



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: May 15, 2018

**Title:** P17RZ00007 Stewart Title & Trust TR 1580 - S. Kinney Road Rezoning

**Introduction/Background:**

The applicant requests a 64.8-acre rezoning from GR-1(BZ & GZ-1) (Rural Residential - Buffer Overlay and Gateway Overlay-Urban) to the TR (BZ & GZ-1) (Rural Residential - Buffer Overlay and Gateway Overlay-Urban) zone for a cohesive 207-lot subdivision that encompasses 82.7 acres, of which, 17.9 acres is zoned CB-1 (Local Business) and CB-2 (General Business) zone.

**Discussion:**

Current GR-1 zoning allows for 78 single-family residential units to be developed. The comprehensive plan designation of Community Activity Center plans for medium and higher intensity uses with a minimum of 6 residences per acre. 10.6 acres of the subject property is located within the Maeveen Marie Behan Conservation Lands System designated as Multiple Use Management Area which will be preserved. The site is located within the Buffer Overlay Zone.

**Conclusion:**

The requested rezoning conforms to the Community Activity Center comprehensive plan designation with a proposed 6.8 residences per acre, meets the preservation policies of the conservation lands systems, and complies with the Buffer Overlay Zone through a Design Review Committee exception.

**Recommendation:**

Staff recommends approval of the rezoning subject to standard and special conditions. The Planning and Zoning Commission also recommends approval subject to special and standard conditions with the addition of rezoning condition #10.

**Fiscal Impact:**

0

**Board of Supervisor District:**

1       2       3       4       5       All


Department: Development Services - Planning

Telephone: 520-724-9000


Contact: Terrill L. Tillman - Principal Planner

Telephone: 520-724-6921

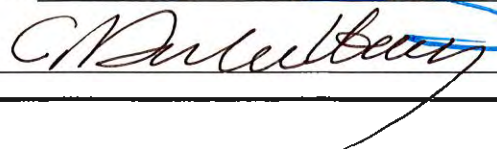
Department Director Signature/Date:

 4/24/18

Deputy County Administrator Signature/Date:

 4/27/18

County Administrator Signature/Date:

 4/27/18



**PIMA COUNTY**

DEVELOPMENT SERVICES

**TO:** Honorable Richard Elias, Supervisor, District 5  
**FROM:** Chris Poirier, Deputy Director   
Public Works-Development Services Department-Planning Division  
**DATE:** April 23, 2018  
**SUBJECT:** P17RZ00007 STEWART TITLE & TRUST TR 1580 – S. KINNEY ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MAY 15, 2018** hearing.

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**REQUEST:** For a **rezoning** of approximately 64.8 acres from GR-1(BZ & GZ-1) (Rural Residential - Buffer Overlay and Gateway Overlay-Urban) to the TR (BZ & GZ-1) (Transitional - Buffer Overlay and Gateway Overlay-Urban) zone, a portion of parcel code 212-50-001H located on the east side of S. Kinney Road approximately 1000 feet north of the intersection of S. Kinney Road and W. Ajo Highway.

**OWNERS:** Stewart Title & Trust TR 1580  
2238 Melford Court  
Thousand Oaks, CA 91361

**AGENT:** WLB Group, Inc.  
Attn: Paul Oland  
4444 E. Broadway Blvd.  
Tucson, AZ 85711

**DISTRICT:** 5

**STAFF CONTACT:** Terrill Tillman

**PUBLIC COMMENT TO DATE:** As of April 23, 2018, staff has received one written letter in favor of the rezoning from the Coalition for Sonoran Desert Conservation.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (8 – 0, Commissioners Becker and Cook were absent).

**STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS:** The subject property contains 10.6 acres within the Maeveen Marie Behan Conservation Land System (CLS) classified as Multiple Use Management Area which will be preserved.

TD/TT/ar  
Attachments



**PIMA COUNTY**

DEVELOPMENT SERVICES

**BOARD OF SUPERVISORS MEMORANDUM**

**Subject:** P17RZ00007

Page 1 of 5

**FOR MAY 15, 2018 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

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

**DATE:** April 23, 2018

**ADVERTISED ITEM FOR PUBLIC HEARING**

**REZONING**

**P17RZ00007 STEWART TITLE & TRUST TR 1580 – S. KINNEY ROAD REZONING**

Request of Stewart Title & Trust TR 1580, represented by The WLB Group, for a rezoning of approximately 64.8 acres from GR-1(BZ & GZ-1) (Rural Residential - Buffer Overlay and Gateway Overlay-Urban) to the TR (BZ & GZ-1) (Transitional - Buffer Overlay and Gateway Overlay-Urban) zone, a portion of parcel code 212-50-001H located on the east side of S. Kinney Road approximately 1000 feet north of the intersection of S. Kinney Road and W. Ajo Highway. The proposed rezoning conforms to the Pima County Comprehensive Plan Community Activity Center designation. On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Becker and Cook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.  
(District 5)

**Planning and Zoning Commission Public Hearing Summary (March 28, 2018)**

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

The applicant's representative presented additional information for the proposed development.

A commissioner asked about the proximity to the Boy Scouts of America property and whether the noise levels to or from the Boy Scouts and the residential units had been considered. The representative discussed that the development will more likely be families with children, so the residents will be familiar with the sounds that children and get-togethers make. He also stated that the typical activities on the Boy Scout property are located approximately 1,000 feet or more away. He discussed that he met with the Boy Scout's representative and that the Boy Scouts may possibly want to sell the property in the future.

A commissioner asked about the future access from the spine road connecting the future commercial site to the south of the subdivision. The applicant responded that the commercial property would be served by separate driveway access and the connectivity planned is for the neighbors to have access to goods and services, not meant for deliveries. The commercial development is projected to be many years away.

A commissioner asked if the surrounding areas contained similar densities. Staff replied that the proposal contains equivalent density to several subdivisions south and west of the subject property, but not as dense as the Tucson Estates subdivision to the north.

A commissioner questioned whether the proposed access from Kinney Road would connect to the Boy Scout property to the north, if the developer purchased the property. The applicant expressed that there are ample opportunity on site to recreate within the over one-mile of trails and rec areas planned for the site.

Speaker #1 spoke in support of the project and discussed the role of the Coalition for Sonoran Desert Protection ensuring that the conservation lands systems guidelines are enforced.

The public hearing was closed.

The commissioners discussed whether access would be provided to the Boy Scouts property if the current owner were to purchase the Boy Scouts of America property. Staff presented that the applicant agrees to a condition that limits cross access between the properties.

Commissioner Matter made a motion to **APPROVE** the rezoning subject to standard and special conditions.

Commissioner Bain gave second to the motion.

Commissioner Membrilla requested a friendly amendment to add condition #10 that would limit access along the north boundary adjacent to the Boy Scouts property and Commissioner Matter accepted. Commissioner Gungle gave second to the amended motion.

