



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: November 17, 2015

Title: Co9-03-32 LEE, ET AL. - ORANGE GROVE ROAD REZONING

Introduction/Background:

The applicant requests to modify rezoning conditions to change the restricted use of an 8.90-acre rezoning site on the south side of Orange Grove Road west of La Cholla Boulevard from an office complex to an assisted living center, and waiver of the requirements to construct a right turn lane and to provide internal cross-access to the property to the west.

Discussion:

The approved plan for a 30,000 square-foot office complex of one and two-story buildings is now requested to be changed to a 94,626 square foot, two-story assisted living center. Either use is an appropriate transitional use along Orange Grove Road near Northwest Hospital.

Conclusion:

Staff recognizes the increased demand for assisted living facilities with a growing elderly population and the ideal placement of these facilities near medical services, but still also near to residential areas.

Recommendation:

Staff recommends approval of modification of condition #'s 7A (to waive the portion of the condition which requires construction of a right turn lane) and 11 (to require adherence to the revised plan for an assisted living center) and waiver of condition #7C (the requirement to provide an internal access to the property to the west).

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

Department: Pima County Development Services - Planning Telephone: 724-9000

Department Director Signature/Date:

[Signature] 10/22/2015

Deputy County Administrator Signature/Date:

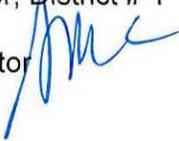
[Signature] 10/26/15

County Administrator Signature/Date:

[Signature] 10/27/15



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District # 1
FROM: Arlan M. Colton, Planning Director 
DATE: October 21, 2015
SUBJECT: Co9-03-32 LEE, ET AL. – ORANGE GROVE ROAD REZONING

The above referenced Modification of Rezoning Conditions is within your district and is scheduled for the Board of Supervisors' **TUESDAY, NOVEMBER 17, 2015** hearing.

REQUEST: The applicant requests to modify rezoning conditions to change the restricted use of an undeveloped TR and SR-Restricted rezoning site from an office complex to an assisted living center. As part of this request, waiver of the requirements to construct a right turn lane and to provide internal cross-access to the property to the west is sought.

OWNER: Lee Tony & Bella Family TR $\frac{3}{4}$ & Lee Gregory & Julia Family TR $\frac{1}{4}$
c/o Jason Wong
3441 E. Speedway
Tucson, AZ 85716-3937

AGENT: Presidio Engineering, Inc.
Attn: John Wood, P.E., President
190 S. Stratford Dr., Ste. 105
Tucson, AZ 85716

DISTRICT: 1

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of October 21, 2015, staff has received no public comments.

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of modification of condition #'s 7A and 11 and waiver of condition #7C in accordance with the applicant's request.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The site is located outside of the Maeveen Marie Behan Conservation Lands System (MMBCLS).

CP/DP/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: Co9-03-32

Page 1 of 8

FOR NOVEMBER 17, 2015 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: October 21, 2015

ADVERTISED ITEM FOR PUBLIC HEARING

MODIFICATION OF REZONING CONDITIONS

Co9-03-32 LEE, ET AL. – ORANGE GROVE ROAD REZONING

Request of **Lee Family Trust ¾, et al.**, represented by **Presidio Engineering, Inc.**, for a modification of the following rezoning conditions:

- #7A which requires provision of improvements to Orange Grove Road as determined by the Department of Transportation to include construction of a right turn lane. The applicant requests to modify the condition to waive the requirement to construct a right turn lane.
- #7C which requires provision for internal access to the west of the subject property. The applicant requests to waive this requirement.
- #11 which requires adherence to the preliminary development plan as approved at public hearing. The applicant requests to modify the plan which depicts one- and two-story office buildings totaling a maximum of 30,000 square feet to allow a plan for a two-story assisted living center building totaling 94,626 square feet.

The subject site is 8.90 acres zoned TR © and SR ® located on the southwest corner of Orange Grove Road and San Joaquin Avenue. Staff recommends **APPROVAL** of modification of condition #'s 7A and 11 and waiver of condition #7C in accordance with the applicant's request.

(District 1)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of modification of condition #'s 7A and 11 and waiver of condition #7C in accordance with the applicant's request as follows:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.

2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. The property owner(s)/developer(s) shall provide off-site improvements to Orange Grove Road as determined necessary by the Department of Transportation. ~~These improvements shall include, but may not be limited to, construction of a right turn lane.~~
 - B. One access point shall be allowed on Orange Grove Road. No access shall be allowed via San Joaquin Avenue.
 - C. ~~Internal access shall be provided to the west of the property as shown on the Preliminary Development Plan.~~
8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. The property owner(s) shall provide necessary on-site and off-site drainage improvements as required by the Flood Control District.
 - C. The property owner(s) shall comply with detention/retention conditions and restrictions as stated in the Floodplain Management Ordinance since the property lies within a critical basin.
 - D. Post-development floodplains and flood control improvements shall be identified on the Plat or Development Plan as separate open space parcels and/or where they are contained within development parcels dedicated as right-of-way or easements for drainage and maintenance purposes to the Pima County Regional Flood Control District and/or the Homeowners Association.
 - E. Pima County Regulated Riparian Habitat, including mitigation areas shall be identified on the Plat or Development Plan as separate open space parcels and/or where they are contained within development parcels dedicated as right-of-way or easements for preservation, mitigation and monitoring purposes to the Pima County Regional Flood Control District and/or the Homeowners Association.
 - F. At the time of development, the applicant shall submit a Final Integrated Water Management Plan consisting of the table identifying internal and external water conservations measures and a site plan showing the location of external measures. First flush retention shall be provided.

