

*= Mandatory, information must be provided

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

*Title:

Co12-93-11 SABINO ESTATES AT SABINO SPRINGS (LOT 42)

*Introduction/Background:

The applicant requests a plat note modification to increase allowable grading on Lot 42 from a maximum of 9,200 square feet to a maximum of 11,000 square feet in order to build a quality one-story home.

*Discussion:

There is an overall grading limit within the Sabino Springs Specific Plan. Grading was allotted to each subdivision development within Sabino Springs. Within the subject Sabino Estates subdivision, after estimating grading for infrastructure, each lot was then allotted grading limits as well. A subsequent as-built grading study determined that less disturbance for infrastructure occurred than was originally estimated for the subdivision. The reduced disturbance equals approximately 1,800 square feet for each of the "44 remaining lots" as described in the study report. This same modification has been approved by the Board for 17 lots to date.

*Conclusion:

The grading allotments are the primary method to enforce the grading cap placed on the entire Sabino Springs Specific Plan. The determination that this 45-lot subdivision has excess grading to be utilized allows for an even distribution of excess grading for 44 lots within the subdivision that were remaining to be developed at the time of the grading study.

*Recommendation:

Staff recommends APPROVAL of a modification of administrative control note plat note #20(B) to allow an increase in grading from a maximum of 9,200 square feet to a maximum of 11,000 square feet as requested for Lot 42 of the Sabino Estates at Sabino Springs subdivision.

*Fiscal Impact:

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*Board of Supervisor District:

₩1 F2 F3 F4 F5 FAI

Department: Development Services - Planning	Telephone: 520-724-8800
Contact: Donna Spicola, Planner	Telephone: 520-724-9513
Department Director Signature:	Date: 12/20/21
Deputy County Administrator Signature:	Date: 12/20/2021
County Administrator Signature:	Date: 12/20/04



TO: Honorable Rex Scott, Supervisor, District 1

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

DATE: December 27, 2021

SUBJECT: Co12-93-11 SABINO ESTATES AT SABINO SPRINGS (LOT 42)

The above referenced Plat Note Modification is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 18, 2022** hearing.

- **REQUEST:** For a **plat note modification** of restrictive administrative control note #20(B) to increase the area of the development envelope from 9,200 square feet to 11,000 square feet on Lot 42 (1.04 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is zoned SP (BZ) (Specific Plan Buffer Overlay Zone) and is located on the north side of E. Sabino Estates Drive, approximately one mile east of the intersection of N. Bowes Road and E. Sabino Estates Drive, addressed as **10215 E. Sabino Estates Drive**.
- OWNER: Mark and Michelle Beres 16500 S. Creosote View Lane Vail, AZ 85641
- AGENT: Gilliam Architecture, LLC Randy Gilliam, RA, NCARBI 40 W. Baseline Road, #115 Tempe AZ 85283
- DISTRICT: 1

STAFF CONTACT: Donna Spicola, Planner

PUBLIC COMMENT TO DATE: As of December 27, 2021, staff received no public comment.

STAFF RECOMMENDATION: APPROVAL

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Lands System (CLS).

TD/DS Attachments



Subject: Co12-93-11

Page 1 of 3

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FOR JANUARY 18, 2022 MEETING OF THE BOARD OF SUPERVISORS

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

DATE: December 27, 2021

UNADVERTISED ITEM FOR PUBLIC HEARING

PLAT NOTE MODIFICATION

Co12-93-11 SABINO ESTATES AT SABINO SPRINGS (LOT 42)

Mark and Michelle Beres, represented by Randy Gilliam, request a **plat note modification** of restrictive administrative control note #20(B) to increase the area of the development envelope from 9,200 square feet to 11,000 square feet on Lot 42 (1.04 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is located on the north side of E. Sabino Estates Drive, approximately one mile east of the intersection of N. Bowes Road and E. Sabino Estates Drive, addressed as **10215 E. Sabino Estates Drive.** Staff recommends **APPROVAL.** (District 1)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of a modification of subdivision plat restrictive administrative control note #20(B) to allow an increase in the development envelope (grading) from a maximum of 9,200 square feet to a maximum of 11,000 square feet as requested for Lot 42 of the Sabino Estates at Sabino Springs subdivision.

REQUEST OF APPLICANT

The applicant requests a modification of plat restrictive administrative control note #20(B) which limits the area of the development envelope (grading) for each of 45 lots within the Sabino Estates at Sabino Springs subdivision to a maximum of 9,200 square feet. The applicant requests a 1,800-square-foot increase in permitted graded area for a total of 11,000-square-foot maximum graded area for Lot 42 in order to build a quality one-story home.

The applicant states that there are key limiting factors for this lot that range from "...the extreme change in topography from the street elevation to the back of the property," the "irregular tringle-shape" of the lot and the cul-de-sac in the southeast corner of the property. They state, "The combination of the extreme topography and the irregular shaped lot resulted in a design for the home and its footprint to extend and follow the topography."