The commission voted to recommend **APPROVE** the rezoning (8 – 0, Commissioners Becker and Cook were absent) with the following conditions:

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. A Traffic Impact Study shall be submitted for review and approval by the Pima County Department of Transportation and the Arizona Department of Transportation. Offsite improvements determined necessary as a result of the Traffic Impact Study shall be provided by the property owner.
  - B. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all their requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.

- C. The rezoning shall be limited to three access points. One access point will be located on Kinney Road, as shown on the preliminary development plan, and two onto Ajo Highway. Access onto Ajo Highway shall be at the locations shown on the preliminary development plan and at the signalized intersection of Camino de Oeste and Ajo Highway.
  - D. The owner shall dedicate 45 feet of right-of-way for Camino de Oeste north of Ajo Highway. The right-of-way should extend north of the intersection to the entry point of the subdivision.
3. Regional Flood Control District conditions:
- A. Trails within washes must provide for safe pedestrian access.
  - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation Department conditions:
- A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
  - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

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

6. Cultural Resources Division condition: 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.
7. Adherence to the preliminary development plan as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."
10. No access shall be given between the subject property and the property to the north (parcel code 212-200-130) without written approval of both parties.

TD/TT/ar  
Attachments

cc: Stewart Title & Trust TR 1580, 2238 Melford Court, Thousand Oaks, CA 91361  
WLB Group, Inc., Attn: Paul Oland, 4444 E. Broadway Blvd., Tucson, AZ 85711  
Tom Drzazgowski, Chief Zoning Inspector  
P17RZ00007 File



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

**HEARING**      March 28, 2018

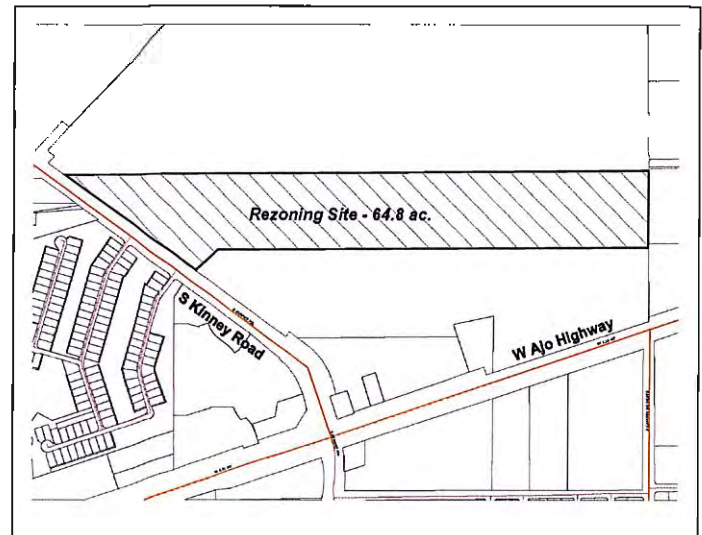
**DISTRICT**     5

**CASE**          P17RZ00007 Stewart Title & Trust  
TR 1580 - S. Kinney Road Rezoning

**REQUEST**      Rezone 64.8 acres from GR-1(BZ &  
GZ-1) (Rural Residential - Buffer  
Overlay and Gateway Overlay-  
Urban) to the TR (BZ & GZ-1)  
(Transitional - Buffer Overlay and  
Gateway Overlay-Urban) zone

**OWNER**        Stewart Title & Trust TR 1580  
2238 Melford Court  
Thousand Oaks, CA 91361

**APPLICANT**   WLB Group, Inc.  
Attn: Paul Oland  
4444 E. Broadway Blvd.  
Tucson, AZ 85711



**APPLICANT'S PROPOSED USE**

The overall project encompasses 82.7 acres of land. The applicant proposes a 64.8-acre rezoning to the TR (Transitional) zone. The remaining 17.9 acres of land is zoned CB-1 (Local Business) and CB-2 (General Business). An integrated, 207-lot single-family residential subdivision is planned for the 82.7-acre site. The proposed TR, existing CB-1, and CB-2 zones allow the proposed residential use.

**APPLICANT'S STATED REASON**

"The project is a proposed single-family residential development located north of the intersection of Kinney Road and Ajo Highway. Currently the subject property remains undeveloped. The proposed project will increase the density of the subject property but also preserve Conservation Land System lands and a significant amount of natural open space."

**STAFF REPORT SUMMARY**

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the TR zone on approximately 64.8 acres for an integrated 82.7-acre, 207-lot residential subdivision. The rezoning area will contain approximately 44% acres of on-site natural and functional open space. The overall project contains 35% natural and functional open space with more than one mile of private recreational trails that connect the residential areas to the five recreational areas (2.1 acres) and sidewalks within the project. The proposal conforms to the Community Activity Center land use designation.

**PUBLIC COMMENT**

No public comment has been received as of March 16, 2018.

**COMPREHENSIVE PLAN DESIGNATION**

The Pima County Comprehensive Plan designates the subject property as Community Activity Center (CAC). The land use designation was amended to CAC from the Regional Activity Center which was discontinued under the 2015 Comprehensive Plan update. The objective of the CAC is to designate medium and higher intensity mixed use districts to provide a full range of services, office, hotel, education and institutional uses; and compatible medium to higher density housing at a minimum residential density of 6 residences per acre (RAC). The 6.8 RAC within the rezoning area conforms to the comprehensive plan.

The comprehensive plan also designates the property as lying within a designated growth area, the Southwest Focused Development Investment Area, which encourages growth by making infrastructure expansion more economical and provides a rational pattern of land development while conserving the nearby prominent natural resources.

Rezoning Policy RP-21, Kinney and Ajo Activity Center, applies to the subject property and encompasses a much larger area, lying north and south of Ajo Highway and east and west of Kinney Road. Generally, the policy precludes future commercial rezonings and limits the non-commercial uses to office and non-retail uses and apartments. The policy also limits the uses to one-story offices and parking adjacent to the Boy Scouts of America Camp. Since this rezoning is for residential uses, the proposal conforms to the policies.

Special Area Policy S-29, Southwest Infrastructure Plan Area (SWIP) applies to the subject rezoning. Applicable portions of the S-29 policy guide the needs, obligations, funding, and provision of infrastructure and services related to transportation, flood control, wastewater, parks and recreation, and other governmental facilities. Transportation conditions have been added in relationship to the guiding SWIP policy related to Camino de Oeste north of Ajo Highway because of the need for additional transportation infrastructure to support the proposed uses.

Special Area Policy S-35, Retail Enhancement Contribution Area, applies to the site. No application of the policy is required as the policy applies to large scale commercial big box uses only.

