

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 17, 2017

Title: P16RZ00012 Tucson Linda-Vista 20 Ltd. Partnership, Et al. - N. Shannon Road Rezoning

Introduction/Background:

The applicant requests a 78.6 acres rezoning from SR (Suburban Ranch) to CR-2 (CL) (Single Residence - Cluster)⁴ zone for residential development of a 94-lot, single-family cluster residential subdivision with on-site (49 acres) and off-site (58 acres) natural open space for compliance with the Maeveen Marie Behan Conservation Lands System. The rezoning site is located at the southeast and southwest corners of the Linda Vista Boulevard alignment and Shannon Road.

Discussion:

Current SR zoning allows for 23 single-family residences to be developed. The proposal is consistent with the Comprehensive Plan designation of Low Intensity Urban 0.3 that allows a density of 1.2 residences per acre with a minimum of 65% open space.

Conclusion:

Requested rezoning conforms to the Comprehensive Plan; rezoning on site would allow subdivision development consistent with densities of the surrounding neighborhoods with buffer provisions to the equivalent densities of the adjacent properties.

Recommendation:

Staff recommends approval of the rezoning with conditions; Planning & Zoning Commission also recommends approval with conditions.

Fiscal Impact:

0				
Board of Supervisor District:				
	All			
Department: Development Services - Planning Telephone: 724-9000				
Contact: Terrill L. Tillman Telephone: 724-6921				
Department Director Signature/Date: 2027				
Deputy County Administrator Signature/Date: 9/29/17				
County Administrator Signature/Date: C. Adultary 9/19/1	7			



TO: Honorable Ally Miller, Supervisor, District 1

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

DATE: September 26, 2017

SUBJECT: <u>P16RZ00012</u> <u>TUCSON LINDA-VISTA 20 LTD PARTNERSHIP, ET AL. – N.</u> SHANNON ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, OCTOBER 17, 2017** hearing.

- **REQUEST:** For a **rezoning** of approximately 78.6 acres from SR (Suburban Ranch) to the CR-2 (CL) (Single Residence Cluster) zone, located at the southeast and southwest corners of the Linda Vista Boulevard alignment and Shannon Road.
- OWNERS: Tucson Linda-Vista 20 Ltd. Partnership 6088 W. Arizona Pavilions Dr., Ste. 1 Tucson, AZ 85743
- AGENT: The WLB Group, Inc. Attn: Paul Oland 4444 E. Broadway Boulevard Tucson, AZ 85711
- DISTRICT: 1

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of September 25, 2017, staff has received one letter of support.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (5-0; Commissioners Bain, Cook, Mangold, and Matter were absent).

<u>STAFF RECOMMENDATION</u>: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Lands System (MMBCLS) classified as Important Riparian Area, Multiple Use Management Area, and Special Species Management Area.

TD/TT/ar Attachments PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P16RZ00012

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FOR OCTOBER 17, 2017 MEETING OF THE BOARD OF SUPERVISORS

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

DATE: September 25, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P16RZ00012 TUCSON LINDA-VISTA 20 LTD PARTNERSHIP, ET AL – N. SHANNON ROAD REZONING

Request of Tucson Linda-Vista 20 Ltd Partnership, Et al, represented by The WLB Group, for a **rezoning** of approximately 78.6 acres from SR (Suburban Ranch) to the CR-2 (CL) (Single Residence – Cluster) zone, parcel codes 225-02-001B, 225-02-002E, and 225-04-014G located at the southeast and southwest corners of the Linda Vista Boulevard alignment and Shannon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Low Intensity Urban 0.3 designation. On motion, the Planning and Zoning Commission voted 5-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Bain, Cook, Mangold, and Matter were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. (District 1)

Planning and Zoning Commission Public Hearing Summary (August 30, 2017)

Staff presented information from the staff report to the commission and discussed that the proposed cluster rezoning will go to the Design Review Committee prior to the Board of Supervisor's hearing (see additional information attached). Staff gave a recommendation of approval with conditions.

A commissioner asked if the planned off-site mitigation location due to the MMBCLS designations of the property has been determined. Staff replied that the location for the proposed off-site mitigation will be determined in conjunction with County staff during or prior to the subdivision platting process.

The applicant's representative spoke. He presented additional information for the proposed development and described the restrictiveness of the MMBCLS guidelines and the provision for the full off-site mitigation to be met during platting.

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A commissioner asked whether the applicant was in support of the recommended conditions.

The applicant's representative stated that Transportation's comments regarding the timing and building of Linda Vista Boulevard gives some concern. Staff replied that a condition may be modified by the commission and captured for the Board of Supervisor's meeting.

The Coalition for Sonoran Desert Protection (Coalition) spoke in support of the project with the offsite mitigation and requested to be involved in the selection of the off-site mitigation lands. Staff replied that the Coalition may be involved in the selection of the off-sites.