Co12-93-11

PLANNING REPORT

Staff supports the requested 1,800-square-foot increase in grading on Lot 42 because there is excess grading allowance for the subdivision from that originally assigned for this portion of the Sabino Springs Specific Plan. A past as-built grading study (attached) performed by an engineering firm and accepted by the Development Services Department, demonstrated that environmentally friendly methods employed during construction of the subdivision infrastructure reduced originally estimated grading disturbance by 78,312 square feet (1.8 acres). The excess grading allowance, if distributed among what was described in the report as "...the remaining 44 lots in Sabino Estates..." allows a grading increase of approximately 1,800 square feet per lot. However, due to the administrative control note, it was determined that the proportional distribution of the excess grading would be allowed based upon the Board of Supervisors' approval of the modification of the administrative control note on a per-lot basis. To date, requests for sixteen lots have been approved by the Board for the 1,800-square-foot grading increase. The lot numbers are 1, 3, 4, 6, 9, 11, 12, 17, 25, 29, 34, 35, 42, 43, 44, 45 and 2 (Board Minutes attached).

The 15.97-acre grading limit (Restrictive Note #10) within the 80.03-acre subject plat derives from the Sabino Springs Specific Plan, which was conditioned upon a maximum grading limit of 55% (now 56% through a past-approved amendment) of its 428.35 acres. The various developments within the Specific Plan have been assigned portions of the grading allowance. After accounting for disturbance for infrastructure (roads, common driveways, drainage structures), each lot within the subject plat area was allotted 9,200 square feet for grading disturbance.

Subject Lot 42 has many saguaro cacti (a protected species), and is located within the Buffer Overlay Zone, being near the Coronado National Forest. Review for compliance with the Hillside Development Overlay Zone standards, the Native Plant Preservation Ordinance including preservation and potential mitigation of saguaros, Flood Control requirements, and Buffer Overlay Zone (BOZO) standards have not been conducted for this request.

Preservation of the site is furthered by the restrictive note #20(D) requiring the remaining undisturbed areas outside of the development envelope to be dedicated as a conservation easement.

The subject lot is located within the Conservation Lands System (CLS). The Specific Plan was approved with conservation elements; and General Administrative Note #11 for this platted subarea of the Specific Plan indicates that 80.03 percent of Sabino Estates will remain undisturbed. The potential for disturbance of 11,000 square feet of the 1.04-acre subject lot constitutes approximately 24.3 percent of the lot, leaving 75.7 percent as natural.

The owners should note that a property owner within the subdivision may privately enforce plat notes, even if the Board of Supervisors grants a modification.

Public notice is being sent to all property owners within the subdivision and within 300 feet of the boundaries of the subdivision.

ENVIRONMENTAL PLANNING

The entire project site (approximately 45,459 square feet) is within the Multi-Use Management Area designation of the Maeveen Marie Behan Conservation Lands System (CLS). The CLS Guidelines for this designation call for two (2) acres of natural open space to be conserved for every acre developed.

Co12-93-11

Applying the 2:1 mitigation ratio, compliance with the CLS Guidelines can be achieved entirely onsite by limiting the amount of disturbance to no more than 15,153 square feet. The property owner has requested that the allowable disturbance area be increased from 9,200 square feet to 11,000 square feet, which is within the ground disturbance limits called for by the CLS Guidelines.

Environmental Planning has no objection to this request.

REGIONAL FLOOD CONTROL DISTRICT

The Regional Flood Control District has no objection to the modification to the plat note to increase the area of the development envelope from 9,200 square feet to 11,000 square feet on Lot 42 (1.04 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07).

TD/DS Attachments

c: Randy Gilliam, RA, NCARB, Principal, Gilliam Architecture, LLC, 40 W. Baseline Road, #115, Tempe AZ 85283



Case #: CO12-93-11 Case Name: SABINO ESTATES AT SABINO SPRINGS Tax Code(s): 114-07-2180

Aerial Exhibit



0 360 720 1,440 Feet

PI	IA COUNTY DEVELOPME PLANNIN	INT SERVICES	S DEPARTMENT	
	Notes: Plat Note Mod	ification (Lot 42)	N
PIMA COUNTY DEVELOPMENT SERVICES	Case Ref #: P21SA00012	Map Scale: 1:10,000	Map Date: 12/13/2021 - ds	W E S
			map Dute. 12/16/2021 - 43	



0 360 720 1,440 Feet

P	IMA COUNT			SERVICE	S DEPARTMENT	
Å	Notes:	Plat Note I	Modific	ation (Lot 42	2)	N
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10			Â		
MA COUNTY	Case Ref #:	P21SA00012		Board of Supervisor	s Hearing: 1/18/2022	W
LOPMENT SERVICES	Base Map(s): 50	& 83	Мар	Scale: 1:10,000	Map Date: 12/13/2021 - ds	S



Land Use Legend and Map

Planned Development Community (PDC)

Objective: To designate existing approved specific plans. Specific plans comprise a unique zoning regimen within a planned community. Specific plan documents include detailed information on the intent for the community as a whole, as well as the individual planning and zoning districts within the specific plan area. Applications for amendments to individual specific plans shall be done in accordance with Section 18.90 (Specific Plans) of the Pima County Zoning Code.