**SURROUNDING LAND USES/GENERAL CHARACTER**

North:	SR	Boy Scouts of America Camp
South:	CB-1, CB-2	Mostly Undeveloped/Ajo Feed/Tiny's Restaurant/McDonald's
East:	SR	Developed Low-Density Residential/Church
West:	GR-1, CR-4	Developed High-Density Residential Cluster Subdivision/ Developed Low-Density Residential

The immediate and nearby vicinity has a middle school, an elementary school, churches, a feed store, a convenience store and restaurants. The general area enjoys a mixed rural setting with urban characteristics and limited available services nearby. Properties to the east of rezoning request are low-density, single-family residential dwellings on 5-acre parcels of land created in the late 1980's as a result of survey lot splitting that enjoy a serene, prime location at the base of the Tucson Mountains. North of the subject property is the Boy Scout Ranch with limited development, however planned for additional expansion. Within the general area, a mix of higher-

density subdivisions and low-density development exist. The higher-density subdivisions contain equivalent densities as the proposed. Significant recreational activities are available due to the proximity of the Saguaro National Park and Tucson Mountain Park with several trailheads nearby. The nearest banking, grocery, medical, with multiple restaurants and shopping opportunities exist approximately 4 miles to the east at Ajo Highway and Mission Road.

### **PREVIOUS REZONING CASES ON PROPERTY**

The site was rezoned to GR-1 from SH (Suburban Homestead) zoning in 1955 (Co9-55-012 Seymour-Ajo & Kinney Intersection #2) with two unsuccessful requests to rezone to CB-2 zone in 1963 and 1964.

### **PREVIOUS REZONING CASES IN GENERAL AREA**

#### **Recent activity:**

- P16RZ00002-W. Illinois Street 4.06-acre rezoning is located approximately 1 ½ miles just southwest of this rezoning request on the north side of W. Ajo Highway for SH. The rezoning was approved by the Board of Supervisors on May 17, 2016.
- P16RZ00011-W. Ajo Highway rezoning is located just southeast of this rezoning request on the south side of W. Ajo Highway. The 34.13-acre rezoning was approved by the Board of Supervisors on March 21, 2017 for CR-4 (Mixed Dwelling Type), CB-1 and TR zones for a shopping center and a 29-lot subdivision.
- P17RZ00012-Camino de Oeste rezoning located approximately one mile southeast of the subject property on 19.99 acres for CR-3 (Single Residence) zoning for a 53-lot residential subdivision is in process. On February 28, 2018 the Planning and Zoning Commission recommended approval to the Board of Supervisors.

#### **Past activity:**

Areas adjacent to and near the site have been rezoned beginning in the 50's from the original SR zoning to commercial CB-1 (Local Business) and CB-2 (General Business) zoning along the Ajo Highway thoroughfare. Many commercial and residential rezonings in the area were denied or withdrawn. In the 1970's through the 1980's, a large amount of properties were rezoned to low-density CR-1 (Single Residence) properties and some higher-density CR-4 and CR-5 (Multiple Residence) rezonings resulting in single-family subdivisions.

### **MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)**

The subject property contains 10.6 acres of land located within the Maeveen Marie Behan Conservation Land System classified as Multiple Use Management Area (MUMA) in the northeast corner of the site. The policies of the comprehensive plan requires 66 2/3% conservation of the CLS. The CLS has been met through the preservation of the full 10.6 acres of MUMA on-site.

### **PLANNING REPORT**

Staff supports the request because the proposed residential development is compatible with the surrounding existing residential and recreational uses. Smart growth principles have been employed by the preservation of open space to maintain the natural drainage patterns and the MMBCLS enhancing the natural beauty of the Sonoran Desert. The property south of the proposed residential subdivision is commercially zoned and the increase in residential density drives opportunities for multi-modal forms of transportation and the provision for future goods, conveniences, and broader range of services in an underserved area of the county.

The property lies within the Buffer Overlay Zone (BOZO) which requires a minimum of 50% natural open space set-aside unless an exception is approved by the Design Review Committee (DRC). On April 20, 2017, the DRC approved an exception to reduce the required natural and functional

open space to 44% for the proposed rezoning area and to reduce the required natural and functional open space for the remainder of the site to zero with a collective 35% minimum for the overall project site. The rezoning area and overall project meets the required DRC approvals. For calculation purposes, undisturbed natural open space plus areas of functional open space that is credited at 50% of the revegetated areas will meet the open space requirements. In addition to the BOZO overlay, the subject is located within a Gateway Overlay Zone. The proposed project will go back to the DRC for gateway review prior to subdivision platting.

The limitations of the site arise from the MMBCLS designation, the washes, the preservation of natural drainage areas, the BOZO overlay designation and its location at the base of the Tucson Mountains in a highly vegetated, environmentally sensitive area. Because of the site constraints, the minimum number of 6 residences per acre within the property's CAC land use designation has been met through the application of environmental site constraints. The comprehensive plan states that "environmental site constraints" may not be counted against the gross acreage when calculating a minimum RAC. Balancing competing code requirements and the site's proximity to the prominent natural features of the Tucson Mountains coupled with the proposed preservation of the highest resource values of the site demonstrates the need for the broader application of the minimum RAC based upon the importance of the surrounding natural environment. The overall 7 RAC (6.8 RAC within the rezoning area) for the proposed project is calculated by the area of disturbance excluding revegetated areas and areas considered to have environmental site constraints.

The property is relatively flat and is traversed by several washes. There are areas of on-site disturbance for the sand/gravel materials yard adjacent to Kinney Road and several mobile homes located in the center of the property which will be abandoned or removed. The property contains dense populations of saguaros. Approximately 43% percent of the saguaros will be preserved in place in the on-site natural open space. Much of the salvaged vegetation from on-site will be incorporated into the proposed bufferyards, streetscapes and re-vegetated areas within the subdivision. A native plant preservation plan will be submitted with the subdivision plat. Natural or enhanced minimum 40-foot bufferyards will be along the north, east, and west boundaries of the site increasing to 200 feet or greater within open space areas. The southern boundary of the site adjacent to commercial zoning will meet the minimum 10 foot bufferyard. The proposed 207-lot subdivision will be accessed by two driveways. One access point is located on Kinney Road and one from Camino de Oeste. A 45-foot right-of-way dedication for Camino de Oeste north of Ajo Highway and paved access from the Ajo Highway and Camino de Oeste intersection to the subdivision is required.

The lot sizes are approximately 5,400 square feet consisting of one-story and two-story dwelling units with a maximum height of 34 feet. Kinney Road is designated as a Major Street and a Scenic Route. All structures within 200 feet of a scenic route are allowed a maximum height of 24 feet and be earthtone in color.

A large blanket easement for gas line and electrical distribution bisects the parcel. The easement will be adjusted or abandoned during subdivision platting. The applicant states that the easement does not conflict with the development proposal.

#### Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

<b>CONCURRENCY CONSIDERATIONS</b>		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	Yes	Tucson Water "will-serve" letter in site analysis.
SCHOOLS	Yes, subject to any private agreement	Capacity response letter from Tucson Unified School District in the site analysis

**TRANSPORTATION REPORT**

The Pima County Department of Transportation has no objection subject to rezoning conditions #2A-D. Concurrency considerations have been met for this rezoning as roadways in the vicinity of the site are operating below capacity and capacity improvements are underway for Ajo Highway. The rezoning site will generate approximately 1,900 average daily trips (ADT). Access is shown on Kinney Road aligning with S. Alexandrite Avenue, and on Ajo Highway between the intersection of Kinney Road/Ajo Highway and the intersection of Camino de Oeste/Ajo Highway.

