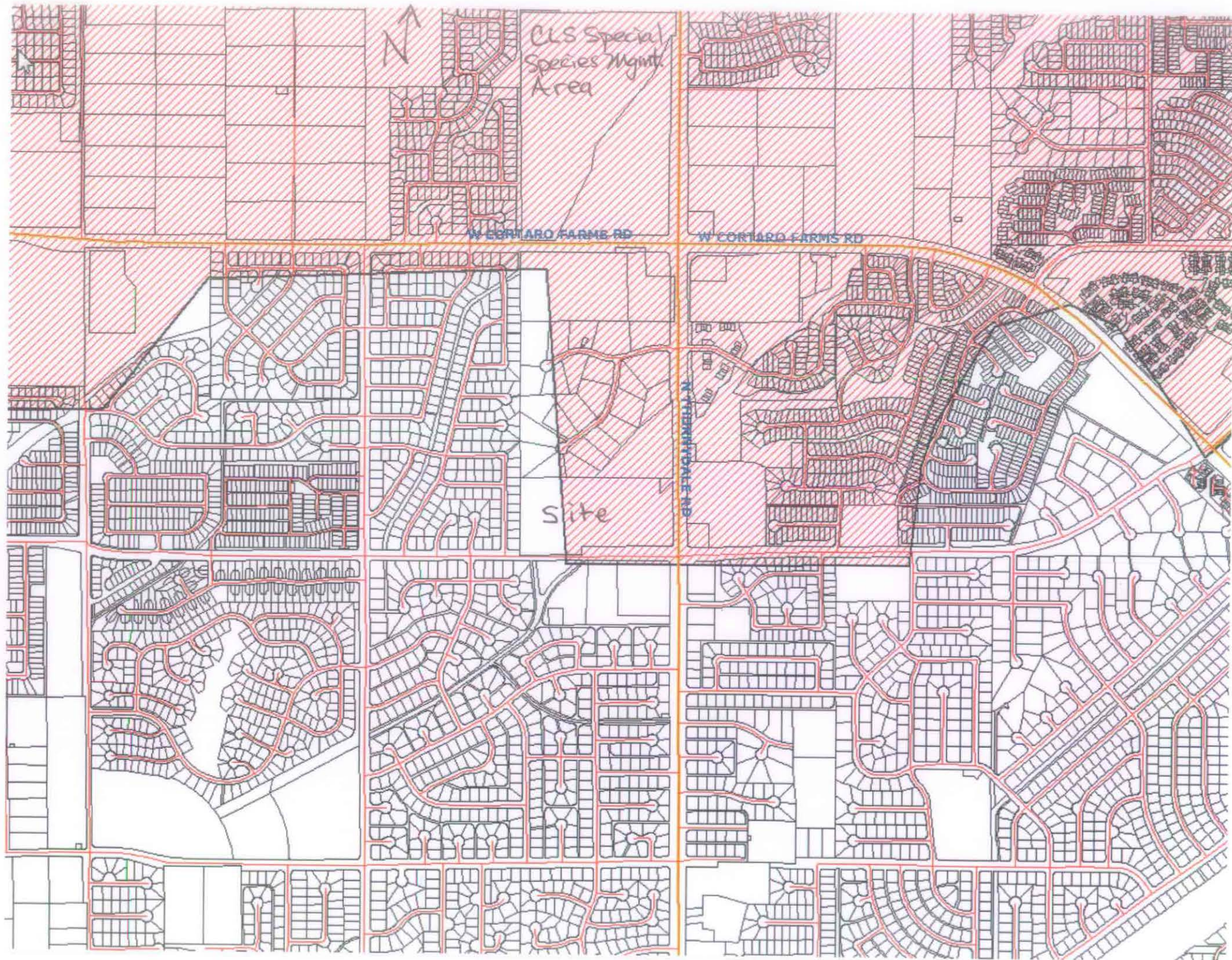
W CORTARO FARMS RD

W CORTARO FARMS RD

N INTERVISTAD RD

Site







CITY OF
TUCSON
TUCSON WATER
DEPARTMENT

August 16, 2013

Projects International, Inc.
10836 E Armada Lane
Tucson, AZ 85749-9460

Attn: Jim Portner

SUBJECT: Water Availability for project: NWC Thornydale Road & Magee Road, APN: 22533066A, Pima County Co-7-13-05, Case: WA1340, T-12, R-13, SEC-30, Lots: 9999, Location Code: UNI, Total Area: 17.7ac, Zoning: SR

WATER SUPPLY

Tucson Water will provide water service to this project based on the subject zoning of the above parcels. Tucson Water has an assured water supply (AWS) designation from the State of Arizona Department of Water Resources (ADWR). An AWS designation means Tucson Water has met the criteria established by ADWR for demonstration of a 100-year water supply – it does not mean that water service is currently available to the subject project.

WATER SERVICE

The approval of water meter applications is subject to the current availability of water service at the time an application is received. The developer shall be required to submit a water master plan identifying, but not limited to: 1) Water Use; 2) Fire Flow Requirements; 3) Offsite/Onsite Water Facilities; 4) Loops and Proposed Connection Points to Existing Water System; and 5) Easements/Common Areas.

Any specific area plan fees, protected main/facility fees and/or other needed facilities' cost, are to be paid by the developer. If the existing water system is not capable of meeting the requirements of the proposed development, the developer shall be financially responsible for modifying or enhancing the existing water system to meet those needs.

This letter shall be null and void two years from the date of issuance.

Issuance of this letter is not to be construed as agency approval of a water plan or as containing construction review comments relative to conflicts with existing water lines and the proposed development.

If you have any questions, please call New Development at 791-4718.

Sincerely,

Scott Schladweiler, P.E.
Engineering Manager
Tucson Water Department



SS:mg

CC:File NEW DEVELOPMENT • P.O. BOX 27210 • TUCSON, AZ 85726-7210
(520) 791-4718 • FAX (520) 791-2501 • TTY (520) 791-2639 • www.cityoftucson.org





MEMORANDUM

Planning & Development
Regional Flood Control District



DATE: September 6, 2013

TO: David Petersen, DSD
Senior Planner

FROM: 
Greg Saxe, M.R.P. Ph.D.
Environmental Planning Manager

SUBJECT: Co7-13-05 (2) Mandarin Associates – N. Thornydale Road –
Comprehensive Plan Amendment

I have reviewed the request and have the following comments:

1. One mapped regulatory watercourse impacts the site and it is mapped by FEMA as a Special Flood Hazard Area Zone A indicating that further study is needed. The District has conducted additional studies and clarified the extent of this floodplain. Both have been shown on the Framework Plan.
2. The wash also has Pima County Regulated Riparian Habitat (PCRRH) that is designated as Xeroriparian Class C habitat (habitat).
3. The application requests to change the RT plan designation corresponding to floodplains and habitat to MIU, however no rationale is presented. Modifications to and development within the RT floodplain area require local and federal approvals. The application does not address this issue. Typically post development floodplains and habitat are preserved within open space. While not addressed within the application or clearly depicted on the "framework plan" in follow up correspondence the applicant's representative has stated their intent to avoid floodplains and habitat. Furthermore the plan notes the requirement to work with the District on these designs.

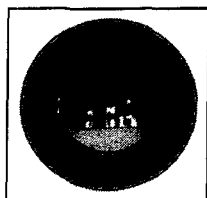
In conclusion, PCRFCDD has **no objection** to this request subject to the recommended rezoning policy below.

- a. Post development floodplains and riparian habitat shall be preserved in open space and be identified on the PDP and Plat. This open space shall be protected by covenant and management responsibility identified on the Plat.
- b. Post development floodplains and Pima County Regulated Riparian Habitat shall remain RT.

Please feel free to contact me with any questions or concerns on these comments.