Exception: State Trust land in the proposed Sahuarita East Conceptual Plan is designated a PDC under Special Area Policy S-36 in Chapter 9.



PI	A COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION	
*	Notes: Plat Note Modification (Lot 42)	N
PIMA COUNTY	Case Ref #: P21SA00012	W
DEVELOPMENT SERVICES	Map Scale: 1:10,000 Map Date: 12/13/2021 - ds	S

MIMB CONSERVATION LANDS SYSTEM



As-Built Grading Study

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Stantec Consulting Inc. 4911 East Broadway Blvd. Tucson AZ 85711-3611 Tel: (520) 750-7474 Fax: (520) 750-7470 stantec.com



Stantec

10 July, 2002 File: 85611402 Tel: 740-6816 Fax: 740-6878

Mr. Carmine Debonis, Jr. Operations Administrator Pima County Development Services 201 North Stone Avenue Tucson, AZ 85701

Reference: Sabino Estates

Dear Carmine:

Per the request of our client, Stantec has analyzed the area referred to as Sabino Estates (Bk. 45, M&P, Pg. 7) via orthophotogrammetry to establish the extent of asbuilt grading for the site. To the best of our knowledge and belief, based upon a review of past records presented to us by our client, the following numbers were formulated in the same manner as the original clearing estimate given at the time of recordation of the Final Plat.

Street Right-of-Way
Common Driveways
Drainage Structures
Slopes

167,163 SF / 3.84 AC 20,890 SF / 0.48 AC 10,617 SF / 0.24 AC 7,900 SF / 0.18 AC

As-Built Grading

206,570 SF / 4.74 AC

When compared to the original clearing estimate of 284,882 SF (6.54 AC), we have concluded that the conscientious and environmentally friendly methods employed by our client during construction of the infrastructure resulted in a 78,312 SF (1.8 AC) reduction in the total amount of grading. Distribution of this savings across the remaining 44 lots in Sabino Estates resulted in an increase in grading of 1,780 SF per lot.

Therefore, it is our opinion that the "Allowable Lot Grading" as defined in the same for the Administrative Control Notes should be increased, from the 9,200 SF currently allowed to a new threshold of 10,980 SF (or approximately 11,000 SF) if it is our further opinion that this appears to be consistent with the interpretation by the County of the Specific Plan when the Sabino Estates Plat was approved. For clarity, we have attached

Buildings

Environment

. Industrial

Transportation

Urban Land

10 July 2002 Mr. Carmine Debonis Page 2 of 2

Reference: Sabino Estates

a conceptual exhibit detailing the areas analyzed ingenerating the actual areas of disturbance.

We trust the above information is sufficient for yourneeds at this time. Feel free to contact us should you have any further questions.

Sincerely,

STANTEC CONSULTING INC.

Robert J. Jannarino, PE, RLS Principal; Land Development riannarino@stantec.com RJI:ic

Enc.

Copy: John Cote Lawrence M. Hecker, Esq. Mike Grassinger Chuck Huckelberry



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Stantec



SABINO ESTATES AT SABINO SPRINGS LOTS 1-45 & COMMON AREAS "A" & "B"

MP 45007 RECORDED: JULY 29, 1993 ***THE FOLLOWING PLAT IS AN ANNOTATED VERSION OF THE ORIGINAL DOCUMENT. IT HAS BEEN ALTERED BY PIMA COUNTY **DEVELOPMENT SERVICES TO SHOW** ADDITIONAL INFORMATION. ORIGINAL COPIES MAY BE OBTAINED FROM THE PIMA COUNTY **RECORDER*****













BOS Minutes Plat Note Modifications Approvals

Plat Note Modification Approval Lot 29 Bos minutes 6-5-12

the previous use, the applicant would be required to submit a traffic study to the Pima County Department of Transportation.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Supervisor Bronson, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing, approve the waiver of the rezoning condition for co9-83-29 subject to standard and special conditions, including the addition of the traffic study condition as proposed by the County Administrator, and the additional condition prohibiting the use of the site fora fast food drive-thru.

29. DEVELOPMENT SERVICES: Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS(LOT 29)

Request of <u>Manning Family Trust</u>, represented by Kevin B. Howard Architects, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 29 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is 2.64 acres zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the north side of Sabino Estates Drive, approximately one half mile east of Bowes Road and south of the Coronado National Forest. Staff recommends APPROVAL. (District 4)

Chris Poirier, Assistant Planning Director, reported this request pertained to increasing the size of the last lot to be platted in this development to provide a drive way turnaround. He stated that staff had received no public comment to date and recommended approval of the request.