9. Regional Wastewater Reclamation Department conditions:
 - A. The owner/developer 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/developer to that effect.
 - B. The owner/developer 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/developer 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/developer 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/developer 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/developer 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/developer 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.
10. Natural Resources condition:

The property owner(s) shall provide a non-motorized public recreational trail easement over the entirety of the Pegler Wash corridor.
11. Adherence to the preliminary development plan as approved at public hearing on ~~April 13, 2004~~ November 17, 2015 (EXHIBIT B).
12. A minimum of 95% of the Pegler Wash riparian area shall be preserved as natural open space as defined in the zoning code. The limits of the Pegler Wash riparian area shall be delineated using the Harris Riparian Maps generated for the Sonoran Desert Conservation Plan and shall be shown on all development plans, grading plans, and native plant preservation plans.
13. Detention/retention basins shall be revegetated with plant species native to the site. The plan for the revegetation of the basins shall be shown on the landscape plan(s) required to be submitted for review and approval by the Development Services Department.

14. Environmental Planning conditions:
 - A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.
15. Building heights shall be limited to a maximum of 34 feet. Building colors shall be earth tone and shall not exceed a light reflectivity of 60%.
16. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction from compliance with State burial protection laws. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS § 41-865 and ARS § 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
17. The property owner(s)/developer(s) shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, Chapter 8, Article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

STAFF REPORT

Request

The applicant requests to allow the use of an assisted living center on an 8.90-acre TR and SR restricted (Pegler Wash Open Space) rezoning site. This requires the modification of **condition #11** which requires adherence to the rezoning preliminary development plan for offices. The current preliminary development plan provides for 30,000 square feet of one- and two-story office space divided among three buildings. The proposed plan provides for a 94,626 square foot two-story assisted living facility within a single building surrounding an interior courtyard. It proposes approximately half the parking area of the office building plan, but more total asphalt surface with a perimeter parking area and access lane surrounding the building. Both plans depict a 34-foot maximum building height, the maximum allowed for the TR zone and per condition #15. The site is undeveloped.

Due to less traffic expected to be generated by the proposed use change, the applicant requests waiver of the requirement to provide a right turn lane that is part of the **condition #7A** requirement to provide off-site improvements to Orange Grove Road as determined necessary by the Department of Transportation. The applicant notes that the actual improvement needs will be determined during the Site Construction Permit process when a Traffic Memorandum and possibly a Traffic Impact Study may be submitted for review.

With the development of casitas along the entire east boundary of the adjacent parcel to the west with no commensurate internal cross access provision to the subject property, the applicant requests waiver of **condition #7C** which requires provision for internal cross access to the property to the west.

Analysis

Staff supports the requested change in proposed use of the site from offices to an assisted living center. Staff recommends modification of **condition #11** to require adherence to the revised preliminary development plan for an assisted living center. While the site remains suitable for offices as a transitional use along the Orange Grove Road major thoroughfare, an assisted living center is also a suitable transitional use at this location. The center will provide care for residents; and demographic trends of an aging population and greater longevity are increasing demand for resident care services.

The proposed assisted center will benefit from location near Northwest Hospital and other medical offices located along La Cholla Boulevard within a quarter-mile of the site. At least three other assisted living centers have located near Northwest Hospital along La Cholla Boulevard including two within a quarter-mile of the subject property. Another is located within three-fourths-mile and another assisted living center south of it is planned under rezoning case Co9-10-03. The general area, however, is predominately residential. Locations of assisted living centers in the area provide opportunity for assisted living residents to live near extended family members as well as health care services.

The subject property is an infill site that is not located within the Maeveen Marie Behan Conservation Lands System. It has some previous disturbance, but is mostly vegetated. The approximately four-acre portion that contains most of the 100-year floodplain of the Pegler Wash is restricted to SR-zoned open space. This area buffers the TR development portion of the site from two-story apartments across San Joaquin Road to the east. The property adjacent to the west is densely developed with one-story rental casitas. A comparison of the existing approved preliminary development plan for offices to the proposed plan for the assisted living center shows a larger building mass closer to the casitas development with the assisted living center. The casitas did not exist at the time of the original rezoning. The offices were to be one- and two-story buildings and the assisted living center is proposed for two stories. However, as proposed, the assisted living center will meet the Two-Story Residential Buffer Setback requirement of sixty feet as measured from the assisted living center to the single-story residential development's property line. This area includes a proposed 20-foot-wide landscape bufferyard. Most of the residential area to the south of the site is buffered by Pegler Wash, with exception of a couple of casitas at the southwest corner. The low-density residential area to the north is separated by Orange Grove Road.

The assisted living center proposes 107 units with 123 beds and 30 employees. The office development proposed general and/or medical and dentist offices. The number of potential employees of the office complex was not stated.

Traffic generated will come mainly from resident visitation, staff, and service deliveries that will include trucks and could be less than that estimated for the office use [337 average daily trips (ADT) compared to 330 for general office use or up to 1,080 ADT for medical office use as per the original staff report information]. Despite staff support for modification of **condition #7A** to waive the absolute requirement for construction of a right turn lane on Orange Grove Road, the lane may still be required for traffic safety. This would be determined with additional information provided and analyzed at the time of development plan review; and condition #7A as modified would not preclude this. The Transportation comments below provide additional detail.

The **condition 7C** requirement to provide internal access to the property to the west is not currently possible with development of residential casitas that has occurred since the rezoning was originally approved. There is no commensurate internal access connection to the subject property within the casitas development. Therefore, staff recommends waiver of the condition. The commensurate connection may have been a missed opportunity when the rezoning (Co9-10-02) for the casitas development was approved in 2011. However, detrimental "cut-through" traffic within the residential development may have been avoided with the omission. With the nature of the change of use to an assisted living center, the need for internal vehicular connection is also diminished. A wall separating the properties would appear to preclude any bicycle or pedestrian passage. The proposed assisted living center will have a fire sprinkler system which is required with the singular access point from Orange Grove Road.