A commissioner asked whether an additional condition to support the request of the Coalition was necessary and staff replied that a condition is not necessary to work with the Coalition.

The only public speaker discussed the need for the alleviation of traffic in the residential neighborhoods through the paving of Linda Vista Boulevard to Thornydale Road.

The applicant stated that Linda Vista Boulevard will be built at some point.

The public hearing was closed.

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

Commissioner Gungle gave second to the motion.

The commission voted to **APPROVE** the rezoning (5 – 0, Commissioners Bain, Cook, Mangold, and Matter were absent) with the following conditions:

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

- 1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
- 2. Transportation conditions:
 - A. The developer shall dedicate a minimum of 45 feet of right-of-way, or sufficient right-ofway to construct the first half of the Linda Vista extension.
 - B. The developer shall dedicate 30 feet of right-of-way for Linda Vista at the south east corner of Linda Vista and Shannon Road as shown on the preliminary development plan.
 - C. The extension of Linda Vista Road shall align with the existing intersection of Linda Vista and Shannon Road.
 - D. The developer shall be required to construct Linda Vista Road for the entire frontage of the rezoning site.
 - E. An easement for future access to the school shall be provided as shown on the preliminary development plan.
 - F. Sidewalk or a multi-use path shall be constructed along Freer Drive to provide safe pedestrian access to Ironwood Elementary School.

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- 3. Regional Flood Control District conditions:
 - A. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
 - B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
- 4. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
 - Environmental Planning conditions:

5.

A. The property owner shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a total of 107 acres as Natural Open Space (NOS). No less than 49 acres NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Preliminary Development Plan. The difference between the total 107 acres NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11 of Conservation Lands System Mitigation Lands) and comply with all of the following:

- 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
- 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. 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.

Invasive Non-Native Plant Species Subject to Control

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

- 6. Cultural Resources conditions:
 - A. 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.

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- B. If antiquities, archaeological sites, artifacts, burial sites are uncovered during excavation, a clearance from Pima County's archaeologists is required prior to resuming construction.
- 7. Adherence to the preliminary development plan as approved at public hearing.
- 8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
- 9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ar Attachments

 cc: Tucson Linda-Vista 20 Ltd. Partnership, 6088 W. Arizona Pavilions Dr., Ste. 1 Tucson, AZ 85743
 The WLB Group, Inc., Attn: Paul Oland, 4444 E. Broadway Boulevard, Tucson, AZ 85711 Tom Drzazgowski, Principal Planner P16RZ00012 File



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION Design Review Committee

DECISION LETTER

DATE: September 25, 2017

TO: Paul Oland, The WLB Group

FROM: Sue Morman, Senior Planner

RE: September 21, Design Review Committee (DRC) Public Meeting

SUBJECT: P17VA00019, Linda Vista/Shannon Cluster Subdivision for Parcels 225-04-014G, 225-02-002E, 225-02-001B

APPLICANT REQUEST: The applicant requested DRC approval of a cluster subdivision design, as allowed by Chapter 18.09.040.C of the Pima County Zoning Code, for 94 single family detached residential units on approximately 78.6 acres at the southeast and southwest corners of the East Linda Vista Road alignment and North Shannon Road.

VOTE: The Motion made by Member Woods and Seconded by Member Wheeler **PASSED** unanimously by an 8-0 vote. Condition #2 was added to the Motion by Member Eglin and accepted by Member Woods.

MOTION: The Motion was made to approve the P17VA00019 Linda Vista/Shannon Cluster Development Plan (PCDP), subject to the conditions identified by Pima County staff and DRC members as follows:

- 1. Subdivision plat shall conform to the DRC approved revised PCDP with added development lot standards;
- 2. The side and rear building façades along Linda Vista Boulevard and Shannon Road shall

be mitigated with shutters, pop-outs, awnings, or some detail articulation to provide interest along public right-of-way rather than just a flat stucco wall.

- 3. A note shall be placed on the subdivision plat that the DRC approval expires concurrently from the date of the tentative Board of Supervisors rezoning approval;
- 4. Applicant shall provide staff with one hardcopy and one electronic copy of the approved DRC documents for staff sign-off in compliance with the DRC decision.