GS/sm

cc: File



PIMA COUNTY COMPREHENSIVE PLAN
2013 PLAN AMENDMENT PROGRAM
Application Form



SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): Mandarin Associates

c/o Larry Kreis, General Mgr.
Red Point Development, Inc.

DAYTIME PHONE: 520.408.2300

FAX: 520.408.2600

ADDRESS: 8710 N. Thornydale Road Suite 120

Tucson, AZ 85742

E-MAIL: lkreis@redpointdevelopment.com

APPLICANT (if other than owner): Jim Portner, Projects International, Inc.

DAYTIME PHONE: 520.850.0917

FAX: 520.760.1950

ADDRESS: 10836 E. Armada Lane

Tucson, AZ 85749-9460

E-MAIL: jportner@projectsintl.com

SECTION II. AMENDMENT REQUEST INFORMATION

TAX CODE NO(S): 225-33-066a

TOTAL ACRES: 17.77

GENERAL PROPERTY LOCATION: NWC Thornydale Road @ Magee Road

COMPREHENSIVE PLAN SUBREGION(S): Northwest

ZONING BASEMAP(S): 114 **BOARD OF SUPERVISORS DISTRICT:** 1

CURRENT/CONDITIONAL ZONING: SR

EXISTING LAND USE: Vacant Land

CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): LIU 0.3 2nd Rt

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): MIU (entire property)

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

None apply to this specific property.

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

None proposed at this point in the process.

SECTION III. SURROUNDING PROPERTIES INFORMATION

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

NORTH: LIU **SOUTH:** MIU, CAC, RT, LIU
EAST: LIU, CAC, MHIU **WEST:** MIU

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: residential subdivision
SOUTH: Post office, self-storage facility, residential subdivision
EAST: Quik Pic convenience store, vacant commercial land, credit union
WEST: residential subdivision

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

NORTH: SH **SOUTH:** CB-2, CR-5, TR
EAST: CB-1, TR, CR-5 **WEST:** CR-4

SECTION IV. REASONS FOR PROPOSED AMENDMENT

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

See attached narrative for discussion.

SECTION IV.

REASONS FOR PROPOSED AMENDMENT

1. Location and General Nature of Request

Red Point Development, Inc., through its Mandarin Associates ownership entity, is seeking a comprehensive plan amendment for its 18-acre property located at the northwest corner of Thornydale Road and Magee Road. Thornydale Road is a four-lane, divided arterial with curbs, medians and bike lanes in place; Magee Road is a two-lane facility that is uncurbed.

From a land use perspective, the site is located within an urbanized context. The properties to the adjacent east are zoned CB-1, CR-5 and TR and are a mix of



developed residential subdivisions, a Quik Pic store, and vacant CB-1 land. To the southeast is the Hughes Federal Credit Union and a Sonic Drive-in (both zoned CB-1). To the south (across Magee Road) is a US Post Office and a self-storage facility (both zoned CB-2), and a CR-3 zoned residential subdivision. To the west is

a CR-5 residential subdivision and to the north is an SH-zoned subdivision dating back to the 1970's.

Further out from this immediate context, the trend towards urbanization continues throughout the general area, as the surrounding context is characterized by a mix of residential subdivisions, together with other established commercial uses, including a Basha's shopping center approximately one-half mile to the north (containing a Wells Fargo bank and numerous pad users, restaurants, and shop spaces), another self-storage facility approximately ¼ mile to the east, and the Church of Jesus Christ of Latter Day Saints campus. This land use mix is easily seen on the aerial photo and context exhibit provided with this comprehensive plan application.

With the above in mind, the subject property represents an infill development that will fit within an established urbanized context and utilize a network of public and utility infrastructure that is already in-place. The project is envisioned as containing a single-family residential subdivision similar in type and density to that which already exist immediately west and southwest of the site, together with a potential higher-density, multi-family use component near the intersection of Thornydale and Magee Roads.

2. Requested Comprehensive Plan Designation

The requested comprehensive plan designation for this entire property is Medium Intensity Urban (MIU), which will accommodate the envisioned uses described immediately above. This designation is consistent with that of the developed properties throughout the surrounding area, with the exception of the lower-intensity designation that applies to the established SH subdivision to the immediate north.

3. Reasons for Plan Amendment Request

As mentioned above, the site is envisioned as ultimately being developed as a mix medium and higher-density single-family and/or multi-family residences. This land use mix is justified in light of the emerging urbanized context and the site's location at a major arterial intersection. It conforms with a variety of land planning principles, as discussed below.

a. Implementation of Growing Smarter Act

The proposed plan amendment is consistent with, or furthers, several of the Smart Growth Principles as identified by the Smart Growth Network (SGN). These are individually discussed below:

Mix of Land Uses

Given the emerging urbanization trend in the area and taking into account the property's immediate context, the site is best developed as medium and higher-density residential in order to best fit with the surrounding context. While a reasonable argument also exists for a commercial component to this site, it is felt that residential uses can best be designed and mitigated to coexist with the other residential uses, most notably the long-standing, lower-density subdivision to the immediate north.. With proper design, this residential mix can integrate well with its existing residential neighbors to the west and north, as well as with the established non-residential uses across Magee Road to the south.

Take Advantage of Compact Building Designs

The project will promote higher density residential components and endeavor to locate them in clustered, compact spatial arrangements that afford opportunities for efficient on-site infrastructure while, at the same time, creating open space elements that are valuable in size and continuity. An existing Xeroriparian "C" area on the site will be incorporated as an open space amenity and greenway corridor.

Multi-Modal Transportation Opportunities

An expansion of higher density residential development throughout the area will contribute to larger regional opportunities for multi-modal transportation. The Thornydale Road corridor functions as important north-south transportation artery and is suitable for future expansion of the existing bicycle routes and public transit.

Rational Infrastructure Expansion and Improvements

The proposed plan amendment adheres to this principle. Intelligent and efficient growth demands the intelligent and efficient use of established infrastructure. The proposed plan amendment site represents an important infill opportunity that will utilize existing public utility and transportation infrastructure, while contributing its fair share of costs that might be needed to expand same to serve the proposed development.

Conservation of Natural Resources

The plan amendment site falls within the *Multiple Use Management Area (MUMA)* classification of the Conservation Lands System (CLS) and is also subject to its Special-Species Management overlay, thereby increasing the CLS's established conservation and mitigation guidelines. The site also contains a Xeroriparian "C" corridor, which will be accommodated and integrated as an open-space amenity into the project's final design.

Going forward, the site's final development program will be promulgated in consultation with Pima County Office of Sustainability & Conservation staff, as well as key private stakeholders, so as to achieve a development concept that satisfies the property owner's objectives while also recognizing applicable CLS policies, the latter of which will be achieved through on-site set-asides or a combination of on-site and off-site mitigation.

Red Point Development, Inc. has significant past experience in balancing development objectives with habitat concerns and in working closely with stakeholders from the environmental community to promulgate mutually acceptable solutions. These efforts have resulted in the establishment of important wildlife corridors as part of large masterplanned projects. We will bring this same commitment and good-faith approach to the present project in working with Pima County staff and private environmental interests.

The CLS topic is discussed further below in Section 3.b (Open Space Element, Environmental Element) and Section 3.f (Compatibility with Conservation Lands System).

b. Implementation of Comprehensive Plan Policies, etc.

This proposed plan amendment complies with or furthers the County's Regional Plan ("RP") policies as discussed below. The pertinent RP policies are contained in the following elements: Land Use, Public Services and Facilities, Solar Energy Systems, Circulation, Water Resources, Growth Area, and Environmental. All are discussed below.

Land Use Element

Cultural Heritage (RP 1.B; p. 4). There are no significant cultural resources or heritage elements located in the immediate area. All future on-the-ground development and construction activity will also, of course, proceed in full accordance with all applicable cultural resource procedures, inventory requirements, and mitigation parameters in force at the time of future rezoning activity and subsequent site disturbance.