Transportation review notes a Secondary Concurrency Concern with major roads in the vicinity operating near capacity. Flood Control review finds requirements for concurrency are met. Wastewater Reclamation review notes that sewer capacity exists.

The TR zoning of the area proposed for development conforms to the Medium Intensity Urban comprehensive plan designation of the site. The SR portion technically does not conform, but is restricted to open space.

TRANSPORTATION REPORT

There is a Secondary Concurrency Concern since major roads within two miles of the proposed development are operating near capacity. The rezoning is located within an infill area near Northwest Hospital and many other residential, commercial and office/transitional developments. Most surrounding or adjacent parcels have been rezoned or developed, with only a few residual low density residential sites remaining. The site is located 1,300 feet west of the intersection of Orange Grove Road and La Cholla Boulevard and is on the south side of Orange Grove Road. San Joaquin Avenue is located along the east property boundary; however, Pegler Wash runs diagonally from the northeast corner of the rezoning site to the southwest corner, eliminating access from the site to San Joaquin Avenue.

Orange Grove has been widened to a five-lane, urban principal arterial. The current traffic count is 23,283 ADT, and the capacity is 37,600 ADT. La Cholla is a six-lane urban principal arterial. The current traffic count is 24,952 ADT, and the capacity is 53,910 ADT. La Canada is a four-lane, divided, urban minor arterial. The current traffic count is 14,631 ADT, and the capacity is 35,820 ADT. Ina Road is a four-lane, divided, urban principal arterial. The current traffic count is 35,416 ADT, and the capacity is 35,800 ADT. River Road is a four-lane, divided, urban principal arterial. The current traffic count is 35,703 ADT, and the capacity is 35,800 ADT. With the exception of a portion of Ina Road and a portion of River Road, these major roads are county maintained within a two mile buffer of the site.

A Traffic Memorandum was submitted with this request. The proposed development would generate about 337 ADT based the Assisted Living land use (ITE Land Use 254). The number of peak hour right turns does not meet the current warrants for a right turn lane. Due to safety concerns on Orange Grove Road, the Pima County DOT Traffic Engineering Division conducted a Safety Operations Analysis Review (SOAR) for the proposed development (memo attached). Traditionally, turn lane warrants were determined strictly by trip generation. Pima County DOT is moving to a more holistic view on turn lanes, specifically factoring in safety considerations.

The SOAR analyzes the existing crash rate under current conditions and compares it to the predicted crash rate after the development is completed. Under the SOAR, a 20% or greater increase in crashes indicates that safety mitigation should be considered. For this proposal, the predicted crash rate increased by 78%. Installation of a right-turn lane is projected to reduce crashes by 25%. Both roadway segments of Orange Grove (La Cholla to La Canada; Shannon to La Cholla) have experienced relatively high crash frequency rates (42 crashes per mile and 31 crashes per mile respectively) according to the 2014 crash statistics. Most recently, a fatal bike crash happened in the vicinity of this site (9/29/2015). Therefore, the Department of Transportation highly recommends factoring safety into the need for a right turn lane.

Understanding the need for further negotiation on this issue, while respecting the request of the property owner to move forward, DOT is amenable to modifying condition 7A as follows:

“The property owner(s)/developer(s) shall provide off-site improvements to Orange Grove Road as determined necessary by the Department of Transportation. ~~These improvements shall include, but may not be limited to, construction of a right turn lane.~~”

This will allow further discussion on the turn lane, as well as any other off-site improvements, to take place upon submittal of the development plan for this site. The developer will need to meet the requirements of the Traffic Engineering Division at that time.

The Department of Transportation has no objection to deleting condition 7C as requested. Because the property to the west was developed without provisions for internal circulation, cross access to the west is not feasible.

Staff has no objections to the following changes to the rezoning conditions:

7.A. The property owner(s)/developer(s) shall provide off-site improvements to Orange Grove Road as determined necessary by the Department of Transportation. ~~These improvements shall include, but may not be limited to, construction of a right turn lane~~

7.B. Remain

7.C. Delete

FLOOD CONTROL REPORT

Regional Flood Control District staff has reviewed the request and finds that it meets flood control concurrency requirements. The District has no objection and has the following comments:

1. FEMA SFHA Zone A floodplain associated with the Peglar Wash, a regulatory watercourse, impacts the entire eastern half of the site which is being set-aside as open space. There is also Pima County Regulated Riparian area associated with this wash. Only minor habitat encroachments are proposed.

2. The old PDP maintained a strip for detention and landscaping whereas the revised PDP has a larger footprint and therefore as noted on it, may need underground drains and detention. It is unclear if the flows to be conveyed within these drains are regulatory. Please note that underground drains are prohibited for regulatory flows. At the time of development, alternative designs may be needed including addition of first flush retention as required by Resolution 2015-43, Rezoning Condition 8F.

WASTEWATER REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the applicant's request for modification/removal of rezoning conditions 7A (transportation), 7C (access), and #11 (adherence to PDP) and offers the following comments for your use. Approval of this request would allow construction of an assisted living facility as opposed to the originally planned office complex on the property.

Type I Capacity Letter (2015-151, dated July 23, 2015) indicates capacity for this development is currently available in the public sewer G-2012-012, downstream from manhole 3018-01.

The PCRWRD has no objection to the above referenced request for modification of rezoning conditions. The existing wastewater conditions in rezoning case Co9-03-32 adopted June 16, 2015 by the Board of Supervisors do not require any revision.

FIRE DISTRICT REPORT

Northwest Fire/Rescue District indicates in the attached comments having no objection to waiver of the internal access requirement to the west provided that Section D104.2 of the 2012 International Fire Code is met. (These code sections require a sprinkler system based on the proposed building size and single point of vehicular access.)

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation staff has no objection to this request.

WATER DISTRICT REPORT

The Metropolitan Water District did not respond to a request for comments.