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

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



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

- HEARING August 30, 2017
- DISTRICT 1
- CASE P16RZ00012 Tucson Linda-Vista 20 Ltd Partnership, Et al. – N. Shannon Road Rezoning
- **REQUEST** Rezone from SR (Suburban Ranch) to CR-2 (CL) (Single Residence – Cluster) Zone (78.6 acres)
- OWNER Tucson Linda-Vista 20 Ltd. Partnership 6088 W. Arizona Pavilions Dr., Ste 1 Tucson, AZ 85743
- APPLICANT The WLB Group, Inc. Attn: Paul Oland 4444 E. Broadway Boulevard Tucson, AZ 85711



APPLICANT'S PROPOSED USE

The 78.6-acre site will be developed as a 94-lot, single-family cluster residential subdivision with approximately 66% natural and functional open space. The proposal is unique in that the subject site is divided by Shannon Road. The west side of Shannon Road is proposed for 64 clustered lots with the remaining 30 clustered lots on the east side of Shannon Road.

APPLICANT'S STATED REASON

"The Linda Vista & Shannon project will provide reasonable infill residential density, preserving the most environmentally sensitive portions of the site."

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CR-2 (CL) (Single Residence – Cluster) zone on 78.6-acres for a 94-lot residential subdivision with approximately 49 acres of on-site natural open space, 1 acre of functional open space for recreation and 58 acres of future off-site natural open space to meet the policies of the Maeveen Marie Behan Conservation Lands System. The site is an infill project and consistent with the density of the nearby and surrounding neighborhoods. Paths will be provided through the on-site natural open space to create connectivity from Linda Vista Boulevard to Ironwood Elementary School and along Freer Drive for safe pedestrian passage to school.

PUBLIC COMMENT

Staff has received no comments as of August 14, 2017.

COMPREHENSIVE PLAN

The Comprehensive Plan designates the properties as Low Intensity Urban 0.3 (LIU 0.3). The

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objective of the LIU 0.3 land use designation is to designate areas for low density residential uses and other compatible uses and to provide incentives for residential conservation subdivision to provide more natural open space. Density bonuses are provided in exchange for larger amounts of open space.

The proposed rezoning takes advantage of the allowable density bonus by providing the minimum 65% open space in exchange for a higher density of 1.2 residences per acre (RAC), increased from 0.3 RAC, which conforms to the LIU 0.3 comprehensive plan.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR/CR-1/CR-5	Undeveloped Residential/Developed Residential/Developed
		Residential Subdivision
South:	CR-4/SR	Developed Residential Subdivision/Ironwood Elementary
		School/Pistachio Nursery
East:	SR	Municipal Water Site/Developed Residential Subdivision
West:	CR-4	Developed Residential Subdivision

The surrounding area has a high school, middle school, elementary school, charter school, churches, a pistachio nursery, a cactus nursery, and fire station. The nearest services are approximately one-half of a mile west of the subject site at the northwest corner of Linda Vista Boulevard and Thornydale Road. Additional services are located at the southeast corner of Cortaro Farms Road and Thornydale Road providing banking, retail, restaurants, groceries and shopping. Recreational opportunities exist within the Arthur Pack Regional Park on the southwest corner of Hardy Road and Thornydale Road, which lies approximately one-half of a mile west of the subject site. The park contains a golf course, ball fields, batting cages, basketball courts, playground, soccer fields, and hiking trails within the Maeveen Behan Desert Sanctuary. The Tucson Audubon Society Mason Center just south of Arthur Pack Park offers bird watching and other educational programs.

PREVIOUS REZONING CASES ON PROPERTY

There have been three previous rezoning requests related to portions of the subject site.

- Co9-70-019 for the parcel located at the southeast corner of Linda Vista Boulevard and Shannon Road for SR (Suburban Ranch) to CB-1 (Local Business), TR (Transitional), CR-5 (Multiple Residence Zone), CR-2 (Single Residence), and TH (Trailer Homesite). The rezoning request was withdrawn by the applicant.
- Co9-79-099 for a 37.61 acre portion of the subject site rezoning located at the southwest corner of Linda Vista Boulevard and Shannon Road for SR to CR-1. The rezoning case was closed due to no action.
- Co9-81-049 for the parcel located at the southeast corner of Linda Vista Boulevard and Shannon Road for SR to CR-4 (Mixed Dwelling Type), approved by the Board of Supervisors July 6, 1981. A two-year time extension was granted by the Board of Supervisors on March 20, 1984 subject to the dedication of the Shannon Road and Linda Vista Road rights-of-way within 30days. The required dedications were not received and the rezoning case was rescinded and closed June 5, 1984 by the Board of Supervisors.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

 P16RZ00005 – W. Hardy Road for SR to CR-5 (19.81 acres) located approximately threefourths mile southwest of the subject site. The rezoning was approved September 6, 2016 for a 55-lot, single-family residential subdivision with both on-site and off-site conservation.