Joseph Brown and Nancy Zepeda, Architects with Kevin B. Howard Architects, Inc., explained the need for the increased lot size to accommodate off street parking and a driveway turn around.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

30. DEVELOPMENT SERVICES: REZONING ORDINANCES

- A. ORDINANCE NO. 2012 <u>28</u>, Co9-11-08, Andrada Investors L.L.C. Andrada Road (Alignment) Rezoning. Owner: Andrada Investors L.L.C. (District 4)
- B. ORDINANCE No. 2012 <u>29</u>, Co9-11-04, Hennessy Tr. Mission Road Rezoning, Owner: Hennessy B. TR, c/o Michael E. Hennessy TR (District 5)
- ORDINANCE NO. 2012 <u>30</u>; Coo 57-65, Kissinger, et al. Rezoning. Owners: Timothy and Sharon Houser, Antonio and Mary Cardenas and the City of Tucson (District 1)
 6-5-2012 (26)

Plat Not Modification Afroval Lots 43, 44, 445 Bos Minutes 8-20-12

- conditions of rezoning give Property Owner any rights claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)." Either the property shall be addressed from Hacienda del Sol or on-site directional signage shall
- 21. be provided directing traffic to the Hasienda del Sol primary access/entrance.
- 22. A Final Integrated Water Management Plan (FIWMP) including water harvesting shall be approved prior to development plan approval.

Arlan Colton, Planning Director, offered the staff report and stated that three notices of public comment were received but only one in opposition from a neighbor within 500 feet. Mr. Colton noted for the record that Condition No.11 allowed for the 34 foot height for one building.

On consideration, it was moved by Supervisor Day, seconded by Supervisor Garroll and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-12.02. subject to standard and special conditions.

DEVELOPMENT SERVICES: Plat Note Modification 19.

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOTS 43, 44 and 45)

Request of Jacob Family Revocable Trust, represented by Randel Jacob Design Group, P.L.L.C., for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lots 43 (6.19 acres), 44 (1.02 acres), and 45 (.98 acre) of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject properties are zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and are located on the north side of Sabino Estates Drive, approximately one quarter mile north of Houghton Road, south of the Coronado National Forest, and three guarters of a mile east of Bowes Road, Staff recommends APPROVAL. (District 4)

Arlan Colton, Planning Director, provided the staff report and noted that the Board had previously approved a similar request and may see more in the future given the topography of the sites to allow for access.

On consideration, it was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

20. **DEVELOPMENT SERVICES:** Rezoning Ordinance

ORDINANCE NO. 2012 - 44, Co9-85-13, Armenta - Tanque Verde Road Rezoning. Owner: Comanchero Associates, L.L.C. (District 4)

Plat No Modification Appi val Lot34 BOS Minutes 1-22-13

- In rural neighborhoods, a 300 foot notification area was not enough as lots could be several acres.
- Suggested that on dirt roads not maintained by the County, all residents responsible for maintenance of the road be notified,
- Appreciation was given for the efforts of the Development Services Department to accommodate neighbor concerns.
- A continuance was looked upon favorably due to the late submittal of the most recent update, rather than disperied content.
- Recommended that the County adopt a policy to alert neighborhoods about changes in the Code that may have an effect on them.

Supervisor Miller stated that numerous comments had been received by her office concerning increased traffic to neighborhoods, cooking smells, lack of proper notice for review of proposed changes and other issues. She said the amendment had not been clearly written as there were too many components.

It was thereupon moved by Supervisor Miller, seconded by Supervisor Carroll and unanthously carried by a 5-0 vote, to continue this matter to the Board of Suffervisors' Meeting of February 5, 2013.

DEVELOPMENT SERVICES: PLAT NOTE MODIFICATION 17.

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 34)

Request of Williad E., Jeanne A. and David Lee Northcraft TR, represented by Randel Jacob Design Group, P.L.L.C., for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 34 (3.21 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 7), a portion of the Sabino Springs Specific Plan. The subject property is zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the north side of Sabino Estates Drive, south of the Coronado National Forest, and approximately three quarters of a mile east of Bowes Road. Staff recommends APPROVAL. (District 1)

Chris Poirier, Assistant Planning Director, provided the staff report and noted that no neighbor comment had been received.

On consideration, it was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

DEVELOPMENT SERVICES: REZONING RESOLUTION

RESOLUTION NO. 2013 4 Cog-83-29, Tucson Estates, Inc. - Kinney Road Rezoning. Owner: Accent Homes, Inc. (District 3) The Chairman inquired whether anyone wished to be heard. No one appeared.