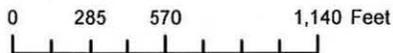
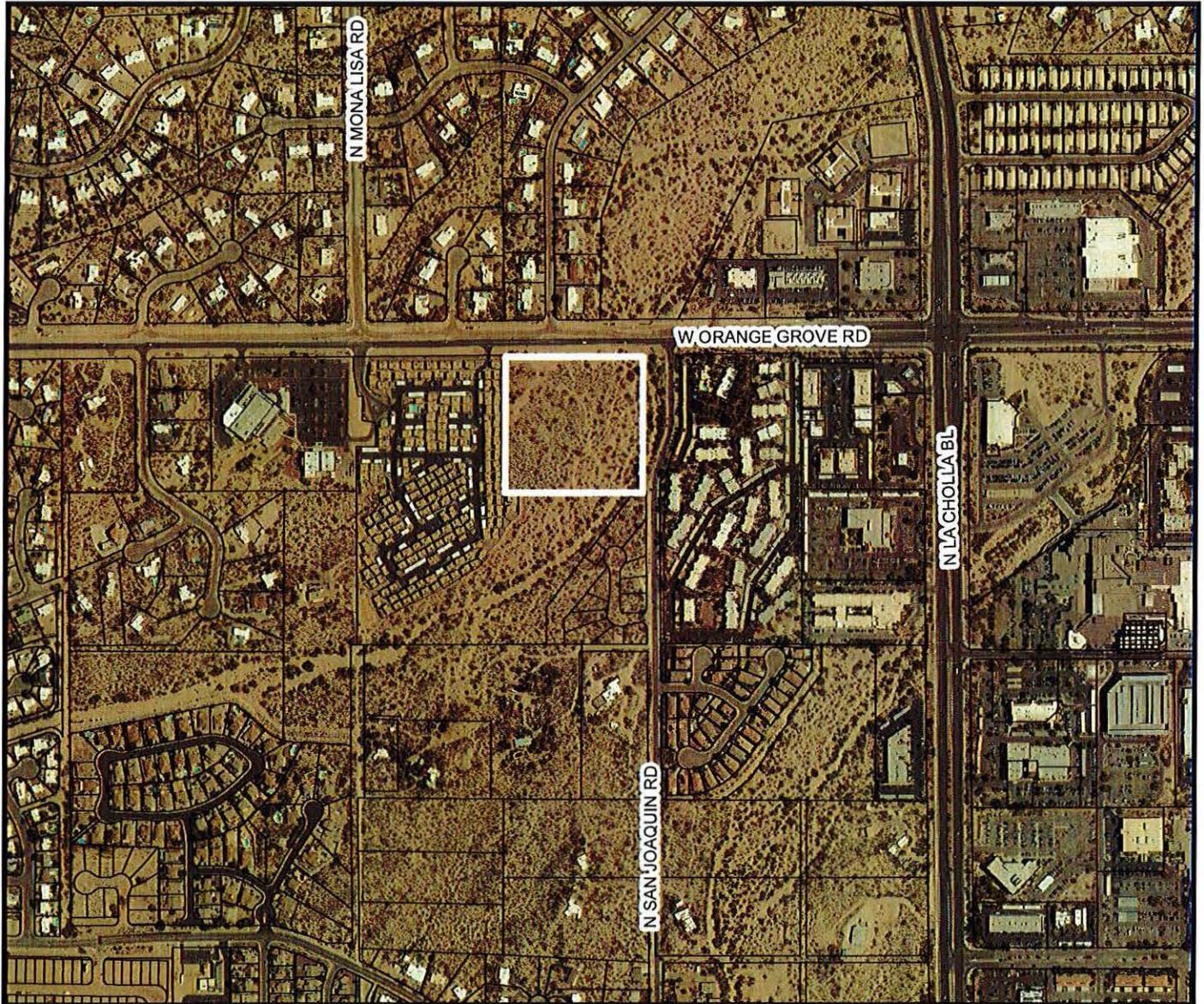
PUBLIC COMMENT

As of the writing of this report, no written public comments have been received.

CP/DP/ar
Attachments

c: Lee Tony & Bella Family TR ¾ & Lee Gregory & Julia Family TR ¼, c/o Jason Wong
3441 E. Speedway, Tucson, AZ 85716-3937
Presidio Engineering, Inc., Attn: John Wood, P.E., President
190 S. Stratford Dr., Ste. 105, Tucson, AZ 85716
Chris Poirier, Assistant Planning Director
Co9-03-32 File

Case #: Co9-03-32
 Case Name: LEE ET AL - ORANGE GROVE ROAD REZONING
 Tax Code(s): 101-09-004A



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**



Notes: Modification (Substantial Change) of Rezoning Conditions		
PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)		
Board of Supervisors Hearing: 11/17/15 (scheduled)		
Base Map(s): 76	Map Scale: 1:8,000	Map Date: 10/09/2015