- P15RZ00001 N. Thornydale Road for SR to CR-4 (5 acres) and CR-5 (13.01 acres) located approximately one-half mile west of the subject site. The rezoning was approved January 19, 2016 for a 36-lot single family residential infill development with both on-site and off-site conservation.
- P15RZ00003 W. Hardy Road for SR to CR-5 located approximately three-fourths mile southwest of the subject site. The 30-acres rezoning was approved January 19, 2016 for an 84-lot single family residential infill development with both on-site and off-site conservation.
- P15RZ00004 N. Thornydale Road for SR to CR-5 located at the northwest corner of N. Thornydale Road and W. Magee Road approximately one mile south of the subject property. The 17.77-acres rezoning was approved January 19, 2016 for a 28-lot single family residential infill development with both on-site and off-site conservation.
- P15RZ00005 N. Thornydale Road for SR to CB-1 (8.19 acres) and SR ®(46.7 acres) approximately one-mile south of the subject property. The rezoning was approved January 19, 2016 for a commercial shopping center (8.19 acres) and natural open space (46.7 acres) to meet the conservation requirements.
- Co9-15-02 Briar Rose Lane for SR to CR-4 located approximately one-half mile north of the subject property. The 9.79-acres rezoning was approved by the Board of Supervisors October 15, 2015 for a 34-lot residential infill development with both on-site and off-site conservation.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR. An attached map shows properties (in blue) within approximately one mile of the site for which rezoning requests have been made from 1961 to 2006. Most rezonings were approved. Some were withdrawn or denied.

Areas adjacent to and near the site were rezoned in the 1980's and early 1990's to CR-4 and CR-5 with resultant single-family subdivision lot development. There has also been a number of lower density CR-1 (Single Residence) and CR-2 (Single Residence) rezonings in the general area.

Rezonings to the CB-1 zone for shopping centers and professional office uses have also occurred in the area at the northwest corner of Linda Vista Boulevard and Thornydale Road, the southeast corner of Cortaro Farms Road and Thornydale Road, and at the northeast corner of Thornydale Road and Overton Road.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The subject property is located within the Maeveen Marie Behan Conservation Lands System (MMBCLS) classified as Important Riparian Area, Multiple Use Management Area, and Special Species Management Area. The policies of the comprehensive plan address the MMBCLS conservation guidelines and allow both on-site and off-site natural open space set asides to meet the policies. The natural open space provided within this project totals approximately 49 acres or 65% of the site. The proposed off-site mitigation of dedicated natural open space will make up the remaining required difference of 58 acres. The off-site mitigation will be implemented prior to or during the subdivision platting process when the off-site set aside location has been formally negotiated and approved.

PLANNING REPORT

Staff supports the request because the proposed residential development is compatible with the surrounding existing residential, public recreational opportunities, public schools, and commercial uses. Concurrency of infrastructure exists to serve the use. The subject property is an infill

property that will contain a similar density as the surrounding area. Smart growth principles have been employed by the efficient use of existing infrastructure and the preservation of open space fostering an attractive community designed to embrace the Sonoran Desert.

The property is relatively flat, is mostly undisturbed and is traversed by several washes. The limitations of the site arise from the MMBCLS designations and riparian areas around the washes. The property contains dense populations of saguaros and ironwood trees. Much of the salvaged vegetation from on site will be incorporated into the proposed natural bufferyards as enhancement and utilized within the streetscapes and disturbed areas of the subdivision. A native plant preservation plan will be submitted with the subdivision plat. Extensive natural vegetation will buffer the proposed cluster subdivision from its adjacent neighbors. The proposed lots that lie west of Shannon Road will contain 64 clustered parcels that are located within the central area of the property avoiding the riparian and wash areas to the east, west, and south. The proposed 30 clustered parcels east of Shannon Road are centrally located avoiding the riparian area and wash to the east. A 40-foot natural bufferyard "D" is planned on the northern and southern boundaries of the project with extensive natural open space along the eastern and western boundaries of the subject site. The 64 lots to the west of Shannon Road will be accessed by one access point connecting to Linda Vista Boulevard and the 30 lots to the east of Shannon Road will be accessed by one access road connecting to Shannon Road.

The proposed lots will contain a minimum of 6,000 square feet and includes both one-story and two-story dwelling units with a maximum height of 34 feet.

The cluster design of the subdivision requires Design Review Committee review and approval prior to public hearing before the Board of Supervisors. The purpose of the cluster development option is to provide for additional open space for private or community purposes, preservation, and unity of design with natural site features and constraints. Clustered development also protects existing neighborhoods through the provision of open space and larger natural bufferyards.

CONCURRENCY CONSIDERATIONS				
Department/Agency	Concurrency Considerations Met: Yes / No / NA	Other Comments		
TRANSPORTATION	Yes	No objection. Minor Concurrency Concern with Thornydale Road.		
FLOOD CONTROL	Yes	No objection, subject to conditions		
WASTEWATER	Yes	No objection, subject to conditions		
PARKS AND RECREATION	Yes	No objection		
WATER	Yes	Metro Water "will serve" letter in site analysis.		