Site Design and Housing. With respect to site planning, the Project will provide appropriate on-site buffering and screening and be of a human scale that visually integrates well into the established residential neighborhoods to the east, south and southeast (*RP 1.C.1.a, b & c, p.15*). With respect to compact development, the Project will promote higher-density residential infill near the intersection of two designated arterials and in close proximity to the existing nearby neighborhood activity center (NAC) (*RP 1.C.2, p.15*). A primary element of the project will be providing adequate buffering and intelligent placement of residential uses so as to properly recognize the existing lower-density residential subdivision to the immediate north.

Public Services and Facilities

Wastewater Policies. With respect to sewer line infrastructure, the Project will connect to existing wastewater conveyance infrastructure already in place. Extensions of the public system onto and through the subject property will be funded exclusively on a private basis and meet all applicable design, access, and construction parameters of the Pima County Regional Wastewater Reclamation Department. Concurrency and capacity will be suitably verified at the time of future rezonings (*RP 1.D.1, p.16*).

Flood Control Policies. All surface drainage and hydrologic design will proceed in full conformance and coordination with the Pima County Regional Flood Control District (PCRCD). Any disturbance to natural drainages (Xeroriparian "C") for vehicular and pedestrian crossings, etc. will proceed in close coordination with RFCD staff, the Pima County Office of Sustainability and Conservation, and be suitably mitigated. Emphasis will be placed on as-is preservation where feasible (*RP 1.D.2, p.17*).

Solar Energy Systems

Structure and Site Design. East-west building orientation will be an objective, together with the placement of long-axis building frontages in arrangements that will optimize their beneficial solar exposure during winter months and limit their summertime exposure. Alternative, cost-effective roof treatments and coatings will be evaluated to maximize reflectance, temperature control, and interior energy efficiency (*RP 1.E.1, p.19*).

Subdivision/Development Design. This residential use will be designed in compact units so as to minimize large paved areas. Landscape elements will be clustered into grouped tree plantings, as opposed to systematically rowed in "orchard" fashion, so as to enhance pavement shading and reduce surface heating. Landscape and pedestrian amenity areas will emphasize the provision of shaded areas to create usable outdoor spaces, and the existing Xeroriparian "C" areas on the site will represent a priority preservation element so as to counter-balance newly introduced paved surfaces (*RP 1.E.2, p.20*).

Circulation Element

Timing/Concurrency. Transportation infrastructure necessary to serve the plan amendment is in place. Thornydale Road is a full-improved four-lane divided facility, while Magee Road is an uncurbed street. Concurrency requirements for this segment of Magee Road along the project's frontage will be evaluated in detail at the time of rezoning. Off-site improvements to it as necessary to serve the specific needs of the proposed development will be completed at developer expense (*RP 2.A, p.22*). Any such project-specific improvements will be coordinated with the Pima County Department of Transportation and any improvements resulting in capacity enhancements to the regional transportation system will be evaluated for potential impact fee credits.

Neighborhoods. New traffic generated by the proposed plan amendment site will be routed directly to established/adjacent public arterial streets and not through any adjacent neighborhoods (*RP 2.C, p.22*).

Density and Land Use. The project will promote a higher-density residential use along established transportation arterials (*RP 2.F, p.22*).

Bikeways. Public bikeways already exist along Thornydale Road; bikeways along Magee Road will likely be required in conjunction with whatever public street improvements are deemed necessary by the Pima County Department of Transportation (PCDOT) to this street along the project frontage (*RP 2.K, p.23*).

Water Resources Element

The proposed plan amendment site will be suitably evaluated by PCRFCF staff for current and projected groundwater depth and other pertinent factors (*RP 3.B, p.22*). A Preliminary Integrated Water Management Plan (PIWMP) will be developed in conjunction with PCRFCF staff at the time of rezoning, which will be developed into a Final Integrated Water Management Plan (FIWMP) at the time of Development Plan or subdivision plat submittal. Both plans will detail the project's water demand and specific conservation measures being employed on the project, including water-harvesting and run-off containment, grey-water systems, and specific site-planning and building construction measures (*RP 3.C, p.26*).

Open Space Element

The proposed plan amendment site will be evaluated for its value within the larger regional open space equation for Pima County (*RP 4, p.32*). This evaluation, in conjunction with the application of the Maeveen Marie Behan Conservation Lands System (CLS) policies, will ultimately lead to an appropriate treatment of the site in terms of suitable open space set-aside areas. The final particulars of this treatment will not be finalized until a specific, detailed development plan for the site is presented at the time of future rezoning submittal and formally documented in the attendant Site Analysis document. The ultimate open space and CLS equation for this site will be promulgated in coordination with the Pima County Office of Sustainability and Conservation and other key private stakeholders from the environmental community.

Growth Area Element

Increase Mix of Land Uses. The project will further increase the mix of uses in the surrounding area by providing a mix of residential elements and densities, and thereby contribute to enhanced opportunities for regional multimodal transportation options. The residential component will seek high-density uses, potentially including multi-family products as well as higher-density single-family housing (*RP 5.C & F, p.33*).

Environmental Element

Natural Resources. The project will recognize and help implement the goals and intent of the Maeveen Marie Behan Conservation Lands System (MMBCLS). The site is designated as *Multiple Use Management Area (MUMA)* and also contains Xeroriparian "C" areas. Further, the site is subject to the CLS Special-Species Management overlay.

The final particulars of the ultimate CLS solution for this plan amendment site will not be finalized until a specific, detailed development plan for the site is presented at the time of future rezoning submittal and formally documented in the attendant Site Analysis document. The ultimate open space and CLS equation for the property will be promulgated in coordination with the Pima County Office of Sustainability and Conservation and other key private stakeholders from the environmental community. CLS-related mitigation for impacted areas will be accomplished by on-site set-asides, off-site mitigation areas, or a suitable combination of the two.

As mentioned earlier, Red Point Development, Inc. has significant past experience in balancing development objectives with habitat concerns and in working closely with stakeholders from the environmental community to promulgate mutually acceptable solutions. These efforts have resulted in the establishment of important wildlife corridors as part of large masterplanned projects. We will bring this same commitment and good-faith approach to the present project in working with Pima County staff and private environmental interests.

c. Existing Relevant/Applicable Special-Area Policies.

At the time of this submittal, no Special-Area or Rezoning Policies are proposed for the subject plan amendment. On-going discussions with staff and stakeholders will occur throughout the amendment process, which may result in such Policies be promulgated and refined as conditions of any approved comprehensive plan amendment that may be granted by the Board of Supervisors.

d. Existing Relevant/Applicable Rezoning Policies.

There are no adopted rezoning policies that apply to this specific plan-amendment site. However, Rezoning Policy *RP-84 (N. Thornydale Road)* is relevant, in that it was adopted by the Board of Supervisors for a recent plan amendment in the general area. *RP-84* includes the following stipulations for the future rezoning application of a parcel near Thornydale Road and Cortaro Farms Road:

- A rezoning for the property shall fully comply with Conservation Lands System (CLS) Conservation Guidelines.
- The property owner shall consult with the environmental community, specifically including Tucson Audubon Society at the Mason Audubon Center on N. Thornydale Road, during development of a rezoning for the property.

e. Potential/Proposed Special-Area or Rezoning Policies

At the time of this submittal, no Special-Area or Rezoning Policies are proposed for the subject plan amendment. On-going discussions with staff and stakeholders will occur throughout the amendment process, which may result in such Policies be promulgated and refined as conditions of any approved comprehensive plan amendment that may be granted by the Board of Supervisors.

f. Compatibility with Conservation Lands System (CLS)

The site is primarily designated as *Multiple Use Management Area (MUMA)*, with portions of it also containing Xeroriparian C" areas. The property is further subject to the CLS Special-Species Management overlay.