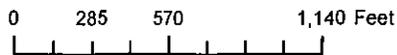
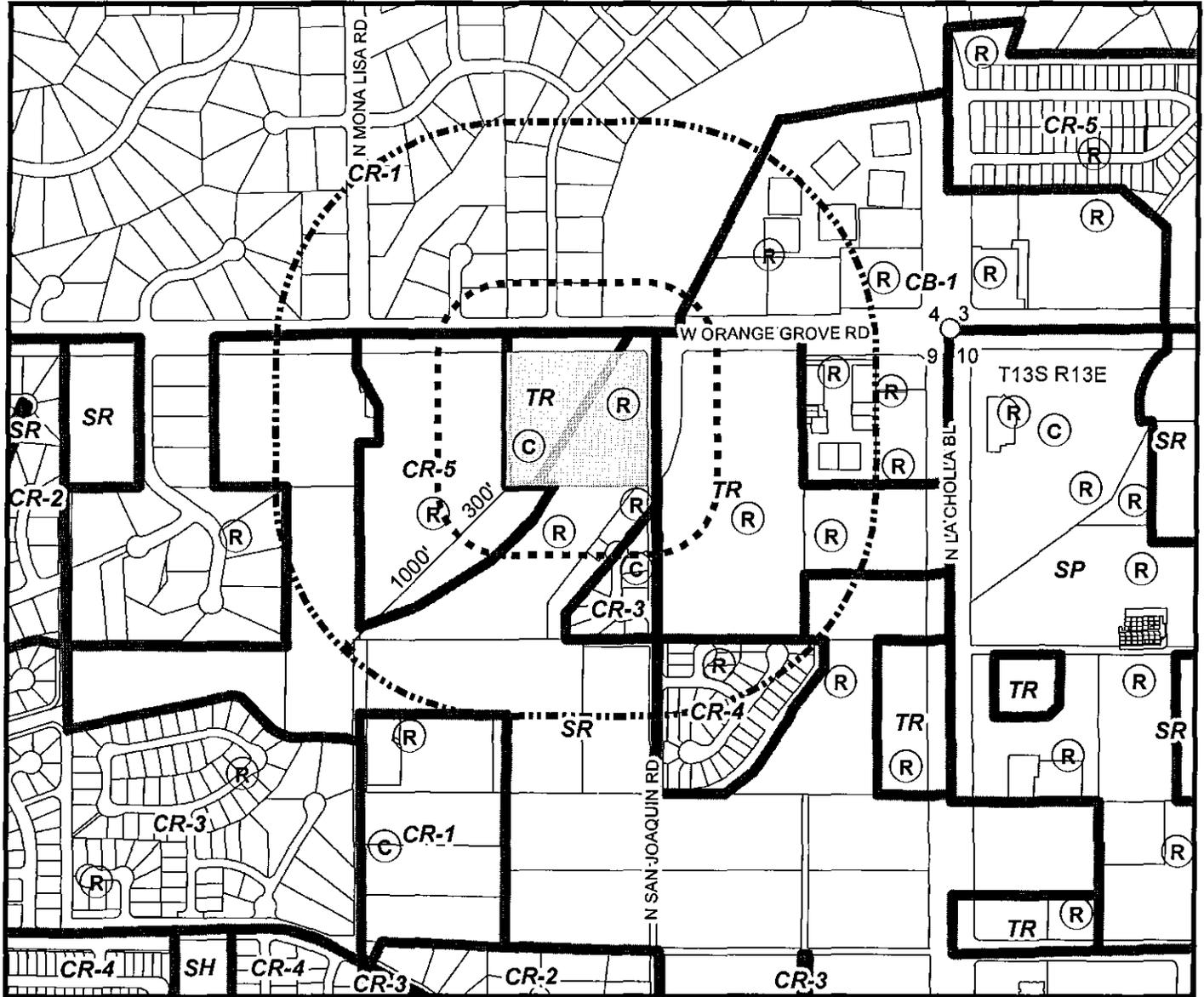




Case #: Co9-03-32
 Case Name: LEE ET AL - ORANGE GROVE ROAD REZONING

Tax Code(s): 101-09-004A

-  1000' Notification Area
-  300' Notification Area
-  Zoning Boundary



Subject Property



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

Notes: **Modification (Substantial Change) of Rezoning Conditions**

PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)

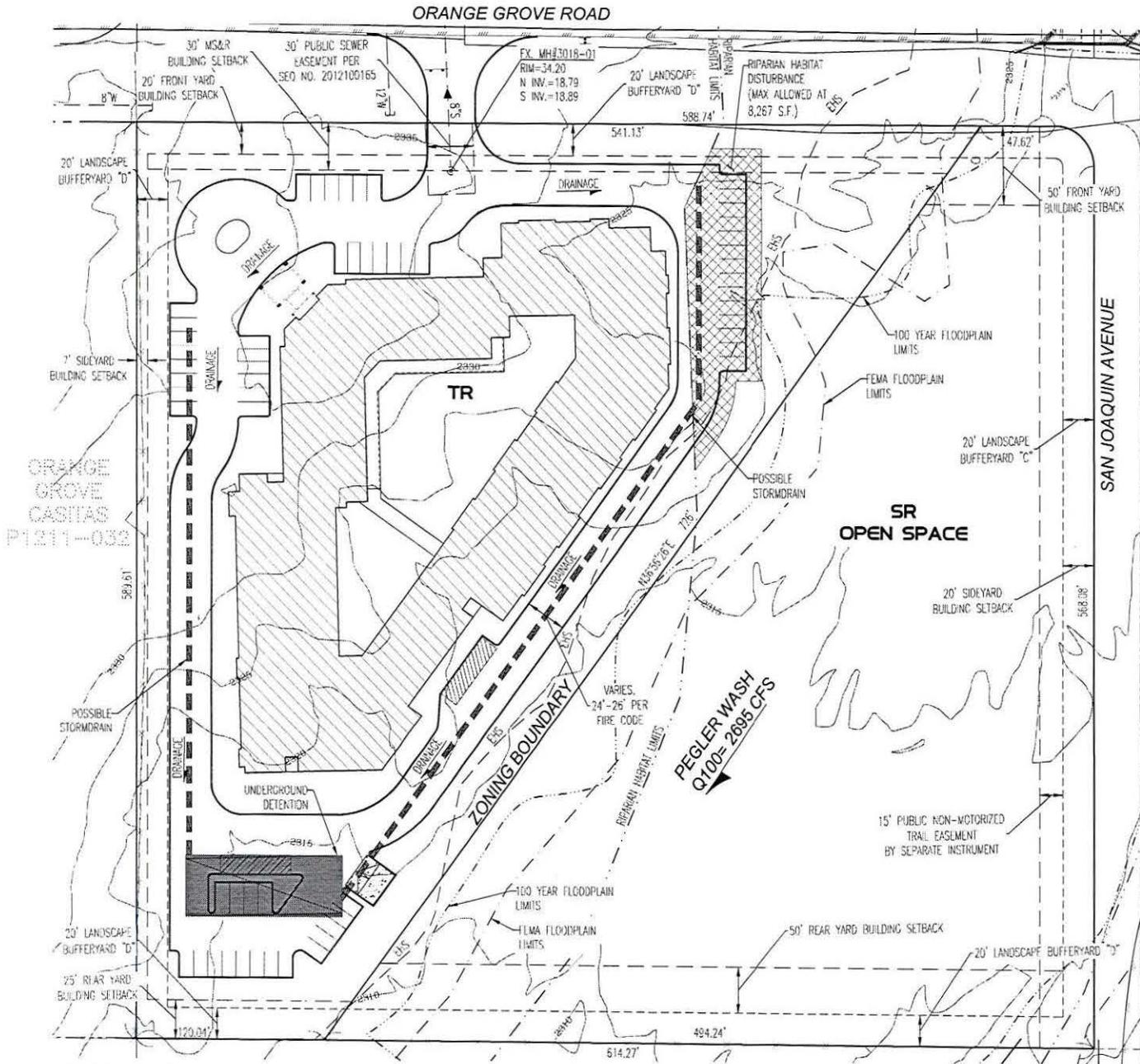
Board of Supervisors Hearing: 11/17/16 (scheduled)