Concurrency of Infrastructure:

CONCURRENCY CONSIDERATIONS			
SCHOOLS	Yes	Capacity response letter from Marana USD and Amphitheatre SD in the site analysis.	

TRANSPORTATION REPORT

The Department of Transportation (DOT) has no objection to the rezoning request subject to conditions. This project poses as secondary concurrency concern due to the overcapacity situation on Thornydale Road. DOT views this project as an infill development, and scheduled improvements to Thornydale will alleviate some of the traffic and safety issues in this area.

The request to construct 94 single-family residences on the southwest and southeast corners of Shannon Road and Linda Vista Boulevard. Linda Vista Boulevard is only partially constructed between Thornydale Road and Shannon Road. The future cross section of Linda Vista Boulevard will consist of three travel lanes with a 90 foot right-of-way.

The proposed development will generate approximately 900 average daily trips (ADT). Existing traffic on Linda Vista Boulevard between Camino de Oeste and Thornydale Road is 10,516 ADT. Other major roadways in the vicinity of this project include Thornydale Road with an existing traffic count of 18,256 ADT between Lambert Lane and Overton Road. There is approximately 7,200 ADT on Overton Road between Thornydale Road and Shannon Road, and 7,513 ADT on Shannon Road between Overton Road and Magee Road. The capacity for Overton Road and Shannon Road is 15,930 ADT and the capacity for Thornydale Road is 16,700 ADT.

This development will be required to construct the extension of Linda Vista Boulevard connecting Thornydale Road to Shannon Road. Should this project be constructed prior to the development on the north side of the Linda Vista Boulevard extension, the developer will be responsible for constructing the first two travel lanes. Should the property to the north develop prior to the subject site, the developer will be responsible for constructing the third travel lane.

Because Freer Drive will be extended to and connect the rezoning site to the Ironwood Elementary School, DOT recommends a sidewalk or multi-use path be constructed along Freer Drive to provide safe pedestrian access to the school site. Traffic issues surrounding the school have been a consistent issue in the neighborhoods surrounding Ironwood Elementary School. To help alleviate this issue, DOT recommends an easement through the rezoning site to provide future access from the school directly to Linda Vista Boulevard. This easement will provide direct access to Linda Vista Boulevard and help minimize school related trips cutting through the nearby neighborhoods.

Future roadway projects in the vicinity of this rezoning site include improvements to Thornydale Road from Cortaro Farms Road, north to the Pima County and Town of Marana municipal boundary.

The Department of Transportation has no objection to this request subject to the addition of rezoning conditions #2A-F.

FLOOD CONTROL REPORT

Regional Flood Control District has reviewed this request and has the following comments:

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- 1. Regulated floodplains and riparian habitat have been avoided.
- 2. A satisfactory Preliminary Integrated Water Management Plan has been submitted.
- 3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is to be served by Metro Water which has access to renewable supplies.
 - b. Per the ADWR Well Inventory the closest wells had depths to groundwater well over 50 feet.
 - c. The site is not located within a covered subsidence zone.
 - d. The site is 4 miles from the perennial section of the Santa Cruz River.
 - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1600-3200 feet.

The project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to recommended conditions #3A-B.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced rezoning request and has no objection to the request subject to the addition of rezoning conditions #4A-F.

ENVIRONMENTAL PLANNING REPORT

Site Conservation Values and Landscape Context:

- The entire 78.6-acre site lies within the MMBCLS; designations are Multiple Use Management Area and Important Riparian Area, all with Special Species Management Area overlay.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, or Pima pineapple cactus. It does lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl.
- No cactus ferruginous pygmy-owl (CFPO) have been detected in Northwest Tucson since 2006 when the last known CFPO was captured and placed in a captive breeding program.
- On-site resources: Three unnamed washes occur on the site, all of which are regulated by RFCD as Class C Xeroriparian. Saguaros (703) and ironwood trees (551) occur on the site. (Note: there is conflicting information in the PDP regarding the number of ironwoods on site:
 p. II-9 says 551, yet pp. I-17 and II-3 say 546. This should be clarified.) 386 saguaros are <6 feet; 317 saguaros are <6 feet. (Note: The PDP text correctly categorizes saguaros; however, Exhibits I-D-7 and I-K categorize saguaros into "saguaros 6 feet and greater" and "saguaros less than or equal to 6 feet.' These exhibits should be corrected to reflect the correct saguaro size categories.)
- The site is not within nor is it adjacent to any Pima County Preserve properties. The County
 owns and manages two properties in this area for conservation Arthur Pack Regional Park
 and an approximately 20-acre Pima County Department of Transportation (PCDOT) mitigation
 property. The subject site lies approximately 1 mile east of the PCDOT mitigation property
 and approximately 3,600' east of Arthur Pack Regional Park.
- The site was identified as a high priority for acquisition under the 2004 Open Space Conservation Bond Program.
- Landscape context: The amendment site does not occur within or near any MMBCLS Critical Landscape Connection or any wildlife linkage identified by Arizona Department of Transportation or Arizona Game and Fish Department.