1-22-2013 (8)

Plat Not Modification App. sval Lotb 1305 Minutes 9-3-13

rainwater harvesting system as a permitted use in all zones subject to requirements and exceptions, and Section 18.07.050 (Development Standards Exceptions) to modify and add to development standards exceptions for projections into yards and for height limits; and amending Chapter 18.73 (Landscaping, Buffering and Screening Standards), Section 18.73.050 (Amenity Landscaping Requirements) to add vegetated roofs as an amenity landscape requirement option. On motion, the Planning and Zoning Commission, voted 8-0 (Commissioners Mangold and Johns absent) to recommend APPROVAL. Staff recommends APPROVAL. (All Districts)

If approved, pass and adopt; ORDINANCE NO. 2013-42

The Chairman inquired whether anyone wished to be heard. No one appeared. It was moved by Supervisor Elías, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing, approve Co8-13-02 and adopt the ordinance.

21. Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS, (LOT 6)

Request of <u>Phillip Ferranti, represented by The WLB Group</u>, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 6 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is approximately .82 acres zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the south side of Sabino Estates Drive, approximately 700 feet east of Bowes Road and approximately one quarter of a mile south of the Coronado National Forest. Staff recommends APPROVAL WITH A CONDITION. (District 1)

Staff recommends the addition of the following condition:

 The property owner shall provide 980 square feet of on-site mitigation with plant/seed mix from the Buffer Overlay Zone plant list and shall include the mitigated area within the conservation easement dedication.

The Chairman inquired whether anyone wished to be heard. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11; for a plat note modification with a condition.

TRANSPORTATION

22. Traffic Resolution

RESOLUTION NO. 2013 - 81, of the Board of Supervisors, permitting the temporary closure of Ajo Well No. 1 Road, Fundicion Street, La Mina Avenue, Lomita Avenue and Plaza Street in Ajo, Pima County, Arizona, for an annual parade on Friday, September 20, 2013. Staff recommends APPROVAL. (District 3)

9-3-2013 (10)

Plat Non-Modification Approval Lots 1,4,9,11442 Bos minuter 9-17-13

The Chairman inquired Whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-97-53, with modified standard and special conditions.

9-17-2018 (14)

24. Plat Note Modification

<u>Co12-93-11</u>, <u>SABINO ESTATES AT SABINO SPRINGS (Lots 1, 4, 9, 11, and 42)</u> Request of <u>Nicholas Loffredo (Lot 1, approximately 96 acres)</u>, <u>Donald Davern (Lot 4, approximately 1.04 acres)</u>, <u>Wallace Petersen (Lot 9, approximately 1.31 acres)</u>, <u>Leonard Loffredo (Lot 11, approximately .76 acres)</u>, and <u>Keith Davern (Lot 42, approximately 1.00 acre)</u> all represented by <u>The WLB Group</u>, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lots 1, 4, 9, 11, and 42 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject properties are zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and are located on the north and south side of Sabino Estates Drive, approximately 450 feet south of the Coronado National Forest. Staff recommends APPROVAL. (District 1)</u>

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

25. Rezoning Ordinance

ORDINANCE NO. 2013 - <u>43</u>, Co9-13-06, Trubee - N. Bear Canyon Road Rezoning. Owner Tanya Trubee. (District 4)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and adopt Ordinance No. 2013 - <u>43</u>.

PRESENTATION/PROCLAMATION

26. Presentation of a proclamation to Elena West, Director of Las Artes, proclaiming Saturday, September 28, 2013 to be: "MARY H MELTON DAY"

It was moved by Supervisor Bronson, seconded by Supervisor Elias and unanimously carried by a 5-0 vote, to approve the Item.

Chairman Valadez made the presentation to Elena West.

Plat Note Modification Approval Lot 17 BOS Minutes 11-19-13

Tom Coyle, Principal Planner, provided the staff report and stated no public comment had been received.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-08-08, with modified standard and special conditions.

23. Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (Lot 17)

Request of <u>Monterra Group L.P., L.L.P., represented by Randel Jacob Design</u> <u>Group, P.L.L.C.</u>, for a plat note modification of administrative control note No. 20(B) to increase the area of the development envelope from 9,200 square feet to 11,000 square feet on Lot 17 of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is approximately 5.03 acres zoned SP (BZ) (Specific Plan) (Buffer Overlay Zone) and is located on the north side of Sabino Estates Drive, approximately one third of a mile east of Bowes Road and south of the Coronado National Forest. Staff recommends APPROVAL. (District 1)

Chris Poirier, Assistant Planning Director, provided the staff report and stated no public comment had been received.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

TRANSPORTATION

24. **Fraffic Ordinance**

ORDINANCE NO. 2013 - <u>58</u>, of the Board of Supervisors, regulating parking on Sabino Canyon Road in Pima County. Staff recommends APPROVAL. (Districts 1 and 4)

A motion was made by Supervisor Elías to adopt the ordinance. The motion was withdrawn

Supervisor Miller stated parking around the entrance to the Sabino Canyon Recreational Area had been an ongoing problem and her office had received a written complaint.

Priscilla Cornelio, Transportation Director, explained the ordinance presented was a housekeeping matter which consolidated three existing ordinances.