Ajo Highway currently has a median opening at the location of the proposed access; however, the future roadway design concept for Ajo Highway shows this median opening as closed when the road is widened to 6 lanes. Thus, the access point shown on the PDP will become a right-in/right-out access. SR-86 (Ajo Highway) is an existing four-lane divided major arterial roadway with a 55 miles per hour (MPH) posted speed limit. There is 200 feet of existing right-of-way. The current traffic volume for SR-86 is 31,600 ADT, and the capacity is 39,800 ADT. SR-86 is a state highway and thus is under the jurisdiction of the Arizona Department of Transportation. The Department of Transportation recommends that the developer show written approval from ADOT prior to the approval of a subdivision plat.

Kinney Road is a medium volume arterial road with a planned right-of-way of 150 feet. The posted speed limit is 45 MPH. Adjacent to the rezoning site, the full 150-foot right-of-way is in place. Thus, no right-of-way for Kinney Road will need to be dedicated through this rezoning. The current traffic count for Kinney Road is 6,151 ADT and the capacity is 16,000 ADT.

Camino de Oeste, south of Ajo Highway, is an existing two-lane collector with a planned right-of-way of 80 feet on the Major Streets Plan. There is 90 feet of existing right-of-way. The posted speed is 35 MPH. The current traffic count is 4,620 ADT, and the capacity is 13,122 ADT. No public improvements are planned at this time.

The rezoning site is directly adjacent to the intersection of Ajo Highway and Camino de Oeste. North of Ajo Highway, Camino de Oeste is known as W. Bopp Road. W. Bopp Road is a 45-foot

easement with a fully constructed intersection at Ajo Highway. This is a signalized intersection and includes a southbound left turn lane onto eastbound Ajo Highway. This intersection is a safe and efficient way to access the rezoning site. Thus, the Department of Transportation is recommending condition #2C requiring the rezoning site to connect to the signalized intersection. This can be accomplished in the 45-foot right-of-way easement designed as 24 feet of pavement with 6 foot shoulders.

Should the rezoning be approved, a Traffic Impact Study (TIS) will need to be submitted with the tentative plat per the Subdivision and Development Street Standards. The TIS will need ADOT approval as access is shown onto Ajo Highway.

There are two notable roadway projects in the vicinity of the rezoning site. ADOT has completed a study to develop concepts for the widening of State Route 86 between Kinney Road and the Santa Cruz River. This study was completed with the goal of accommodating projected regional increases in traffic volumes, recommend improvements, and present a phased construction plan. Funding for the design and construction will be planned and programmed in the future. The second notable project is the realignment of the intersection of Kinney Road and Bopp Road. The new alignment will create a 90-degree intersection between the two roads creating a safer intersection between the two roads. The project is currently under design and construction is estimated to begin in fall of 2018.

### **FLOOD CONTROL REPORT**

Regional Flood Control District has the following comments:

1. Channels have been reconfigured, widened and added as requested by the District.
2. The District recommends that trails be placed in dedicated common area adjacent to but not within bank protected drainageways. If trails will be within channels, the channels must have traversable slopes, and the engineer must demonstrate compliance with safe pedestrian access.
3. The applicant has submitted a satisfactory Preliminary Integrated Water Management Plan.
4. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
  - a. The site is within the Tucson Water District Service Area. Tucson Water delivers Renewable and Potable Water.
  - b. Per staff calculation using the approved modified ADWR Water Supply Demand Calculator methodology, build out under existing GR-1 zoning would result in 60 lots after the assumed 15% common area is subtracted. The associated water demand is 127.04 acre feet per year. The proposed development on the other hand includes larger common area and reduced lot sizes which together offset the increased interior demand when yield is increased to 207 lots. Under the PDP demand is estimated to be less than existing zoning at 74.6 per staff calculations and 69 per the applicant.
  - c. Per the ADWR Well Inventory the closest wells had depths to groundwater between 32 and 140 feet. The former is a vapor extraction well at the gas station on the southeast corner of Ajo and Kinney. The latter is a BOR well northwest of the site at the base of Cat Mountain.
  - d. The site is not within the Tucson Active Management Area modeled by the Safe Yield Task Force.
  - e. The site is not located within a covered subsidence zone.
  - f. The nearest Groundwater Dependent Ecosystems is the intermittent section of Enchanted Hills Wash on the opposite side of Cat Mountain 1.34 miles away.
  - g. The site is not within an Isolated Basin, and the depth to bedrock ranges from 400 to 800 feet.

Staff finds that the project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to the addition of rezoning conditions #3A and B.

**WASTEWATER RECLAMATION REPORT**

The rezoning area is within the PCRWRD service area and is tributary to the Avra Valley Water Reclamation Facility. Capacity for the proposed development is currently available in the 8" public sewer M-603, downstream from manhole 5469-01A in W. Ajo Way (No. 2017-144 Type I, dated July 19, 2017).

PCRWRD has no objection to the proposed rezoning request subject to the addition of rezoning conditions #4A-F.

**ENVIRONMENTAL PLANNING REPORT**

Environmental Planning has no objection subject to rezoning condition #5.

**CULTURAL RESOURCES REPORT**

Cultural Resources has no objection to this request subject to the addition of condition #6.

**NATURAL RESOURCES, PARKS AND RECREATION REPORT**

Natural Resources, Parks and Recreation has no comment.

**UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

United States Fish and Wildlife has no comment.

**WATER DISTRICT REPORT**

A will-serve letter from Tucson Water is contained within the site analysis.

**SCHOOL DISTRICT REPORT**

The Tucson Unified School District provided a letter of capacity contained in the site analysis. Bank Elementary and Vesey Middle School have capacity to serve the proposed subdivision. Cholla High School is currently functioning over capacity. The developer will voluntarily enter into a private agreement with the school to alleviate overcrowding.

**FIRE DISTRICT REPORT**

Drexel Heights Fire District will require annexation prior to project approval and construction.

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

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. A Traffic Impact Study shall be submitted for review and approval by the Pima County Department of Transportation and the Arizona Department of Transportation. Offsite

improvements determined necessary as a result of the Traffic Impact Study shall be provided by the property owner.

- B. Written certification from Arizona Department of Transportation, stating satisfactory compliance with all their requirements shall be submitted to Development Services Department prior to approval of a Site Development Permit or Subdivision Plat.
  - C. The rezoning shall be limited to three access points. One access point will be located on Kinney Road, as shown on the preliminary development plan, and two onto Ajo Highway. Access onto Ajo Highway shall be at the locations shown on the preliminary development plan and at the signalized intersection of Camino de Oeste and Ajo Highway.
  - D. The owner shall dedicate 45 feet of right-of-way for Camino de Oeste north of Ajo Highway. The right-of-way should extend north of the intersection to the entry point of the subdivision.
3. Regional Flood Control District conditions:
- A. Trails within washes must provide for safe pedestrian access.
  - B. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation Department conditions:
- A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
  - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
  - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
  - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
  - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
  - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.