Base Map(s): 76

Map Scale: 1:8,000

Map Date: 10/09/2015





LEGEND

- LANDSCAPE BUFFERYARD
- BUILDING SETBACK
- RIPARIAN HABITAT
- 100 YEAR FLOODPLAIN LIMITS
- FEMA FLOODPLAIN LIMITS
- 100-YEAR EROSION HAZARD SETBACK (EHS)
- ▨ RIPARIAN HABITAT DISTURBANCE
- ▨ UNDERGROUND DETENTION AREA (LOCATION MAY VARY)
- STORMDRAIN
- ▨ BUILDING

NOTE: FIRST FLUSH RETENTION TO BE PROVIDED AT GRADE

SITE AREA: 8.33 AC.
TR 4.48 AC.
SR(R) 3.85 AC.

TOTAL BUILDING AREA: 94,626 S.F.

BUILDING HEIGHT: TWO STORY (MAXIMUM 34')

PARKING REQUIRED: 46 SPACES
PARKING TO BE PROVIDED: 49 SPACES

REVISED PRELIMINARY DEVELOPMENT PLAN



Civil • Land Development • Water Resources
 100 S. Reynolds St. Suite 200 • Tempe, Arizona 85283
 (480) 798-1925 • Fax: (480) 798-0147

C09-03-32

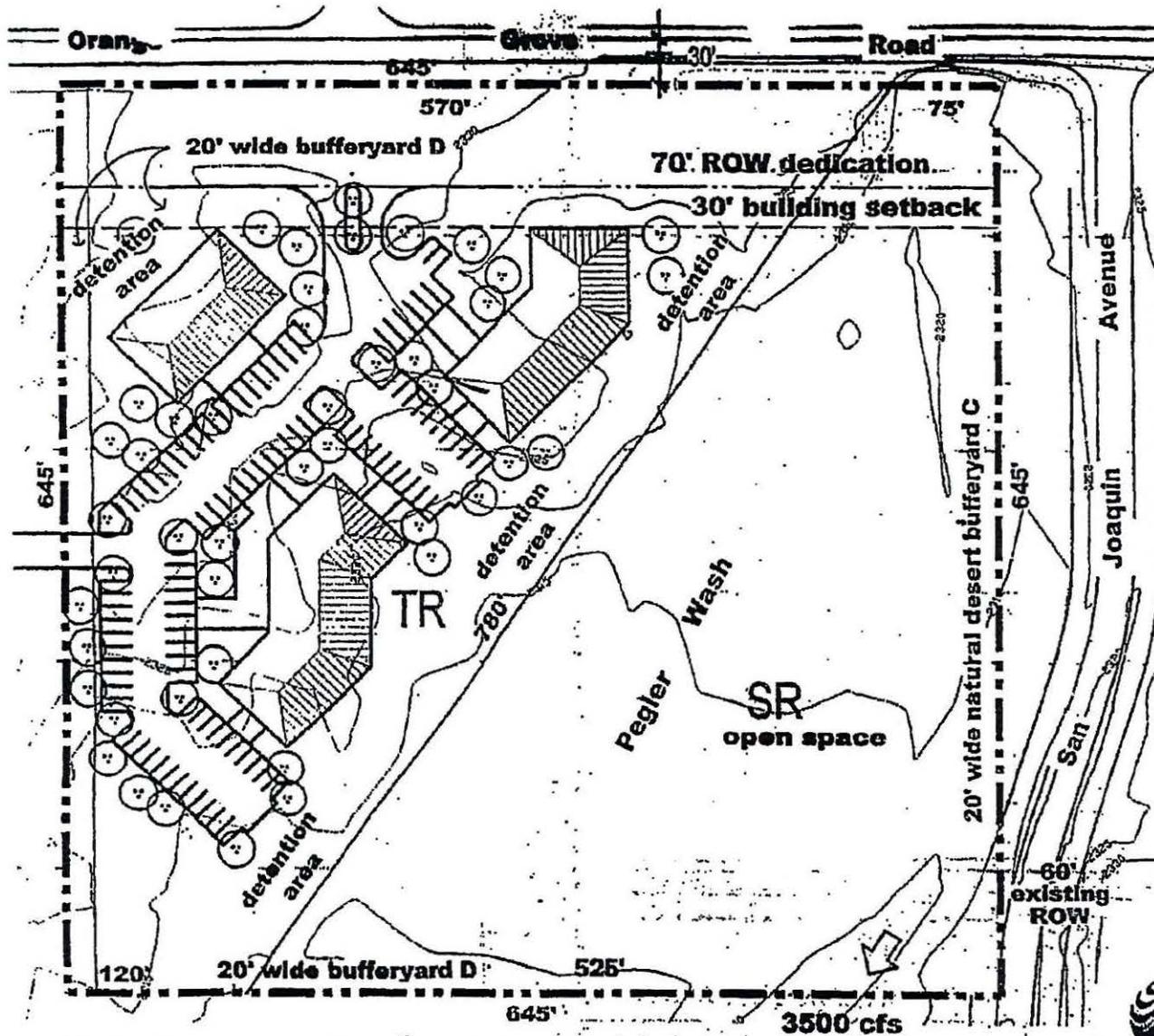
OCTOBER 1, 2015

SWC ORANGE GROVE/SAN JOAQUIN

Preliminary Development Plan (2015)

ORIGINALLY APPROVED PDP

009-03-32



Site area: 9. acres

TR 5.11 acres
SR 4.44 acres

Total building area:
30,000 sf.

Building height:
one and two stories
(maximum of 34')

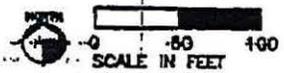
Parking required:
100 spaces

Parking provided:
103 spaces

EXHIBIT B

Exhibit IIB.1

Preliminary Development Plan



Planning and Landscape Group
501 N. Center Ave.
Tulsa, Oklahoma 74103
Tel (918) 750-7224
Fax (918) 750-4129
www.stantec.com

Stantec

SWC Orange Grove / San Joaquin

BOS 4-13-04

009-03-32 PDP

Preliminary Development Plan (2004)



August 20, 2015

Ms. Terri Tillman
Pima County Development Services
Planning Department
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701

Subject: Rezoning Modification Request for
Co9-03-32 – Orange Grove Rezoning, Tax Code No. 101-09-004A
Presidio Engineering Job #115021-01-0103

Dear Ms. Tillman:

This letter has been prepared in order to formally request one modification and deletion of two rezoning conditions associated with Rezoning Case No. Co9-03-32, Lee, et al. – Orange Grove Rezoning on the 8.33 AC +/- site located at the southwest corner of the intersection of Orange Grove Road and San Joaquin Avenue. This site is further identified as Tax Parcel No. 110-09-004A. 101

This request is being made by Presidio Engineering on behalf of Willis Development (ATTN: Corey File, 1100 Alta Loma Road, Suite 708, West Hollywood, CA 90069, (559) 246-0686, cfile@erlada.com) in accordance with the attached authorization letter from the current property owners:

The Lee Tony and Bella Family Revoc. Trust (Bella Lee, Trustee) and
The Lee Gregory and Julia Family Revoc. Trust (Gregory Lee, Trustee)
c/o Jason Wong, (520) 603-1191, jwong@redpointdevelopment.com,
3441 E. Speedway, Tucson, AZ 85716

The property in question was rezoned in 2004 to TR and SR (restricted). The proposed use in the TR portion was for general and/or medical offices. Although the property owners have continued to cooperate with Pima County in dedicating adjacent rights-of-way and have extended public sewer to the site, the site has yet to be developed.