The final particulars of the ultimate CLS solution for this plan amendment site will not be finalized until a specific, detailed development plan for the site is presented at the time of future rezoning submittal and formally documented in the attendant Site Analysis document. The ultimate open space and CLS equation for the property will be promulgated in coordination with the Pima County Office of Sustainability and Conservation and other key private stakeholders from the environmental community. CLS-related mitigation for impacted areas will be accomplished by on-site set-asides, off-site mitigation areas, or a suitable combination of the two.

As mentioned earlier, Red Point Development, Inc. has significant past experience in balancing development objectives with habitat concerns and in working closely with stakeholders from the environmental community to promulgate mutually acceptable solutions. These efforts have resulted in the establishment of important wildlife corridors as part of large masterplanned projects. We will bring this same commitment and good-faith approach to the present project in working with Pima County staff and private environmental interests.

g. Impact on Existing Land Uses in the Surrounding Area

Development of the proposed plan amendment site as a mix of higher-density residential uses, including multi-family, will not be inconsistent with the developed character of the prevailing area nor its emerging trend toward urbanization. Special care must be given to the treatment of perimeters so as to appropriately buffer existing residential uses, together with sensitive treatment of the key edge between the property and the lower-density residential subdivision to the immediate north. It is envisioned that these goals can be suitably met with intelligent, thoughtful design and in conjunction with an equation for *Conservation Lands System (CLS)* mitigation that achieves a proper balance between site development, its impacts, and natural-area set-asides.

SECTION V.

BIOLOGICAL RESOURCES & COMPATIBILITY WITH THE MAEVEEN MARIE BEHAN (MMB) CONSERVATION LANDS SYSTEM

A. Landscape Resources

1. MMBCLS Category

The site is designated as *Multiple Use Management Area (MUMA)* and is also subject to the CLS Special-Species Management overlay.

2. Critical Landscape Linkages

The subject site occurs near the southern terminus of Critical Landscape Linkage No. 2, located roughly between the Santa Catalina Mountains and the Tortolita Mountains.

3. Habitat Protection or Community Open Space Acquisition

The subject site is not indicated as a priority property for habitat protection on Pima County's SDCP Mapguide.

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

1. Cactus Ferruginous Pygmy-Owl (A Federally De-listed Species).

- a. The site occurs within Survey Zone 1. The site is a part of Priority Conservation Area (PCA) No. 1 for this species, as is the entire surrounding region.
- b. The Arizona Game and Fish HDMS report for this site indicates known locations of the cactus ferruginous pygmy-owl within three (3) miles of the site (a copy of the HDMS report is attached for reference).
- c. The plan amendment site has not been surveyed for the cactus ferruginous pygmy-owl.

2. Pima Pineapple Cactus
 - a. The plan amendment site is not a Priority Conservation Area (PCA) for the Pima Pineapple Cactus.
 - b. The Arizona Game and Fish HDMS report for this site does not indicate known locations of the Pima Pineapple Cactus within three (3) miles of the site (a copy of the HDMS report is attached for reference).
 - c. No (0) Pima Pineapple Cactus have been found on the property during informal site reconnaissance.
 - d. The plan amendment site has not been surveyed for the Pima Pineapple Cactus.
3. Needle-Spined Pineapple Cactus
 - a. The plan amendment site is not a Priority Conservation Area (PCA) for the Needle-Spined Pineapple Cactus.
 - b. The Arizona Game and Fish HDMS report for this site does not indicate known locations of the Needle-Spined Pineapple Cactus within three (3) miles of the site (a copy of the HDMS report is attached for reference).
 - c. No (0) Needle-Spined Pineapple Cactus have been found on the property during informal site reconnaissance.
 - d. The plan amendment site has not been surveyed for the Needle-Spined Pineapple Cactus.
4. Western Burrowing Owl.
 - a. The plan amendment site is not within a Priority Conservation Area (PCA) for the Western Burrowing Owl
 - b. The Arizona Game and Fish HDMS report for this site does not indicate known locations of the Western Burrowing Owl within three (3) miles of the site (a copy of the HDMS report is attached for reference).
 - c. No (0) Western Burrowing Owls have been found on the property during informal site reconnaissance.
 - d. The plan amendment site has not been surveyed for the Western Burrowing Owl.

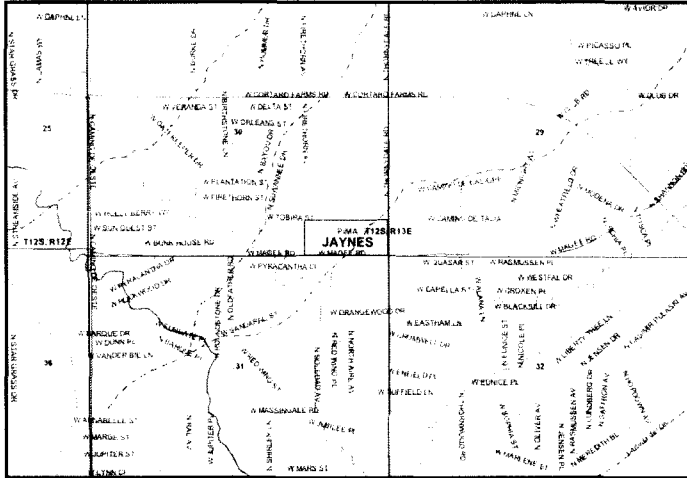
Arizona's On-line Environmental Review Tool

Search ID: 20130419020189

Project Name: Thornydale Magee

Date: 4/19/2013 7:28:08 AM

Project Location



Project Name: Thornydale Magee

Submitted By: Linda Weaver

On behalf of: ACOE

Project Search ID: 20130419020189

Date: 4/19/2013 7:28:04 AM

Project Category: Development Outside Municipalities (Rural Development), Commercial/Industrial (mall) and associated infrastructure, New construction

Project Coordinates (UTM Zone 12-NAD 83): 495366.140, 3579523.628 meter

Project Area: 18.796 acres

Project Perimeter: 1210.134 meter

County: PIMA

USGS 7.5 Minute Quadrangle ID: 1727

Quadrangle Name: JAYNES

Project locality is currently being scoped

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

| Name | Common Name | FWS | USFS | BLM | State |
|------------------------------------|------------------------------|-----|------|-----|-------|
| Bat Colony | | | | | |
| Dendrocygna bicolor | Fulvous Whistling-Duck | SC | | | |
| Glauclidium brasilianum cactorum | Cactus Ferruginous Pygmy-owl | SC | S | S | WSC |
| Leptonycteris curasoae yerbabuenae | Lesser Long-nosed Bat | LE | | | WSC |
| Myotis velifer | Cave Myotis | SC | | S | |
| Opuntia versicolor | Stag-horn Cholla | | | | SR |
| Tumamoca macdougalii | Tumamoc Globeberry | | S | S | SR |

Arizona's On-line Environmental Review Tool
Search ID: 20130419020189
Project Name: Thornydale Magee
Date: 4/19/2013 7:28:08 AM

Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference. If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

Arizona's On-line Environmental Review Tool:

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: <http://arizonaes.fws.gov/>.

Phoenix Main Office
2321 W. Royal Palm Road, Suite 103
Phoenix, AZ 85021
Phone 602-242-0210
Fax 602-242-2513

Tucson Sub-Office
201 North Bonita, Suite 141
Tucson, AZ 85745
Phone 520-670-6144
Fax 520-670-6154

Flagstaff Sub-Office
323 N. Leroux Street, Suite 101
Flagstaff, AZ 86001
Phone 928-226-0614
Fax 928-226-1099

Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

Arizona Game and Fish Department Mission

To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and

management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

Project Category: Development Outside Municipalities (Rural Development), Commercial/Industrial (mall) and associated infrastructure, New construction

Project Type Recommendations:

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered; coordination with Arizona Department of Water Resources may be required (<http://www.water.az.gov/adwr/>)

Based on the project type entered; coordination with County Flood Control districts may be required.