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

Invasive Non-Native Plant Species Subject to Control

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

6. Cultural Resources Division condition: 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.
7. Adherence to the preliminary development plan as approved at public hearing.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8,

article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Respectfully Submitted,



Terrill L. Tillman, Principal Planner

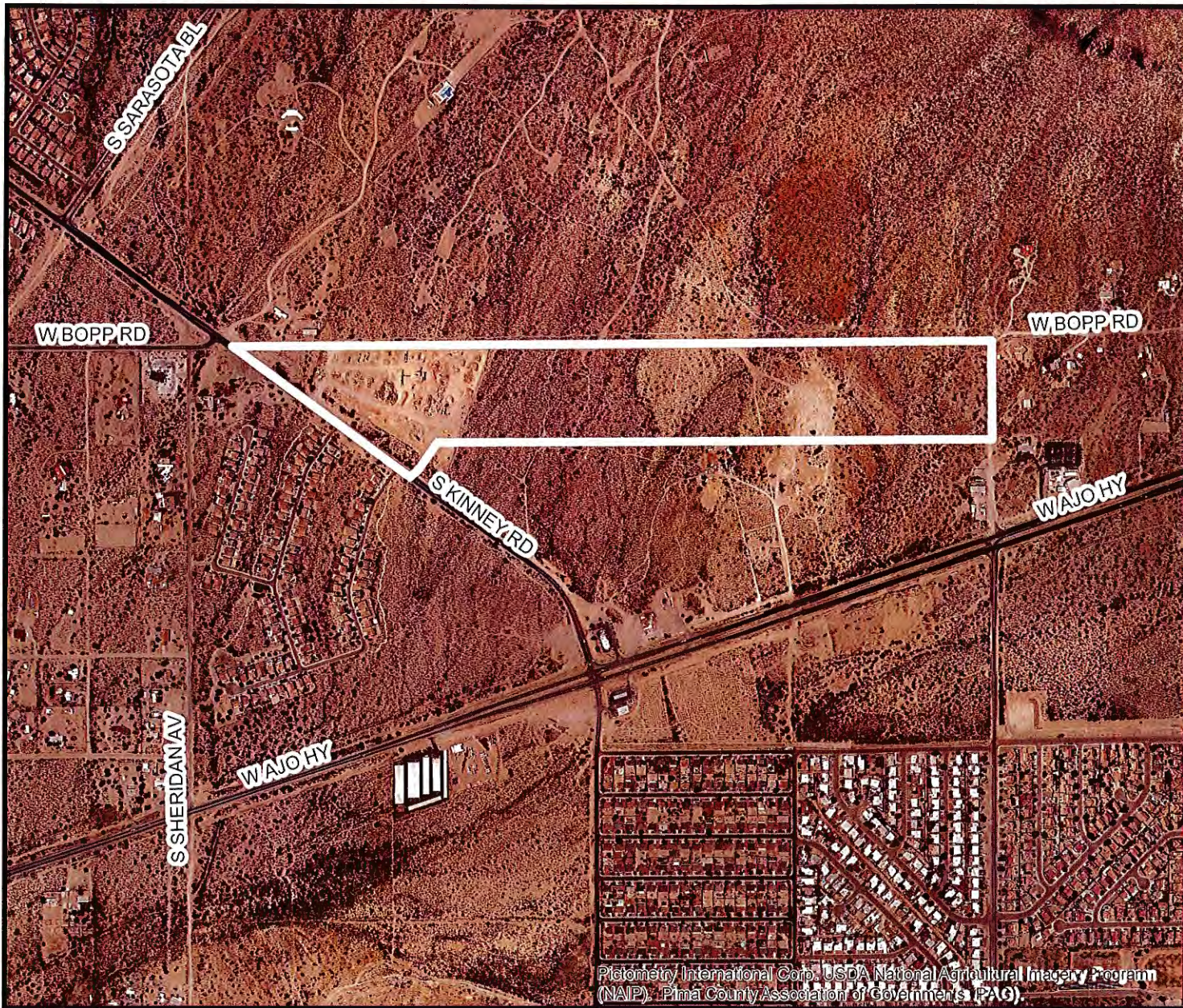
c: The WLB Group, Inc., Paul Oland, 4444 E. Broadway Boulevard, Tucson, AZ 85711



Case #: P17RZ00007

Case Name: STEWART TITLE & TRUST TR 1580 - S. KINNEY ROAD REZONING

Tax Code(s): Portion of 21250001H



Pictometry International Corp. USDA National Agricultural Imagery Program (NAIP) - Pima County Association of Governments (PAG)

0 425 850 1,700 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 11/29/17 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 17, 38