11-19-2013 (18)

Plat Note Modification App sval Lot25 Bos minutes 1-6-15

and Mobile Home-1) and is located on the north side of Arivaca Road, approximately 600 feet west of Nogales Highway. Staff recommends APPROVAL. (District 3)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Chair Bronson, seconded by Supervisor Elias and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-89-52, as recommended by staff.

21 Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 25)

Request of Larry Koussa, represented by Simmons Home Designs, for a plat note modification of administrative control note No. 20(B) to increase the area of development envelope from 9,200 square feet to 11,000 square feet on Lot 25 of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is approximately .86 acres, zoned SP (BZ) (Specific Plan) (Buffer Overlay-Zone) and is located on the south side of Sabino Estates Drive, approximately one half mile east of Bowes Road and approximately 600 feet south of the Coronado National Forest. Staff recommends APPROVAL. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Elías and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11, as recommended by staff.

22. Rezoning Ordinance

ORDINANCE NO. 2015 - 1, Co9-14-10, Arthur Naiman Living Trust - N. Rock Canyon Road Easement Rezoning. Owner: Arthur Naiman Living Trust. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elfas, seconded by Supervisor Carroll and unanimously carried by a 6-0 vote, to close the public hearing and adopt the Ordinance.

23. Rezoning Resolution

RESOLUTION NO. 2015 - 2, Co9-00-12, Read - Oracle Road Rezoning. Owner: T. Read Holdings, L.L.C. (Tamara Reed) (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Elfas, seconded by Supervisor Canal and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

1-6-2015 (8)

Plat Note Modification Approval Lot 12 BOS Minutes 6-7-16

24. Hearing - Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 12)

Request of John and Carolyn Bliley, represented by Talavera Homes, Inc., for a plat note modification of Administrative Control Note No. 20(B) to increase the area of the development envelope (grading) from a maximum of 9,200 square feet to a maximum of 11,000 square feet on Lot 12 of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07). The subject property is approximately .93 acres, zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is located approximately 1,750 feet northeast of the intersection of N. Bowes Road and E. Sabino Estates Drive. Staff recommends APPROVAL. (District 1)

Chris Poirier, Planning Official, provided the staff report and stated that 14 other lots within the subdivision had come before the Board for approval to increase grading to 11,000 square feet. He stated that there were letters of concern from neighbors to the north, and after review, stood by their recommendation for approval.

John and Barbara Stalder addressed the Board regarding the amount of time given for due diligence. They were concerned about the disturbance of their view, removal of vegetation on their lot, and requested a meeting to discuss their concerns.

Supervisor Miller questioned if there had been any communication between the Stalders, the staff or the owners.

Linda Talavera, Talavera Homes Corporate Secretary, read a letter previously submitted into the record which addressed the concerns of the Stalders.

Mr. Poirier responded there would be some disturbance, the driveway would be closer to the Stalder's lot and that the applicant's design retained a significant number of Saguaros which minimized the overall disturbance.

It was moved by Supervisor Miller, seconded by Chair Bronson and carried by a 4-0 vote, Supervisor Carroll absent, to close the public hearing and approve the plat note modification, Co12-93-11.

20. Hearing - Rezoning Ordinance

ORDINANCE NO: 2016 - 32, P15RZ00009, Magee Como Development Assoc., L.L.C. - N. La Cholla Boulevard Rezoning. Owner: Magee Como Development Assoc., L.L.C. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chair Bronson and carried by a 4-0 vote, Supervisor Carroll absent, to close the public hearing and adopt the Ordinance.

C-R-93-11 Plat Note Matification Approval Lot 35 BOS Minutes 9-3-19

was moved by Supervisor Willer, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-00-39, subject to standard and special conditions.

20. Hearing - Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 35)

Request of <u>Baier Family Revocable Trust</u>, represented by Soloway Designs, Inc., for a plat note modification of Restrictive Administrative Control Note No. 20(B) to increase the area of the development envelope (grading) from a maximum of 9,200 square feet to a maximum of 11,000 square feet on Lot 35 of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07). The subject property is approximately 4.38 acres, zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is located on the north side of E. Sabino Estates Drive, approximately 4,500 feet northeast of the intersection of N. Bowes Road and E. Sabino Estates Drive and is addressed as 10151 E. Sabino Estates Drive. Staff recommends APPROVAL. (District 1)

The Chairman inquired whether anyone wished to be heard. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Christy and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

Hearing - Rezoning Ordinance

ONDINANCE NO. 2019 - 22, P18RZ00012, Robert Lee Boykin - N. Camino de Oeste Rezoning. Owner: Robert Lee Boykin. (District 1)

The Chairman Inquired whether anyone wished to be heard. No one appeared. It was moved by Chairman Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

22. Hearing - Rezoning Resolution

RESOLUTION NO. 2019 - <u>62</u>, P18CA06007, Pima County - West River Road Plan Amendment. Owner: Pima County Flood Control District. (District 1)

The Chairman inquired whether anyone wished to be heard. No one appeared. It was moved by Chairman Elías, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Resolution.