Based on the project type entered; coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>)

Based on the project type entered; coordination with U.S. Army Corps of Engineers may be required (<http://www.spl.usace.army.mil/regulatory/phonedir.html>)

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found at <http://www.azgfd.gov/hgis/guidelines.aspx>.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants, animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture

Arizona's On-line Environmental Review Tool

Search ID: 20130419020189

Project Name: Thornydale Magee

Date: 4/19/2013 7:28:08 AM

website for restricted plants

<http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S.

Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control:

<http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources,

wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly.

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefuna (snakes, lizards, tortoise) from entering ditches.

Project Location and/or Species recommendations:

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:

Ecological Services Office
US Fish and Wildlife Service
2321 W. Royal Palm Rd.
Phoenix, AZ 85021-4951
Phone: 602-242-0210

Arizona's On-line Environmental Review Tool

Search ID: 20130419020189

Project Name: Thornydale Magee

Date: 4/19/2013 7:28:08 AM

Fax: 602-242-2513

Heritage Data Management System records indicate that one or more native plants listed on the Arizona Native Plant Law and Antiquities Act have been documented within the vicinity of your project area (refer to page 1 of the receipt). Please contact:

Arizona Department of Agriculture

1688 W Adams

Phoenix, AZ 85007

Phone: 602-542-4373

Recommendations Disclaimer:

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information**

(including site map).

7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

Project Evaluation Program, Habitat Branch

Arizona Game and Fish Department

5000 West Carefree Highway

Phoenix, Arizona 85086-5000

Phone Number: (623) 236-7600

Fax Number: (623) 236-7366

Terms of Use

By using this site, you acknowledge that you have read and understand the terms of use. Department staff may revise these terms periodically. If you continue to use our website after we post changes to these terms, it will mean that you accept such changes. If at any time you do not wish to accept the Terms, you may choose not to use the website.

1. This Environmental Review and project planning website was developed and intended for the purpose of screening projects for potential impacts on resources of special concern. By indicating your agreement to the terms of use for this website, you warrant that you will not use this website for any other purpose.
2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act .
3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.

Arizona's On-line Environmental Review Tool

Search ID: 20130419020189

Project Name: Thornydale Magee

Date: 4/19/2013 7:28:08 AM

5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

Security:

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: _____

Date: _____

Proposed Date of Implementation: _____

Please provide point of contact information regarding this Environmental Review.

Application or organization responsible for project implementation

Agency/organization: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

Person Conducting Search (if not applicable)

Agency/organization: _____

Arizona's On-line Environmental Review Tool
Search ID: 20130419020189
Project Name: Thornydale Magee
Date: 4/19/2013 7:28:08 AM

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

E-mail: _____

David Petersen

From: JIM PORTNER <jportner@projectsintl.com>
Sent: Thursday, September 05, 2013 2:35 PM
To: David Petersen
Subject: Co7-13-05 Magee Road Comp Plan Site
Attachments: Activity Log.Magee Road.pdf; Cover Letter.Magee Road.pdf; Fact Sheet.Magee.pdf; 4-24-13 Magee Comp Plan Set.pdf

David:

Here's the Magee Road log. NO organized HOA's or NA's out there, so the general/mass mailing was the only way to reach these folks. Absolutely no response. Not a single phone call, email, etc.

The general mailing included color copies of the following items:

jp

Jim Portner, Principal
Projects International Inc.

Mailing Address:

P.O. Box 64056
Tucson, AZ 85728-4056

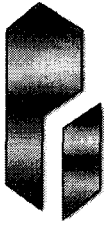
Street/Delivery Address:

10836 E. Armada Lane
Tucson, AZ 85749-9460

Office Phone 520.760.1976

Office Fax 520.760.1950

Cell Phone 520.850.0917



PROJECTS INTERNATIONAL, Inc.

10000 N. SUNNYVALE BLVD., SUITE 100
SCOTTSDALE, AZ 85258
TEL: 480.344.1100 FAX: 480.344.1101
WWW.PROJECTSINTL.COM

REQUEST TO AMEND THE
PIMA COUNTY COMPREHENSIVE
PLAN
18 ACRES AT THE NORTHWEST CORNER OF
THORNYDALE ROAD AND MAGEE ROAD

TO: Nearby Property Owners and Neighborhood or Homeowners Associations
FROM: Jim Portner, Projects International, Inc.
DATE: July 26, 2013
RE: **Request to Amend the Pima County Comprehensive Plan
18 Acres at the northwest corner of Thornydale Road and Magee Road**

I'm sending you this packet of information because you own property, or are representative of a nearby homeowners or neighborhood association, within 1000' of a request we have filed to amend the Pima County Comprehensive Plan. This request pertains to the vacant 18-acre property located at the immediate northwest corner of Magee Road and Thornydale Road, located south of the existing Ranchitos Nortes subdivision, east of the Orangewood North subdivision, and across Magee Road from the existing A-Family self-storage facility and the US Post Office.

Please recognize that this current request to amend the Pima County Comprehensive Plan is not a specific development proposal or design and that no development is imminent. This is a conceptual exercise and a public review process that is required before we can proceed with any future detailed plans. At this time, we have only a conceptual idea that the property will be comprised of: 1) a residential subdivision use that is consistent in density with that of the existing residential subdivisions adjacent to it on the west, southwest, and further to the south behind the self-storage facility and the US Post Office, together with: 2) a higher-density (possibly multi-family) residential component concentrated around the immediate Magee Road/Thornydale Road intersection. Such generalized thinking is appropriate at this stage, in that the focus of the Plan Amendment process is not final design, but instead the conceptual land-use category of the property in question and whether the proposed category is appropriate given its surroundings and the trends of the area.

After this Plan Amendment process -- and before any actual development can ever occur -- an entirely separate and subsequent *Rezoning* application is required. This is another public process, wherein you will be formally notified and be allowed to offer your comments and opinions and to attend public hearings before the Planning & Zoning Commission and the Board of Supervisors. It is at this *Rezoning* stage that we must come forward with a specific plan of the development, its residential particulars, together with a specific design and all of the detailed engineering, drainage, and traffic analyses necessary to fully address the impacts of the proposed project and to insure that the developer is held accountable for whatever street improvements, drainage provisions, buffers, etc. are necessary to safeguard the surrounding properties.

The purpose of this mailing is to simply provide you with an information packet on our plan amendment request and to offer you my name and contact information for any questions or comments you may have. Enclosed you will find the following informational materials:

- A Fact & Information Sheet describing the major points of the plan amendment request
- A set of three (3) exhibits illustrating the site, its surroundings, and a conceptual framework plan of the generalized land-use components we envision for it

I am the project manager for this application to amend the comprehensive plan. The request was submitted on behalf of Red Point Development, Inc., which has its offices in the Sunnyvale Office Plaza (at the corner of Thornydale and Hardy Road) and which has developed numerous residential and commercial projects within the Thornydale Road corridor over the past twenty-five years.

I encourage you to call or email me with any questions you might have. My cell phone number is 850.0917 and my email is jportner@projectsintl.com. I am also happy to meet with you personally at your request.

Please be advised that a public hearing on this item will occur before the Planning & Zoning Commission on August 28, 2013. You will receive a separate notice about the hearing directly from Pima County. I wanted you to receive the enclosed information before the County's mailing, since it does not provide a great deal of detail.

I look forward to hearing from you.