Land uses in the vicinity of the subject property are predominantly a mixture of low and high density residential. The portion of the site west of Shannon Road is adjacent to high density residential development on the south and west sides, and the portion of the site east of Shannon

Road is adjacent to high density residential development to the north, with low density residential development to the east. Generally, landscape connectivity is limited to the south, west, and north of the site due high intensity residential uses that are less friendly to retaining native biological resources. However, there is moderate connectivity east of the site, which is predominately low intensity residential uses that are more compatible with retaining native biological resources. This moderate connectivity may allow some wildlife movement to the east, potentially providing a connection to the Canada del Oro wash.

Potential Impact to Biological Resources and CLS:

According to the PDP, approximately 49.2 acres will be retained as natural open space, including 100% of the on-site IRA; 65% of the saguaros and 71% of the ironwood trees are located outside the area of disturbance. Impacts to native vegetation and specifically saguaros and ironwood trees will be addressed when the proposed development is subject to the applicability of the Native Plant Preservation Ordinance (Title 18; Ch. 18.72).

According to the PDP, 26.8 acres will be developed. In keeping with the applicant's stated intent to fully comply with the 4 acres of conservation to every acre of development ratio cited in MMBCLS Conservation Guidelines, a total of 107 acres of natural open space will be provided in a combination of on and off-site areas. The PDP proposes on-site natural open space of approximately 49 acres; the balance of 58 acres is, therefore, to be provided off-site.

In summation, given the site's on-site resources, landscape context, and the on-site set-aside of natural open space in conjunction with the following recommended Special Conditions, this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the MMBCLS.

Recommendation

Should the Board of Supervisors approve this rezoning request, staff recommends the addition of conditions #5A-B.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of conditions #6A-B.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service has concerns related to habitat loss and fragmentation from development in an area designated as Special Species Management Area within the Pima County Comprehensive Plan and the Sonoran Desert Conservation Plan.

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

With regard to the pygmy-owl, this parcel occurs in the general area historically occupied by pygmy-owl and where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Without on-site or off-site natural open space set asides as required by the MMBCLS guidelines, the proposed rezoning has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a Special Species Management Area for the pygmy-owl under the existing comprehensive plan. We strongly recommend that the guidelines outlined within the MMBCLS and comprehensive plan be applied to this parcel if this rezoning application approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that these parcels comply with the MMBCLS guidelines for the Special Species Management Area designation through either on-site or off-site natural open space set asides.

METRO WATER DISTRICT REPORT

Metro Water District has no comment. A will-serve letter is contained within the site analysis.

SCHOOL DISTRICT REPORT

The Marana Unified School District has no comment. A letter of capacity to accommodate future students is contained in the site analysis for the subject site that lies east and west of Shannon Road.

The Amphitheatre Unified School District has no comment. A letter of capacity to accommodate future students for the proposed development east of Shannon Road is contained in the site analysis.

FIRE DISTRICT REPORT

Mountain Fire District will require compliance with the International Fire Code at the time of development.

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

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

- 1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
- 2. Transportation conditions:
 - A. The developer shall dedicate a minimum of 45 feet of right-of-way, or sufficient rightof-way to construct the first half of the Linda Vista extension.
 - B. The developer shall dedicate 30 feet of right-of-way for Linda Vista at the south east corner of Linda Vista and Shannon Road as shown on the preliminary development plan.
 - C. The extension of Linda Vista Road shall align with the existing intersection of Linda Vista and Shannon Road.
 - D. The developer shall be required to construct Linda Vista Road for the entire frontage of the rezoning site.
 - E. An easement for future access to the school shall be provided as shown on the preliminary development plan.

- F. Sidewalk or a multi-use path shall be constructed along Freer Drive to provide safe pedestrian access to Ironwood Elementary School.
- Regional Flood Control District conditions:
 - A. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
 - B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
- Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- 5. Environmental Planning conditions:
 - A. The property owner shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a total of 107 acres as Natural Open Space (NOS). No less than 49 acres NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Preliminary Development Plan. The difference between the total 107 acres NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform

P16RZ00012

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to the CLS Off-site Mitigation Policies (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11 of Conservation Lands System Mitigation Lands) and comply with all of the following:

- 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
- 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. 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.

Invasive Non-Native Plant Species Subject to Control

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

Cultural Resources conditions:

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

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Arizona State Museum and the concerned cultural groups.