23. Hearing - Rezoning Resolution

RESOLUTION NO. 2019 - <u>63</u>, Co9-83-94, Transamerica Title No. 8155 - Suprise Drive Rezoning (Modification of a Rezoning Condition - Non Substantial Change). Owner: Ventana Canyon Alliance, L.L.C. (District 1)

9-3-2019 (9)

Andrew Elagg, Chief Civil Deputy County Attorney, responded that the notifications on impacted districts was an internal process not a statutory requirement, therefore there would be no legal implication.

It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to continue this item to the Board of Supervisors' Meeting of September 15, 2020.

38. Hearing - Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 3)

Request of <u>Kieckhefer Revocable Trust, represented by Chris Evans, Architect</u>, for a plat note modification of Restrictive Administrative control Note No. 20(B) to increase the area of the development envelope (grading) from a maximum of 9,200 square feet to a maximum of 11,000 square feet on Lot 3 of the Sabino Estates at Sabino Springs subdivision (Bk. 45, Pg. 07). The subject property is approximately 0.68 acres, zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is located on the east side of E. Sabino Estates Drive, approximately 1,000 feet northeast of the intersection of N. Bowes Road and E. Sabino Estates Drive and is addressed as 9650 E. Sabino Estates Drive. Staff recommends APPROVAL. (District 1)

Chris Poirier, Deputy Director, Development Services Department, indicated that this was a request for a modification of a plat note. He stated that this request would allow for the expansion of the allowable building envelope. He added that the main spine road for the subdivision was built at a shorter length. He indicated that staff recommended approval.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Chairman Valadez and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11, as recommended by staff.

39. Hearing - Rezoning Ordinance

ORDINANCE NO. 2020 - 25, Co9-62-84, Valley View Acres Subdivision Rezoning (Lot 100). Owner: Gerard Gilbert. (District 3)

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Chairman Valadez, seconded by Supervisor Villegas and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

Co12-93-11 Plat Note Modification Approval Lot 2 - BOS Minutes 6-22-21

area at the time a tentative plat, development plan or request for building permit is submitted for review.

- 8. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. §12-1134(I)."
- 9. 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.
- 10. During the development plan stage, the applicant shall contact Tucson Unified School District (TUSD) concerning the provision of adequate space for safe bus stops, bus turn-arounds and pedestrian access to the appropriate schools.
- 11. Structures shall be limited to a maximum height of 24 feet and shall be sited and landscaped to minimize negative visual impacts. The color of structures shall be in context with the surrounding environment.
- 12. In addition to the requirements of the Native Plant Preservation Ordinance, all transplantable saguaros 6 feet or less in height inside the disturbance area envelopes shall either be preserved in place or transplanted within the site.
- 13. The developer shall consult with the Coalition for Sonoran Desert Protection and Pima County prior to submittal of a subdivision plat to explore ways to reduce the need for large basins located along the downstream edge of the property while still meeting detention requirements. Any basins to be constructed throughout the site shall be designed using permaculture concepts and incorporate gradual slopes of natural materials in order to facilitate wildlife movement.
- 14. The developer shall consult with the Coalition for Sonoran Desert Protection and Pima County prior to submittal of a subdivision plat on lot configuration and placement of building envelopes, particularly those that are impacted by "flows under the regulatory threshold per the submittal, but are significant," (reference Commission staff report pg. 8) and on lots 19 and 22 where buildable area incurs into the Erosion Hazard Setback.
- 15. Signage indicating the prohibition of motorized vehicles shall be posted on trail easements.
- 16. The "Proposed Pedestrian Access Easement to TUSD School Property" shall be removed from the Preliminary Development Plan.
- 17. Perimeter lot fencing within the designated natural open space is prohibited.
- 18. All single-family dwelling units are required to be equipped with a fire sprinkler system.

The Chair inquired whether any comments or requests to speak on this item were submitted. Letters of opposition were received and placed in the record; however, there were no speakers. It was moved by Chair Bronson, seconded by Supervisor Scott and unanimously carried by a 5-0 vote, to close the public hearing and approve Co9-15-04, subject to original and modified standard and special conditions.

45. Hearing - Plat Note Modification

Co12-93-11, SABINO ESTATES AT SABINO SPRINGS (LOT 2)

<u>Darrell and Ana Stipp</u> request a plat note modification of restrictive administrative control note No. 20(B) to increase the area of the development envelope from 9,200 square feet to 11,000 square feet on Lot 2 (.79 acres) of the Sabino Estates at Sabino Springs Subdivision (Bk. 45, Pg. 07), a portion of the Sabino Springs Specific Plan. The subject property is zoned SP (BZ) (Specific Plan - Buffer Overlay Zone) and is

located on the west side of E. Sabino Estates Drive, approximately 1,000 feet northeast of the intersection of N. Bowes Road and E. Sabino Estates Drive, addressed as 9645 E. Sabino Estates Drive. Staff recommends APPROVAL. (District 1)

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Supervisor Scott, seconded by Chair Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve Co12-93-11.