P.S. -- This mailing has been sent to a list of surrounding property owners that was generated by Pima County using property-ownership information on file with the Pima County Assessor's Office. I apologize if the name or address information on your envelope is incorrect in any way.

Fact & Information Sheet

Application & Request to Amend the Pima County Comprehensive Plan Magee Road @ Thornydale Road

- **Property Location:** at the immediate northwest corner of Magee Road and Thornydale Road.
- **Property Size:** 18 acres.
- **Existing Use of the Property:** the property is vacant.
- **Existing Comprehensive Plan Designation:** *Low Intensity Urban (LIU)* and *Resource Transition (RT)*.
- **Proposed/Requested Comprehensive Plan Designation:** *Medium Intensity Urban (MIU)*.
- **Existing Comprehensive Plan Designation of Adjacent Properties:** *Medium Intensity Urban (MIU)* to the west (Orangewood North residential subdivision), southwest/south (Orangewood Estates subdivision and Orangewood Estates Resubdivision); *Low-Intensity Urban (LIU)* to the north (Ranchitos Nortes subdivision) and to the east (commercially-zoned, vacant property), *Community Activity Center (CAC)* to the south (US Post Office and self-storage facility), southeast (Hughes Federal Credit Union and Sonic Drive-In), and to the east (Quik Pic convenience store).
- **Consistency of Requested Designation with that of the Surrounding Properties:** the requested *Medium Intensity Urban (MIU)* designation is identical to the *MIU* of the existing, large residential subdivisions to the west, southwest, and further to the south. It is less intensive than the *Community Activity Center (CAC)* non-residential and commercial uses that surround the intersection of Magee Road and Thornydale Road. It is more intensive than the *LIU* of the existing subdivision to the immediate north (Ranchitos Nortes).
- **Impact on Traffic, Drainage:** the plan-amendment process involves no specific design or plan of development for the site and no development is imminent. This is a conceptual land-use designation only. Furthermore, no development can occur on the property until a wholly separate and future *Rezoning* process is undertaken, at which time a specific plan of the development and specific project design is provided, together with all of the detailed engineering, drainage, and traffic analyses necessary to fully identify and address all impacts.
- **Public Process:** some time in early August, you will receive a separate notice in the mail from Pima County on this plan amendment request. A public hearing will be held on the matter before the Planning & Zoning Commission on August 28, 2013.
- **Contact Information:** please contact Jim Portner of Projects International, Inc. with any questions or comments you might have at cell phone 520.850.0917 or by way of email at jportner@projectsintl.com. I am also glad to meet with you personally, at your convenience, to discuss this request.

Log of Neighborhood & Property Owner Outreach Activities

NWC of Magee Road & Thornydale Road
Comprehensive Plan Amendment Request: LIU to MIU

| Entry # | Date | Description of Activity |
|---------|---------|--|
| 1 | 7/5/13 | Due to absence of registered Neighborhood Associations in the vicinity, commence research as to existing/incorporated homeowners association groups. Begin attempt to identify HOA leadership figures for initial contact and discussions through search of available public records. Determine that <u>no</u> HOA's exist for the nearby Orangewood North, Orangewood Estates, Orangewood Estates Resubdivision, or Ranchitos Norte subdivisions. |
| 2 | 7/26/13 | <p>After the above attempts to identify and make advanced contact with HOA leadership figures – and after determining that no such organized HOA's exist -- complete a comprehensive mailing to all property owners within County notification area for the plan amendment request (using the notification list as generated by County staff).</p> <p>Number of pieces mailed: 105 Contents of packets mailed: cover letter (including an explanation of the plan amendment, along with my personal cell phone number and email address, a request that they contact me with any comments or questions, and an offer to meet with them personally at their convenience); a Fact Sheet; a set of three (3) color graphic exhibits/maps (aerial photo/context map, comprehensive plan map, and proposed framework plan and conceptual description of intended development).</p> <p>The above mailing was timed so that the property owners would receive the materials approximately 30 days prior to the originally scheduled Planning & Zoning Commission public hearing on August 28, 2013.</p> |

| Entry # | Date | Description of Activity |
|---------|--------------------|--|
| 3 | 7/29/13 to date | No telephone calls, emails, or contact of any kind have been received to date from any of the individual property owners to which the information packets were mailed. |



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

DATE: September 17, 2013

TO: Planning & Zoning Commission

FROM: David Petersen, Senior Planner *D.P.*

SUBJECT: Co7-13-05 Mandarin Associates - N. Thornydale Road Plan Amendment

Staff received the attached comments from the U.S. Fish and Wildlife Service on September 16, 2013. The comments were received too late to include in the staff report.

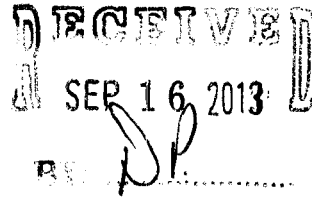


MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

DATE: July 24, 2013

TO: United States Fish and Wildlife Service
201 N. Bonita Ave., Suite 141
Tucson, AZ 85745



FROM: David Peterson, Senior Planner

SUBJECT: Comprehensive Plan Amendment request for your review and comments
Case: Co7-13-05 Mandarin Associates - N. Thornydale Road Plan Amendment

USFWS

Reviewer: Scott Richardson

Address: 201 N. Bonita Ave., Suite 141 Tucson, AZ 85745

Phone: (520) 670-6144 x 242

E-mail: scott_Richardson@fws.gov

☐ No Concerns relating to the subject property

☒ Yes Concerns relating to the subject property

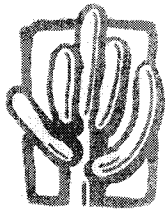
Description of species impacted, concerns and suggested mitigation measures:

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

With regard to the pygmy-owl, this parcel occurs in an area where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. The proposed Comprehensive Plan amendment has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a special species management area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the CLS and Comprehensive Plan be applied to this parcel if the Comprehensive Plan amendment is granted, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that this parcel complies with the CLS guidelines for the special species management designation.

Co7-13-05

**ADDITIONAL BACKUP MATERIAL NOT IN ORIGINAL
PLANNING AND ZONING COMMISSION PACKET**



**Coalition for
Sonoran Desert Protection**

300 E. University Blvd., Suite 120
Tucson, Arizona 85705
p (520) 333-0925 • f (520) 791-7709
www.sonorandesert.org

September 24, 2013

Arizona Audubon Society
In the Public Interest

Arizona Conservation Council
Public Education Fund

Arizona Native Plant Society

Bat Conservation International
Conservation of Sonoran Desert
Association

Centennial Development Council

Centennial Environmental
Commission

Century for the Sonoran Desert
Endangered Species

Desert Watch

Englishland Institute

Empire Foundation

Empire Foundation
Foundation for the Sonoran Desert

Environmental Education

Environmental Education

Friends of the Sonoran Desert

Friends of the Sonoran Desert

Friends of the Sonoran Desert
Park

Friends of the Sonoran Desert

Friends of the Sonoran Desert
Association

Native Sonoran Desert

Native Sonoran Desert
Association

Native Sonoran Desert
Alliance

Native Sonoran Desert

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Native Sonoran Desert
Association

**Chairman William Matter and Commissioners
Pima County Planning and Zoning Commission
201 N. Stone Ave, 2nd Floor
Tucson, AZ 85701**

**RE: Co7-13-05 MANDARIN ASSOCIATES - N. THORNYDALE ROAD PLAN
AMENDMENT**

Dear Chairman Matter and Commissioners:

Thank you for the opportunity to comment on the proposed Comprehensive Plan Amendment Co7-13-05. I submit these comments on behalf of the Coalition for Sonoran Desert Protection, comprised of 41 local, state, and national organizations working to achieve the long-term conservation of biological diversity and ecological function of the Sonoran Desert through comprehensive land-use planning, with primary emphasis on Pima County's Sonoran Desert Conservation Plan.