- B. If antiquities, archaeological sites, artifacts, burial sites are uncovered during excavation, a clearance from Pima County's archaeologists is required prior to resuming construction.
- 7. Adherence to the preliminary development plan as approved at public hearing.
- 8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
- 9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted, Terrill Milman Senior Planner

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



PIMA COUNTY DEVELOPMENT SERVICES

Map Scale: 1:10,000 Map D.

Map Date: 08/10/2017 - ds











Land Use Legend and Map

Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

Low Intensity Urban 3.0 (LIU-3.0)

- Residential Gross Density: Minimum- none; Maximum- 3.0 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 1.5 RAC; Maximum- 3.0 RAC

Low Intensity Urban 1.2 (LIU-1.2)

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC;
- 2.5 RAC with 45 percent open space; or 4 RAC with 60 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC;
 2 RAC with 50 percent open space

Low Intensity Urban 0.5 (LIU-0.5)

- Residential Gross Density: Minimum- none; Maximum- 0.5 RAC;
- 1.2 RAC with 50 percent open space; or 2.5 RAC with 65 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 0.5 RAC;
- 1 RAC with 50 percent open space

Low Intensity Urban 0.3 (LIU-0.3)

- Residential Gross Density: Minimum- none; Maximum- 0.3 RAC;
- 0.7 RAC with 50 percent open space; or 1.2 RAC with 65 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 0.3 RAC;
- 0.7 RAC with 60 percent open space

Linda Vista and Shannon Neighborhood Meeting 11/30/16

Neighborhood Meeting Schedule

The neighborhood meeting was held from 6:00 pm to 7:30 pm on Wednesday, November 30th 2016 at Casas Church, located at 10801 N. La Cholla Boulevard.

Meeting Notification Method

A neighborhood meeting invitation letter with an attached location map and conceptual site plan was sent to neighbors residing within a 1,000 foot buffer distance of the subject property.

Resident Attendees

20 residents were in attendance.

Summary of Issues and Solutions

- There a concerns regarding traffic congestion on Shannon Road. Will there be improvements made to Shannon?
 - Improvements were not proposed in the initial meeting; however, in response to comments from the County the site plan was changed to address these concerns. The Development of Linda Vista Boulevard will help to mitigate the traffic on Shannon Road and improve vehicular access in the area.
- What kind of buffer will be used?
 - A 40 foot natural landscape bufferyard "D" is being proposed.
- Will homes be walled? Will the property be walled?
 - The property will not be walled, but may have gated entrances.
- Will neighboring residents still be able to use the land?
 - The property is privately owned and as such is not intended to be used by the public.
- What will be the impact on property values of neighboring homes?
 - The generous buffer distance between adjacent neighborhoods and the proposed development is intended to mitigate impacts to neighboring properties. In general, high quality single family residential development tends to increase property values in a given area.
- What will be the lot size?
 - The lots as drawn on the conceptual site plan are 55'x120' or 6,600 sf.
- What will the homes look like?
 - o Renderings of the home typicals were presented on a slide at the meeting.
- Will there be an HOA? Who will own/manage the open space?
 - Rec areas and natural and modified open space within the development will be owned and managed by the HOA and will be for the use of the residents of the neighborhood.
- Will there be access to elementary school from the development?
 - In response to comments, we have worked with the Marana Unified School District to provide a secondary access along Freer Drive which will provide connectivity to Ironwood Elementary.

- How will the basins function? Will there be an impact on the existing washes?
 - Basins will be designed to meet Pima County Standards which requires postdevelopment stormwater flows to not exceed pre-development flows. The proposed development is designed in such a way that minimizes wash crossings and disturbances to Important Riparian Areas.
- Is there a possibility of paving Linda Vista to the north of the site?
 - Improvements were not proposed in the initial meeting; however, in response to comments from the County the developer will be responsible for building a portion of Linda Vista Boulevard.
- How will the noise and dust be mitigated during construction?
 - During the construction phase, contractors will be responsible for dust pollution control.
 Mitigation measures such as watering the site and silt fencing will be implemented as necessary.
- Heights of the homes? Will views be obstructed?
 - Homes will be up to two stories in height. The proposed development will have no effect on the views and vistas from adjacent properties. A 40-foot natural landscape bufferyard as well as a generous amount of natural open space along the property boundaries will limit mitigate any impacts to the views.
- Time frame when construction begins?
 - Hopefully construction will begin by the end of next year.
 - Traffic is an issue in this area for a lot of people
 - Acknowledged we are working to make traffic improvements deemed necessary by the County.



Engineering • Planning Surveying • Urban Design Landscape Architecture

November 17, 2016

Dear Neighbor:

You are invited to a neighborhood meeting to discuss the proposed development of 78 acres located on the east and west sides of Shannon Road, south of Linda Vista Boulevard. The location of the property is shown on the attached exhibit.