46. Hearing - Rezoning Ordinance

ORDINANCE NO. 2021 - <u>15</u>, P20RZ00014, Stewart Title and Trust TR 3734 - W. Curtis Road Rezoning. Owner: Stewart Title and Trust TR 3734. (District 3)

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson, seconded by Supervisor Grijalva and unanimously carried by a 5-0 vote, to close the public hearing and adopt the Ordinance.

HEALTH

47. Hearing - Code Text Amendment

ORDINANCE NO. 2021 - <u>16</u>, of the Board of Supervisors, relating to the general regulations governing immunization by the Pima County Health Department, amending the Pima County Code, Chapter 8.12, Health and Safety.

The Chair inquired whether any comments or requests to speak on this item were submitted. None had been received. It was moved by Chair Bronson and seconded by Supervisor Scott to close the public hearing and adopt the Ordinance. No vote was taken at this time.

Supervisor Christy inquired whether adopting this Ordinance would fiscally impact the General Fund.

Chuck Huckelberry, County Administrator, confirmed that the General Fund would not be fiscally impacted if the Ordinance was adopted.

Upon the vote, the motion unanimously carried 5-0.

BOARD OF SUPERVISORS

48. In-Person Board of Supervisors Meetings

Discussion/Action regarding resuming in-person Board of Supervisors Meetings. (District 3)



201 N. Stone Avenue, Tucson, AZ 85701 (520) 724-9000 www.pima.gov/developmentservices

BIOLOGICAL IMPACT REPORT

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

INSTRUCTIONS FOR SAVING FORM: 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. If you fill out the form before you download it, the info you entered will not be saved.

Project ID (case no., APN no., address, or other identifying info):

10215 E Sabino Estates

Part I. Information Provided by Pima County Staff

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections) NA

Important Riparian Area Biological Core Multi-Use Management Area

- 2. Is the project within a CLS Special Species Management Area? No
- 3. Is the project in the vicinity of any of the six Critical Landscape Linkages? No
- 4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? No
- 5. Is the project located within a Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl: Yes
 - b. Western burrowing owl: No
 - c. Pima pineapple cactus: No
 - d. Needle-spined pineapple cactus: No

Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

- Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? No
 If yes, provide a summary of those communications:
- 2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		No
Needle-spined pineapple cactus	No		No

Questions about this form? Contact the Office of Sustainability and Conservation at (520) 724-6940.

GILLIAMARCHITECTURE, LLC

ARCHITECTURE+PLANNING+INTERIORS+DESIGN 40 West Baseline Road #115 Tempe, Arizona 85283

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

October 27, 2021

Special Action Letter of Request

Project Owner:	Mark & Michelle Beres Residence
Address of Project:	10215 E. Sabino Estates Dr. , Tucson, AZ
Parcel APN:	114-07-2180
Property Size:	1.04 acres
Subdivision:	Lot #42 Sabino Estates

To whom it may concern,

This letter is to request the allowable site grading area / disturbance area to be increased to 11,000 square feet. This will allow for the development of the one-story residence as indicated in the attached site plan. Without the allowable grading increase, building a quality one-story home on this lot becomes increasingly unfeasible. This is due to several key limiting characteristics for this specific lot.

One of the key limiting factors for this lot is the extreme change in topography from the street elevation to the back of the property. Another key aspect for this lot is its irregular 'triangle-shape'. The combination of the extreme topography and the irregular shaped lot resulted in a design for the home and its footprint to extend and follow the topography. A more rectangular shaped lot would have ultimately yielded less site disturbance, however due to the irregularity of this specific lot the resulting design for the home and its footprint has needed to adapt accordingly. The resultant is a larger footprint and the development envelope.

Another key limiting factor on this specific lot is the relationship of the front yard, the street, and the thirty foot setback from the street. In efforts to provide a safe and functional driveway, the length of the driveway was extended, thusly, increasing the development area, see attached site plan for reference. Similarly, the large cul-de-sac in the southeastern corner of the lot further limits the location and connection of the driveway to the street and the home's front yard; therefore locating the building pad lower in the lot was not possible.

Given the myriad of limiting factors on this specific lot, we request the increase from 9,200 square feet to 11,000 square feet.

If you have any questions or additional comments regarding this request, please feel free to contact me at your convenience at 480.236.1228 or via email at <u>rgilliam@gilliamarchitecture.com</u>. Thank you. Sincerely,

ander (Gillion

Randy J. Gilliam, RA, NCARB Principal, Gilliam Architecture, LLC



LETTER OF AUTHORIZATION

As required by Arizona Revised Statues I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

10215 E. SABINO ESTATES DE. TUCSON AZ 85749

Property Address

Type of Permit Applied for: (SFR/MH/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Adult Care/Secondary Dwelling/Assisted Living/Group Home)

uly J. Ortham

11/1/2021

Date

AUTHORIZE Signature of Property Owner Date

10/29/2021

Signature of Applicant