This parcel falls into the Conservation Lands System (CLS) categories under the existing Comprehensive Plan of Multiple Use Management Area with Special Species Management Area overlaying the majority of the property. CLS guidelines call for a certain percentage of conservation or mitigation to occur if development commences.


The applicant proposes that the property be "viewed as an infill development", as it is surrounded by development on three sides and located in an urban area. However, such was the case in 2001/02 when the undeveloped parcels in the Tortolita Fan area were down-planned, due to, as staff states, "the area's importance as natural habitat. It was included in the Conservation Lands System." While the property is considered to be in an urbanized area, CLS guidelines do apply.

Staff has recommended approval of the plan amendment request from the applicant, and states that the CLS regulations apply. **We recommend that all CLS guidelines are committed to and fully implemented. As Special Species Management Area covers the majority of the property, an 80% mitigation ratio applies. For the portion of the property that falls into the Multiple Use Management Area only, a 66 2/3% mitigation ratio applies.** The applicant states in their proposal that, they will "recogniz(e) applicable CLS policies, the latter of which will be achieved through on-site set-asides or a combination of on-site and off-site mitigation".

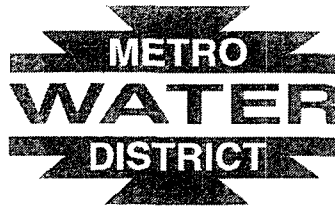
Additionally, we support the conclusions of the United States Fish & Wildlife Service that there should be no net loss of lesser long-nosed bat foraging resources as any saguaros or agaves should be preserved on the property. The USFWS also supports full implementation of the CLS guidelines.

Thank you again for the opportunity to comment on this Comprehensive Plan Amendment application. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Carolyn Campbell". The signature is written in a cursive, flowing style.

Carolyn Campbell
Executive Director



September 23, 2013

David Petersen
Development Services Department-
Planning Division
201 North Stone Avenue, Second Floor
Tucson, AZ 85701

**Re: Mandarin Associates – N. Thornydale Road Plan Amendment
Comprehensive Plan Amendment
Co7-13-05**

Dear Mr. Petersen:

The Metropolitan Domestic Water Improvement District (MDWID) has reviewed the above-referenced comprehensive plan amendment and offers the following response.

1. The subject property is adjacent to the MDWID legal service area able to provide water. The MDWID has a 100-year assured water supply designation. It is the intent of the MDWID to supply potable water to the subject property upon demand.

Any onsite or offsite requirements deemed necessary to provide needed domestic and fire flow water supply will be determined at the time of improvement plan submittal or whenever application for water service is received. Pipe sizing and system augmentation, if necessary, will be based upon calculated demand for both domestic and fire flows as needed to adequately supply this area.

2. The MDWID has no objection to the above-referenced proposed Comprehensive Plan Amendment.

Please call me at 575-8100 should you need further assistance with regard to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy Dinkel", is written over a horizontal line.

Timothy Dinkel
Development Supervisor

c: Charlie Maish, District Engineer / File
Signature File

From: Betty Stamper
Sent: Monday, September 23, 2013 12:15 PM
To: Arlan Colton
Cc: Carla Blackwell
Subject: FW: Website Feedback Form 2013-09-22 07:27 PM Submission Notification

07-13-03

04
05
06

From: <notification@pima.gov>
Reply-To: <nancymiller007@gmail.com>
Date: Sun, 22 Sep 2013 19:27:43 -0700
To: <communicationsoffice@pima.gov>
Subject: Website Feedback Form 2013-09-22 07:27 PM Submission Notification

Website Feedback Form 2013-09-22 07:27 PM was submitted by Guest on 9/22/2013 7:27:43 PM (GMT-07:00) US/Arizona

| Name | Value |
|------|-------|
|------|-------|

| | |
|------------|-------|
| First Name | Nancy |
|------------|-------|

| | |
|-----------|--------|
| Last Name | Miller |
|-----------|--------|

| | |
|-------|--|
| Email | nancymiller007@gmail.com |
|-------|--|

| | |
|------------------|-------------|
| Content graphics | Other Issue |
|------------------|-------------|

| | |
|-----------------------|-------------|
| Performance usability | Other Issue |
|-----------------------|-------------|

| | |
|-----------|---|
| Page_Link | https://webcms.pima.gov/website_feedback |
|-----------|---|

| | |
|----------|---|
| Comments | I am a long-time resident of the Sunnyvale subdivision bordered by Hardy Road and Thornydale Road. I am writing to personally, and strongly, oppose any high-density residential or commercial development in the areas surrounding this subdivision. There is already too much. Stores that have been built remain empty. More would only add to the traffic, congestion, noise, and loss of wildlife. There are two development proposals currently being considered for just this type of development. The Tucson Audubon property is adjacent to one of them. Two schools are nearby. Please, Please voice opposition. Thank you. |
|----------|---|

| | |
|--------------------|----|
| Response requested | No |
|--------------------|----|

Thank you, Pima County, Arizona

From: Tom Webb
Sent: Tuesday, September 24, 2013 11:04 AM
To: tulliswebb@gmail.com
Cc: Tom Webb
Subject: Co7-13-05 Mandarin Associates-N. Thornydale Road Plan Amendment

September 24, 2013

To:
Mr. David Petersen, AICP, Senior Planner
Pima County Development Services Department Planning Division
201 North Stone Avenue
Tucson, Arizona 85701

From:
Tom Webb and Debra Tullis
8120 N. Placita Sur Oeste
Tucson, Arizona 85741

Re:
Co7-13-05 Mandarin Associates- N. Thornydale Road Plan Amendment
Planning and Zoning Commission Staff Report

To all concerned related to this project:

We are one of the owners within the northerly SH zone to this proposed project site. The applicant rezone proposal of the vacant 18 acre site due south of our sub-division is asking to change and/or obliterate our zoning and zoning protections. We believe to prevent this radical change, a severe reduction in proposed residential density, a limit to single-story residential structures, and a common natural-habitat buffer between current northern properties and the southerly project site should be demanded by the planning and zoning commission.

My wife, Debra, and I own the home at 8120 N. Placita Sur Oeste. We are located directly north and on the property line with the subject 18 acre native site being reviewed for potential re-zoning. We are perfectly fine with our present zoning classification SH. We are not aware of any critical or urgent reason to drastically up zone the subject 18 acre site adjacent to us other than improving the property value for the developer owners. This is an obvious developers attempt to maximize their property value at the expense of the neighbors. If this request to raise the housing density on this subject property is approved, it will definitely lower our property value and de-grade the character of our existing neighborhood.

Our SH neighborhood is under addressed in all the proposals and findings. Our SH neighborhood consists of the largest portion of actual private property abutting the subject site. Actual privately-owned property that is zoned SH consists of easily two thirds of the privately-held boundary of this property. This is the northerly boundary of subject site. Public right of ways, Thornydale and Magee roads bound the easterly and southerly property boundaries. Properties on the opposite side of these busy arterials are no way impacted on the same level as we, who live directly next to the subject project. Why is our neighborhood, which will be impacted the most, left as the minor consideration in

this rezone discussion? I am confused and wonder why our exiting property rights are being so severely down-played when we are to receive clearly the biggest negative impact of this project. This is certainly a developer's dream to pull this off. We are of the opinion our existing SH neighborhood deserves more consideration compared to what we are seeing in the documents being released to the public. We are in disagreement with the increased density allowed by this re-zone and are disappointed to see preliminary staff approval.

Published discussion also talks of including this site in a combined rezone with other properties. Why? This subject site has plenty of unique features and should be so addressed. Packaging the rezone for convenience with other properties again downplays our SH neighborhood for this specific site. We do not want to be swept under the rug and forgotten.