Willis Development is now interested in developing an assisted living facility on the site. This use is allowed under the TR zone. However, in order to be a viable assisted living facility, it is necessary to increase the allowable building area under the rezoning and to delete some of the conditions that are no longer applicable.

The modifications/deletions are as follows:

I. Deletion of the last sentence in Condition No. 7.A “Transportation”.

The condition reads: “The property owner(s)/developer(s) shall provide offsite improvements to Orange Grove Road as determined necessary by the Department of Transportation. These improvements shall include, but may not be limited to, construction of a right turn lane”.

The request to delete the last sentence of the condition which mandates the construction of a right turn lane is based upon the proposed change from medical/dental offices to assisted living which represents a decrease in trip generation rates.

Further, the determination of the actual need for a right turn lane and/or other transportation improvements will be made during the processing of a Site Construction Permit with Development Services when a Traffic Memorandum and possibly a Traffic Impact Study will be prepared and processed.

II. Removal of Condition No. 7.C “Transportation”.

The condition reads: “Internal access shall be provided to the west of the property as shown on the Preliminary Development Plan”.

The request to remove the condition is based upon the fact that the property to the west has been developed as a residential townhome project (Orange Grove Casitas Development Plan, P1211-032, Bk. 37, Pg. 089) whose internal circulation does not align itself with the requested “internal access”. See the attached 2014 aerial exhibit showing the Casitas project. Consequently, the requirement to provide this “internal access” is no longer useful to either parcel.

III. Modification of Rezoning Condition No. 11.

The condition reads: “Adherence to the Preliminary Development Plan as approved at public hearing on April 13, 2004 (Exhibit B)”. A copy of the previously approved PDP is attached to this letter.

The PDP originally approved in Rezoning Case No. Co9-03-32 contemplated the following:

- Development of three buildings
- With a total combined building area of 30,000 SF
- Consisting of one and two story buildings with a maximum of 34’

Willis Development is proposing to develop an assisted living facility on the site. However, in order to do so, they will need the ability to develop a facility that is larger in area than that as originally approved.

Consequently, the request is to modify the PDP to allow development of:

- Development of a single, two story building
- With a total building area of 94,626 SF
- And 56 parking spaces will be provided

The above modifications are detailed within the attached revised Preliminary development Plan (PDP) dated August 19, 2015.

It is important to note that other than the above request, the proposed assisted living facility is to be developed within the site restrictions of the originally approved PDP.