Map Scale: 1:12,000

Map Date: 11/06/2017 - ds





Case #: P17RZ00007

Case Name: STEWART TITLE & TRUST TR 1580 - S. KINNEY ROAD REZONING

Tax Code(s): Portion of 21250001H

300' Notification Area

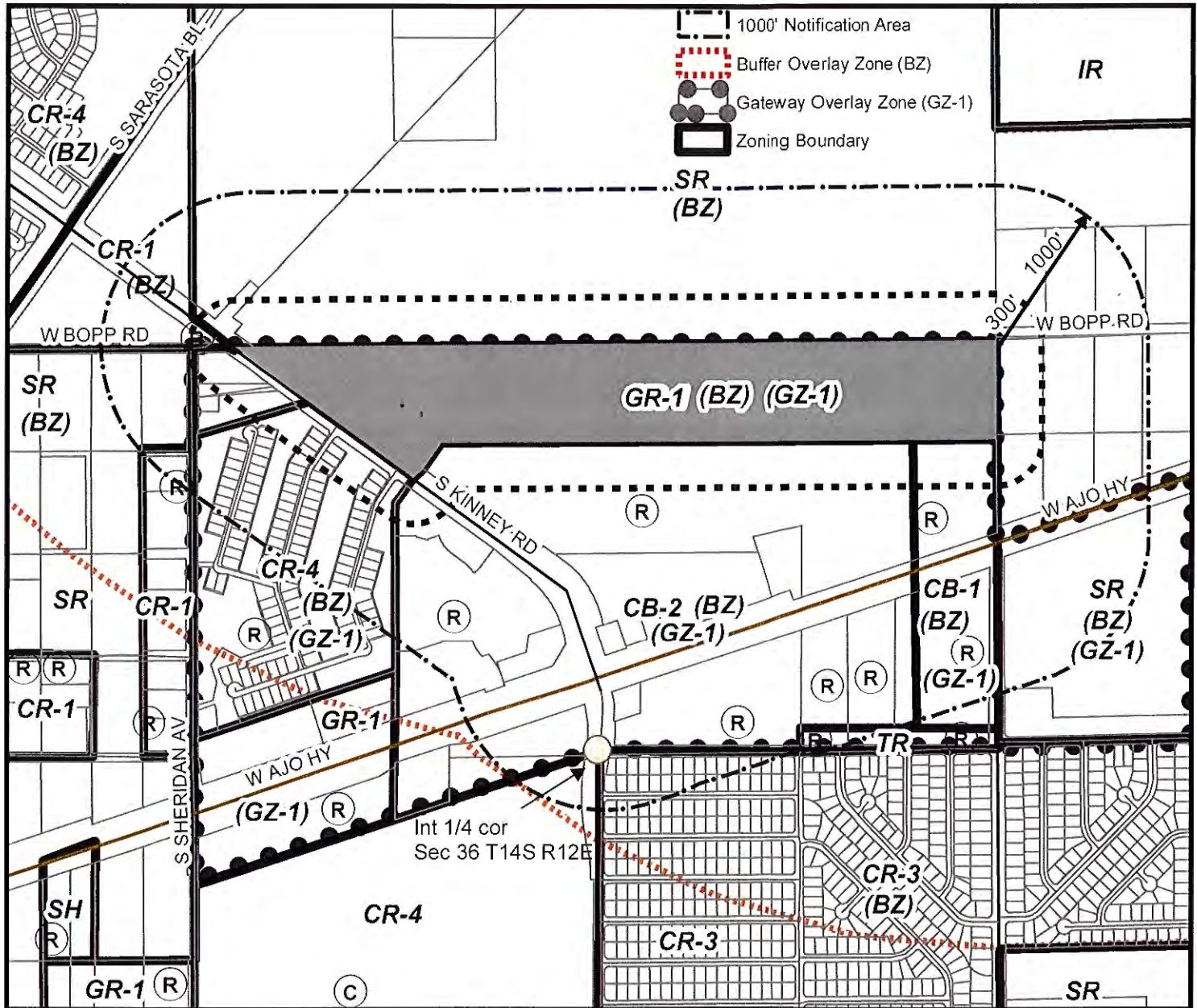
Subject Property

1000' Notification Area

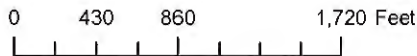
Buffer Overlay Zone (BZ)

Gateway Overlay Zone (GZ-1)

Zoning Boundary



Area of proposed rezoning from GR-1 (BZ) (GZ-1) to TR (BZ) (GZ-1)



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 11/29/17 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 17, 38

Map Scale: 1:12,000

Map Date: 11/06/2017 - ds







**LEGEND**

- Project Boundary
- Proposed Lots
- Proposed Trails
- Schematic Basin Location

**GENERAL NOTES**

Overall Property Size:	82.7± Ac.
Rezone Property Size:	64.8± Ac.
Existing Zoning:	GR-1
Proposed Zoning:	TR
Proposed Homesites:	207
Proposed Lot Size:	45'x120'
Proposed Building Height:	34'
Proposed Net Residential Density	
Within Rezone Area:	6.8 Homes per Acre
Within Project Area:	7.0 Homes per Acre
Natural Open Space	
Within Rezone Area:	44%
Project Natural Open Space	
Within Overall Neighborhood:	35%

\*Project is within Buffer Overlay Zone & Gateway Overlay Zone

**Exhibit II-B-1  
Preliminary Development Plan**



Aerial Photo Date = 2017





## Land Use Legend

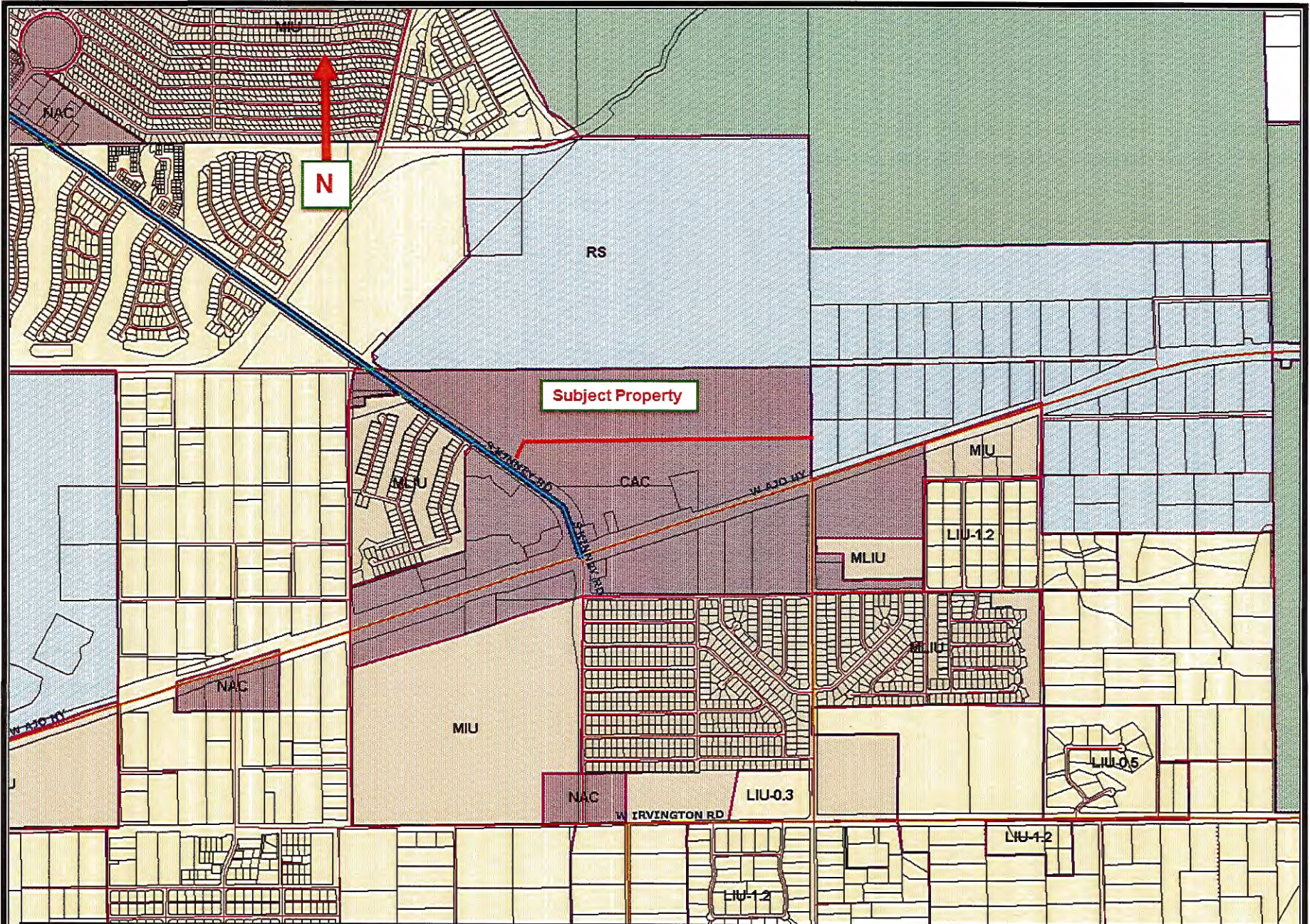
### Community Activity Center (CAC)

**Objective:** To designate medium and higher intensity mixed use districts designed to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses; and other similar uses as described in the Campus Park Industrial (CPI) zoning district (Section 18.49); and compatible medium to higher density housing. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how it serves to create or enhance the mixed use character of the designated activity center as a whole.