The subject property as described is still in a natural original state. The site is full of all types of native plants and animals. We continually watch nesting hawks, owls [large and small], bobcats, coyotes, javalena and many other native species. Large and small cactus and native tree species are present. All create and provide a very active, natural setting. We wonder if it all will be destroyed under this proposal? Are we to see a major leveling of all that is present?

Staff report notes no public response from property owners was received by applicant. Correct, we were not notified by the applicant. We are property owners, and we did not receive any information from the applicant. I first received notice from County at the end of August. We are out of town at this time and mail is being forwarded to us. We first reviewed this staff review for the first time two days past. Were we supposed to receive additional information? I know my adjacent neighbor, also, did not receive any mailing from applicant. Are we sure applicant mailed information to property owners?

Upon reading the current information package from the P&Z Commission, we have noted the following items of which we feel need additional consideration and/or further explanation to the adjacent property owners.

1. Applicant noted "a primary element of the project will be providing adequate buffering and intelligent placement of residential uses so as to properly recognize the existing lower-density residential subdivision to the immediate north." This is a great all-satisfying sentence with no substance. What does this actually mean? I bet it means something different to the applicant when compared to what we, the adjacent property owners, expect? Who rides heard over this one?
2. Applicants say "Adjacent property uses and character will be given appropriate consideration in design of proposed development". What does this assure our largest adjacent property SH zone neighborhood to the north? They can talk the talk now, but what assures this will actually be of any value in the future?
3. Why is the existing zoning density so drastically changed? 0.3 RAC to 10 RAC? Is there not opportunity for a less density? Is this increase in density applicant driven for profit opportunity only?
4. In reading the staff findings, it is stated that MIU is justified, but disregards that the SH zoning is the largest direct adjacent use and is only mentioned at end of the discussion. We are confused why the SH zoning is not considered in this finding?

5. Applicants say they will provide conservation of natural resources and open space. What does this include? They say they have successful projects providing these. Can they list local examples of such projects?
6. Applicants say they will meet Conservation Lands Systems requirements. Why do they suggest off-site mitigation. What good does off-site mitigation provide the adjacent neighbors and for those who will live within the future project? Is it not greatly to the advantage of the developer to be allowed off-site environmental mitigation? How will the CLS requirements be addressed and satisfied?
7. Staff approves the applicants request to up zone to allow higher density, subject to specific rezoning policies. Who assures these policies are met in the future? Are these policies established conditions for this specific site?
8. We agree that a holistic multiple site view for CLS is the wrong approach. This site should be addressed on its own merit.
9. Staff assumes this application meets "Growing Smarter Acts". How does this reflect 'smarter' along the northern property line adjacent to our property? The way we read the finding, it certainly leans in the developers favor and completely disregards us to the north?
10. Staff notes 'The site's potential density could be reduced if significant undisturbed natural open-space set-aside is required on-site related to the CLS'. Why does this not say "will be reduced"?
11. It sounds to us if this site is developed under the proposed higher density in the future, we are not sure of water availability? Will water availability be confirmed prior to any native site disturbed by development?
12. Staff confirms this site is not within "Regional Plan Policies Growth Area." If not located in this area, why the rush to rezone to higher density?
Staff does not mention our majority adjacent SH properties to the north, only the one SH 5 acre vacant lot. Why are we disregarded?
13. Staff findings discussion regarding the "the down-planning was not an oversight" is confusing. We read this as a contradiction of what was intended for the site? What is this discussion about?
14. Staff notes that the pygmy owl is now off endangered species list. Does this mean that we write off any consideration to native habitat for this species which could easily return to endangered? It sounds like qualified plant and animal census and investigation remains to be completed at the site?
15. It sounds like additional FEMA flood studies remain to be completed for this site?
16. It sounds like cultural and historic investigation is required for this site?

We appreciate your efforts in reviewing the applicants proposal to change the zoning for the subject 18 acre site. We believe everyone should be able to develop their property, but they must follow the same dictates as their neighbors. We are of opinion our lower-density properties to the north have been purposely under regarded by both the applicant and planning department. The rezone proposed will greatly devalue our property and negatively impact the quality of our existing neighborhood. We would anticipate a reconsideration of your staff findings and the lowering of the higher density proposed for approval.

A severe reduction in proposed housing density, site-limits to require single-story housing structures only, and a common natural-buffer between current northern properties should be demanded by the planning and zoning commission.

Thank you for your time.
Sincerely,

Thomas Webb , NCARB Architect

Debra Tullis

Pima County Planning and Zoning Commission
201 N. Stone Avenue
Tucson, Arizona 85701

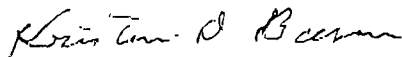
Re: Co7-13-05 Mandarin Associates – N. Thornydale Road Plan Amendment

Being unable to attend the hearing tomorrow 9-25-13 as originally planned because of an unforeseen decline in my husbands' health, we nevertheless wanted to make our feelings known about the change in zoning. The change from LIU-0.3 to MIU is too much, as, if we understand it correctly. Means 10 houses per acre. Needless to say we are not in favor of the proposed change as we are right on the property line. Even with generous set-back, 10 houses per acre is excessive. What about the wildlife that resides in that area? There is precious little space left for them as we have witnessed the changes in the area since 1976.

In the years we have lived here, we have enjoyed visits from bobcats, coyotes and javelina. In addition we have had the pleasure of visits from great horned owls, pygmy owls (which unfortunately are no longer with us). The hawks raise their young in this area. Make no mistake, we are not tree-huggers, we just appreciate the quiet and peaceful area which is conducive to habitation and visits from wildlife. Please consider setting aside a wildlife corridor as well as a generous building set-back and reduced housing per acre which will in some measure assure us of the quiet and peaceful life which we have known for 37 years.

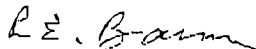
Thank you for your favorable consideration,

Kristine D. Baum



8100 N. Placita Sur Oeste 85741

Robert E. Baum



8100 N. Placita Sur Oeste 85741

Co7-13-05
ADDITIONAL BACKUP MATERIAL RECEIVED AFTER
SEPTEMBER 25, 2013 PLANNING AND ZONING
COMMISSION HEARING

David Petersen

From: Angie Rangel on behalf of DSD Planning
Sent: Wednesday, September 25, 2013 10:29 AM
To: David Petersen
Cc: Chris Poirier
Subject: FW: Co-7-13-05 Mandarin Associates - N. Thornydale Road Plan Amendment

From: Angela Moore [mailto:angelmoore3246@gmail.com]
Sent: Tuesday, September 24, 2013 8:54 PM
To: DSD Planning
Subject: Co-7-13-05 Mandarin Associates - N. Thornydale Road Plan Amendment

To Whom It May Concern:

As the home owners of 8105 N. Placita Sur Oeste 85741, we would like to note that we do not support the Plan Amendment for North Thornydale Road, Co-7-13-05 with Mandarin Associates. We feel as though the rezoning and new planning for this area would create several problematic situations for us as well as our neighborhood. First of all, we believe that that area is a wildlife sanctuary. As that untouched area will be developed, desert animals will need to find new places to live. This will most definitely include our backyards. As much as we enjoy the area wildlife, we are concerned about an overwhelming number of various creatures. Another factor is that there is a wash that runs through the area. Although we know that things can be done to keep the wash in tact, we are not sure how that will negatively effect our yards. Finally, at this time, Cortaro Road is already overused and will not be able to handle the increase of traffic. As the project continues, we feel many other concerns will arise. Unfortunately, we are not able to be at the meeting for 9/25/13 due to work schedules, however we still wanted to make our opinions known to the Planning and Zoning Commission. Again, we do not support the changes that will be made to the nearby area at Thornydale road. Thank you for your time,
William and Angela Moore