In addition to the above information, find attached the following:

1. Originally approved PDP and revised PDP.
2. Letter of authorization.
3. Disclosure of ownership.
4. Review fee check (no. 6300) in the amount of \$1,973.00 payable to Pima County Treasurer.
5. Biological Impact Report update letter dated August 19, 2015, in support of requested rezoning modification.
6. 2014 aerial exhibit.

Consequently, by way of this letter, it is respectfully requested that said modification/deletions be approved by the Board.

Thank you for your time and we look forward to the Board's decision.

Please do not hesitate to contact me at 795-7255 ext. 103 (john@presidioengineering.com) should you need additional information or have questions in order to process the above time extension request.

Sincerely,
PRESIDIO ENGINEERING, INC.



John D. Wood, P.E., LEED-AP
PRESIDENT

Attachments

cc: Jason Wong, w/ attachments
Corey File, Willis Development w/ attachments
File w/ attachments

August 20, 2015

Pima County Development Services
201 N. Stone Avenue
Tucson, AZ 85701

RE: Disclosure of Beneficiaries for Tax Parcel No. 101-09-004A.

To Whom It May Concern:

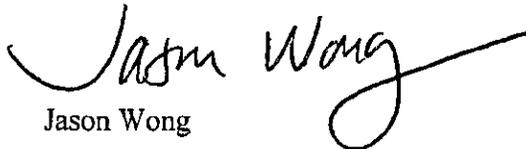
The beneficiaries for the tax parcel 101-09-004A are as follows:

Tony and Bella Lee are the beneficiaries of the Tony and Bella Lee Family Revocable Trust.

Gregory and Julia Lee are the beneficiaries of the Gregory and Julia Lee Family Revocable Trust.

Please call if you have any questions. 520-603-1191

Thank you.


Jason Wong



MEMORANDUM

DATE: September 30, 2015
TO: Seth Chalmers, Traffic Engineering Division Manager
FROM: Hannah Olsen, Senior Civil Engineering Assistant
SUBJECT: Sage Desert Senior Living SOAR

Recently the Pima County Department of Transportation Traffic Engineering Division (PCDOT/TED) was asked to conduct a Safety Operations Analysis Review (SOAR) for the Desert Sage Senior Living development, to evaluate the safety effect of installing a right-turn lane. The development will be located on the south side of Orange Grove Road at the Montrose Drive intersection, and the development driveway will be a fourth leg to the Montrose Drive intersection.

A Traffic Memorandum, prepared by Marcos Esparza Engineering, was submitted for this development in September 2015. According to the memorandum, the capacity based right-turn lane warrant listed in the Pima County *Subdivision and Development Street Standards* was not satisfied at this location. The trip generation volumes and distribution percentages used in the SOAR were taken directly from the traffic memorandum. However, the ADT for Orange Grove Road was taken from the most recent Pima County 24-hour count, done in 2012. This number was used in lieu of the 2014 volume cited in the traffic memorandum because the volumes in 2014 would have been significantly impacted by the construction projects on Orange Grove Road.

To conduct a SOAR at an existing intersection, the expected crash rate under current conditions (N_{expected}) is compared to the predicted crash rate after development construction ($N_{\text{predicted}}$). Under this analysis a 20% or greater increase in crashes indicates that safety mitigation should be considered. A summary of the SOAR results is shown in the table below.

Summary of SOAR Results

Number of Accesses	Roadway ADT		N_{expected}	$N_{\text{predicted}}$		Percent Difference	
	Orange Grove Rd	Montrose Dr		No Mitigation		RT Lane	
1	21,366	718	0.87	1.54	78%	1.32	53%

As can be seen in the table above, $N_{\text{predicted}}$ is more than 20% higher than N_{expected} both with and without a right-turn lane. However, the installation of a right-turn lane is projected to reduce crashes by 25%. Based on these results PCDOT recommends that the Board of Supervisors requirement to install the right-turn lane be upheld based on safety analysis.



NORTHWEST FIRE DISTRICT

Our Mission is to Save Lives, Protect Property, and Care for Our Community.

ADMINISTRATION/PREVENTION & SAFETY
5225 W. MASSINGALE ROAD
TUCSON AZ 85743



PHONE: (520) 887-1010 FAX: (520) 887-1034 www.northwestfire.org

September 2, 2015

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

Reference: Modification of Rezoning Conditions for CO9-032 Lee, et al, - Orange Grove Rezoning;
Tax Parcel 101-09-004 .

Dear Mr. Petersen:

Northwest Fire District in review of the referenced Rezoning for compliance with the internationally recognized codes and standards as adopted by Northwest Fire District in the 2012 International Fire Code and amendments. Has the following comment:

- (#7C requires provision for the internal access to the west of the subject property. The applicant requests to waive this requirement.)
Northwest Fire District has no objections to waving this requirement if the requirements of Section D104.2 of the 2012 IFC are met.

Please continue to copy Northwest Fire District on any future submittals. In the event you have any questions feel free to give me a call at (520)887-1010 ext 5011 or via email at irobinson@northwestfire.org.

In Safety

Ian Robinson

Ian Robinson
Fire Inspector Lead/Plan Reviewer



- International Fire Code
 - [2012 (First Printing)]
 - Appendix D - Fire Apparatus Access Roads
 - SECTION D101 GENERAL
 - SECTION D102 REQUIRED ACCESS
 - SECTION D103 MINIMUM SPECIFICATIONS
 - SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS
 - SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS
 - SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS
 - SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS
 - D108 REFERENCED STANDARDS

D104.1 Buildings exceeding three stories or 30 feet in height.

D104.2 Buildings exceeding 62,000 square feet in area.

D104.3 Remoteness.

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D104.2 Buildings exceeding 62,000 square feet in area.

D104.3 Remoteness.

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SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height.

Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area.

Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m²) shall be provided with two separate and *approved* fire apparatus access roads.

Exception: Projects having a gross *building area* of up to 124,000 square feet (11 520 m²) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.