Larger centers may include a regional mall. Smaller centers may provide goods and services needed on a more frequent basis. These may include a major supermarket, discount department stores, large variety stores, or specialty stores such as a hardware/building/home improvement stores. Community Activity Centers may be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods. Community Activity Centers may range from 25 acres to up to 100 acres or more in size depending on the area served and services provided.

- **Residential Gross Density:** (if any) Minimum- 6 RAC; Maximum- as allowed by the requested conforming zoning district
- **Residential Gross Densities for TDR Receiving Areas:** Minimum- 6 RAC; Maximum-18 RAC





Comprehensive Planning Area: Southwest  
 Comprehensive Land Use Designation: Community Activity Center (CAC)  
 Rezoning Policy 21 (RP-21)  
 Special Area Policies: S29 and S-35



## Cat Mountain Vista Neighborhood Meeting Summary

### Meeting Date:

10/30/2017

### Location:

Casino del Sol Conference Center

### Meeting Description:

Eighteen community members from the 1,000 foot notification area were in attendance. Residents were briefed on the project proposal and were given opportunity to ask questions and provide feedback.

### Public Input:

The following are questions and comments that were discussed at the meeting:

- How will the site be accessed? How will the project entrance interface with the Ajo Way?
  - The project will have two access points. One is proposed on Kinney Road which lines with Alexandrite Avenue. The other access will be off of Ajo way which aligns with an existing median cut.
- What will be the screening / buffer treatment of the site? Will there be a wall?
  - There will be natural landscape buffer along most of the northern edge of the site. A large area with a Conservation Land System (CLS) designation Multiple Use Management Area (MUMA) will buffer homes to the northeast and east of the project. Rear lot line walls are proposed, but no perimeter wall is proposed.
- How will the project relate to other planned developments in the area such as the proposed commercial development to the SEC of Camino de Oeste?
  - It is difficult to predict when neighboring projects will be built, and as such, we cannot provide an accurate depiction of how the project will relate to others.
- The proposed access points: The access midway between Kinney Road and Camino de Oeste and the access off Kinney Road is preferable to the County recommendation to connect into Camino de Oeste which will likely be used as a cut through for traffic.
  - This has been noted and will be discussed with the County.
- How will vehicles and ATV's be kept out of the open space? Vehicular trespassing is an issue in the area.
  - We can address this issue through the installation of boulders, bollards, and or landscaping along areas vulnerable to vehicular trespassing.
- Who is the builder?
  - Meritage is the builder.
- What is the timeline for development?
  - If all goes well the rezoning could be approved around January, a year would be needed for site engineering. Barring unforeseen delays, construction could begin in the spring of 2019.
- Has an archaeological study been conducted?



- A study has been conducted by MCA consulting. Results from the field survey show eight isolated occurrences, none of which are of archaeological significance.
- Will the homes be one story or two?
  - There will be a mix of one and two story homes
- What is the anticipated price range of the homes?
  - This is to be decided.
- Camino de Oeste can be a messy intersection especially with the cars cutting through to Zion Lutheran Church.
  - Noted.
- Is the sand and gravel business leaving?
  - Yes.
- Has the County commented on this proposal?
  - The County has commented on this proposal and have recommended a condition to connect the development with Camino de Oeste. We will discuss with the County this recommendation to determine if it is an absolute requirement for the development.
- Will there be a block wall or chain-link fence along the adjacent Boy Scout lands.
  - There is currently a chain linked fence which divides the two properties. A block wall is not a viable option due to the need for drainage. Additionally, each residence will have a block wall or view wall for privacy.
- There are Boy Scout activities such as camping within a few hundred feet north of the proposed area of homes where the buffer narrows.
  - Noted. A 40 foot natural landscape buffer is planned. No conflict is anticipated.
- HOA should enforce vehicular trespassing and trespassing on foot to adjacent properties through CC&R's.
  - Noted.

Sign in Sheet  
 Neighborhood Meeting  
 October 30, 2017

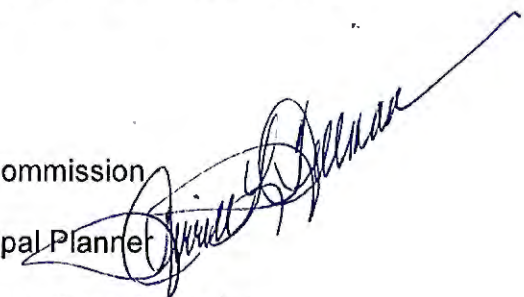
18 attendees. Cat Mountain Vista  
 Rezoning

Name	Address	
DAVID LEIMMON	4340 S AVENIDA DON GERARDO	MT VILLAGE ESTATES
Edson + Alba Egger	4029 S. Amber Rock Ave	Shadow Mtn Ranch
MARIA RODRIGUEZ	4525 S. CAMINO DE OESTE	MT. VILLAGE ESTATES
MR + MRS MULLAHEY	4021 S ROCKY PEAK CT	SMR
Craig Larson	mt Zion Lutheran and 4099 S. Alexander Ave	Shadow Mtn Ranch
JOCK BONGIO	8575	SERRIA VILLES NV
Roy + Rosie Lowe	4541 W. Bopp Rd	
Low Christensen	Tucson A	
Bill + Kathy Yeniscavich	4440 W. Bopp Rd.	
Ricardo + Cristina Ramirez	3998 S. Rocky Peak Ct	Shadow Mt Ranch
Ken Tucker	2250 E. Broadway Blvd. Tucson, AZ 85719	Catalina Council Boy Scouts of America
Gilbert L. Contreras	3915 S. Rocky Peak Ct.	Shadow Mt Ranch
Clave Vangelde	4540 W. Bopp / P.O. Box 87677 TSN AZ 85754	



PIMA COUNTY  
DEVELOPMENT SERVICES

## MEMORANDUM

**DATE:** January 26, 2018  
**TO:** Planning and Zoning Commission  
**FROM:** Terrill L. Tillman, Principal Planner   
**SUBJECT:** P17RZ00007 – S. Kinney Road Rezoning  
January 31, 2018 Hearing Agenda Item #5

---

Staff requests a continuance of the rezoning case P17RZ00007 Stewart Title & Trust Tr 1580 - S. Kinney Road Rezoning to a non-specific date to provide adequate time for the applicant to amend the site analysis in accordance with the Department of Transportation and Regional Flood Control District comments.

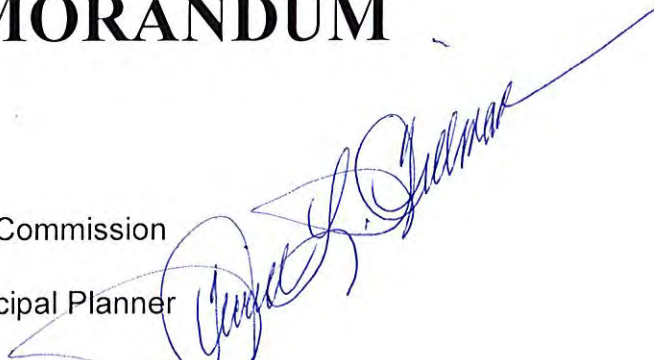
Staff recommends APPROVAL of a continuance to a non-specific date. Staff will re-notice the case in accordance with Section 18.91.060 of the Pima County Zoning Code.



## MEMORANDUM

**DATE:** November 27, 2017

**TO:** Planning and Zoning Commission

**FROM:** Terrill L. Tillman, Principal Planner 

**SUBJECT:** P17RZ00007 – S. Kinney Road Rezoning  
November 29, 2017 Hearing Agenda Item #7

---

Staff requests a continuance of the rezoning case P17RZ00007 Stewart Title & Trust Tr 1580 - S. Kinney Road Rezoning to the January meeting of the Planning and Zoning Commission to provide adequate time for the applicant to amend the proposed preliminary development plan in accordance with the Department of Transportation's request to relocate an access drive.

Staff recommends APPROVAL of a continuance to January 31, 2018.



**PIMA COUNTY**

DEVELOPMENT SERVICES

MEMORANDUM  
PLANNING

**DRC DECISION LETTER**

**DATE:** June 1, 2017  
**TO:** DESIGN REVIEW COMMITTEE  
**FROM:** Sue Morman, Senior Planner   
**RE:** April 20, 2017, Public Meeting  
**SUBJECT:** P17VA00007 – Stewart Title & Trust TR #1580 – West Ajo Highway  
(aka) Cat Mountain Vista

---

**APPLICANT REQUEST:** The applicant has requested that the Design Review Committee (DRC) review Cat Mountain Vista for a Buffer Overlay Zone (BOZO) Exception to natural open space requirements.

1. Per Section 18.67.050.N of Pima County Zoning Code – Reduce natural open space from the required 50% (32.7 acres) in the area to be rezoned to medium density residential to 44% (28.6 acres).
2. Per Section 18.67.050.N – Reduce natural open space in the remainder of the developed CB-2 and CB-1 zoned area from the required 30% (5.2 acres) to 0% (0 acres).

**VOTE:** MOTION made by Member Woods and seconded by Member DeRenne passed unanimously by a 8-0 Vote. Additional comments were made prior to and after the Motion among Committee members, staff and the applicant.

**MOTION:** The Motion was made to approve P17VA00007- subject to DRC recommended conditions and staff's standard and special conditions as follows:

Committee member Woods stated that the commercial center request is not considered in this MOTION so the MOTION is to:

1. Approve the request to reduce the enhanced and/or natural open space in the residential area from 50% to 44% in the rezone area;
2. Collectively the entire residential area would have 35% minimum natural open space;
3. The greater disturbed area in the northwest corner of the site will be utilized to the maximum extent possible by shifting some of the residential development from what is currently undisturbed desert into this disturbed area; and
4. The drainage and storm water engineering to the maximum extent possible will remain natural and not be channelized.



5. This project will meet all other Section 18.67.050 Buffer Overlay Zoning Ordinance zoning code performance standards prior to issuance of permits.
6. Office of Sustainability and Conservation on Cultural Resources  
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.
7. This project will need to return to the Design Review Committee for Gateway Review prior to development plan approval.

For details, refer to the DRC meeting minutes, recordings, and/or the applicant's DRC submittal package.

If you have any questions or need clarification, please contact me at (520) 724-9596.

## Terri Tillman

**From:** noreply@server.mailjol.net on behalf of allForms <noreply@server.mailjol.net>  
**Sent:** Friday, September 22, 2017 4:28 PM  
**To:** DSD Planning  
**Subject:** Application For Rezoning or Specific Plan  
**Attachments:** 10615934.zip

Some files had been uploaded along with this submission. To download the files visit the link provided below. You will need to supply your AllForms login e-mail and password to download the files. We store all the uploaded files in zipped format, so you will need a unzipping program like WinZip to view or extract the files. Make sure you do a virus scan before trying to access these files on your system.

**Download** (<http://allforms.mailjol.net/file.php?id=6f6ae9da-10615934-e1f47e44>)

### Form Results

Disregard	***>>> DISREGARD The message above the Form Results ROW <<<***
Note about attachments	***>>> Pima County virus software CYLANCE automatically scans files. There IS NOT a right mouse scan this file option. Attachments are scanned by our email appliance when received, then again by Cylance when saved or opened. <<<***
Owner Name	Stewart Title & Trust Tr 1580
Owner Address	2238 Melford Ct
Owner City	Thousand Oaks
Owner State	CA
Owner Zipcode	91361
Owner Phone	805-402-3223
Owner_Email	tede@vcnet.com
Applicant Name	Paul Oland
Applicant Address	4444 E Broadway Boulevard
Applicant City	Tucson
Applicant State	AZ
Applicant Zipcode	85711
Applicant Phone	520-881-7480
Applicant_Email	gpoland@wlbgroup.com
Property Address	NEC of Kinney Road and Ajo Way
Property Parcel Number	212-50-001H, 212-50-007A
Property Acreage	64.8
Property Present Zone	GR-1
Property Proposed Zone	TR
Policies	Community Activity Center (CAC)
FTP-Link	<a href="https://www.dropbox.com/s/txx0g577fuul27u/Cat%20Mountain%20Vista%20Rezoning%20Site%20Analysis.pdf?dl=0">https://www.dropbox.com/s/txx0g577fuul27u/Cat%20Mountain%20Vista%20Rezoning%20Site%20Analysis.pdf?dl=0</a>

Signature	I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)
Application Date	22-Sep-2017
More Information about this submission and submitter	
Submission ID	10615934
Date & Time	22nd Sep 2017 4:28 PM
Form Location	<a href="http://web1.pima.gov/applications/rezoning/">http://web1.pima.gov/applications/rezoning/</a>
IP Address	199.227.62.66
Browser info	Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/61.0.3163.100 Safari/537.36
Predicted Country	United States



August 8, 2017

Pima County Development Services  
201 N. Stone Avenue, 2<sup>nd</sup> Floor  
Tucson AZ 85701

Re: Cat Mountain Vista  
Rezoning

To Whom It May Concern:

As owner of the parcel described as Parcel No. 212-50-001H and 212-50-007A located in the northeast corner of Kinney Road and Ajo Way, I hereby authorize The WLB Group, Inc. to act on my behalf in requests related to the entitlement and development of the aforementioned tax parcels with a total area of 127.37+/- acres known at this time as Cat Mountain Vista.

Sincerely,

Stewart Title & Trust Tr 1580



By: \_\_\_\_\_

Title: Manager, Seymour Family LLC