A homebuilder is interested in developing a residential neighborhood featuring 94 homes with neighborhood recreation areas on this property. Approximately two-thirds (65%) of the property will be left as open space. This rezoning is in line with the county's adopted long-range land use plan. Attached is a copy of the of the site plan showing the proposed development.

A neighborhood meeting will be held on Wednesday, November 30, 2016 from 6 p.m. to 7 p.m. at Casas Church 10801 N. La Cholla Blvd., Oro Valley, AZ 85742 in the Palo Verde Room. This meeting will allow nearby residents the opportunity to learn more about the plans for the property. Should you have any questions, please contact me at (520) 881-7480 or via email at gpoland@wlbgroup.com.

We look forward to seeing you at the meeting.

Sincerely,

THE WLB GROUP, INC.

Paul Oland Sr. Project Manager

Engineering • Planning • Surveying • Urban Design • Landscape Architecture Offices located in Tucson, Phoenix, Las Vegas • É-mail; tucson@wibgroup.com 4444 East Broadway • Tucson, Arizona 85711 • (520) 881-7480 • FAX (520) 881-7492



Q:\199031\B001 - Shannon & Linda Vista\01 Planning\04 Rezone\Outreach\NH MiglLocation Map.dwg Plotted: Nov, 16, 2016



Sign in Sheet Neighborhood Meeting November 30, 2016

Linda Vista & Shannon Rezoning

Name Address N. Shannon Rl. 97.35 Pani 18 16.16 W. Monmouth St edet loff @ comcasting 3064 7 manda Price 2631 W. Camins Del Medrano 9450 N. Camino Del ICHAE (esem -lerto makulesemegnaila 1 1 1.1 11 asco-PSON 9373 NoHampshire Linda Martin D dv 11 Mahvi onnu steed 2561W. Phbie-(Ammo del DesED anelia Bomthe Siuribe@msn.com Redmond Dy, 2851 W. Kferencik@icloud.com Kate Ferencer 9437 N. Camnodel Fierro Bunila 2871 W Redmond Dire (85742) Koheleck Ŧ

Sign in Sheet Neighborhood Meeting November 30, 2016

Linda Vista & Shannon Rezoning

LVaskoric Qaol. com Address Name 2825 W. Chalfart Dr. Tucson 2680 W. Cam. Del Grijalia murtin. russul. 2880 W Freer Dr 8574Z azpistachis Nurser y@earthlink. (9) Berniel roen Schibbylaic 85742 Redinand Dr. 2771 Sandra W. Eric MicDonald 2631 IN. Camino Del Desco emalonaldzo109mailcour 85742 STeve: Ferencik 9437 N. C.MO Del prenci Fierro Teve · Laure Brins 2900 W. Sumter Dr. 85742 521-488-0112

Sign in Sheet Neighborhood Meeting November 30, 2016

Linda Vista & Shannon Rezoning

Address Name 3 3 Manmouth 857 St MARIO Flow & Mary ChoTmail. com 5 N Shanna 974



Arizona Center for Law in the Public Interest

Arizona League of Conservation Voters Education Fund

Arizona Native Plant Society

Bat Conservation International Cascabel Conservation Association

Center for Biological Diversity

Center for Environmental Ethics

Center for Environmental Connections

Defenders of Wildlife Desert Watch Drylands Institute

Empire Fagan Coalition

Friends of Cabeza Prieta Friends of Ironwood Forest

Friends of Madera Canvon

Friends of Saguaro National

Friends of Tortolita Gates Pass Area Neighborhood

Native Seeds/SEARCH

Neighborhood Coalition of Greater Tucson

Association

Environmental and Cultural Conservation Organization Environmental Law Society

Coalition for

Sonoran Desert Protection 300 E. University Blvd., Suite 120 Tucson, Arizona 85705 p (520) 388-9925 • f (520) 791-7709 www.sonorandesert.org

> Brad Johns, Chair, and Commissioners Pima County Planning & Zoning Commission 130 W. Congress St. Tucson, AZ 85701

RE: P16RZ00012 TUCSON LINDA-VISTA 20 LTD PARTNERSHIP, ET AL - N. SHANNON ROAD REZONING

Dear Chair Johns & Commissioners,

Thank you for the opportunity to provide comments on the proposed N. Shannon Road Rezoning (P16RZ00012).

This 78.6-acre parcel contains multiple Conservation Lands System (CLS) categories under the Comprehensive Land Use Plan. These include Important Riparian Area (IRA), an underlying Multiple Use Management Area, and a Special Species Management Area (SSMA) designation overlaying the entire property.

The CLS categories present on the property have associated open space guidelines: at least 95% open space in IRA and 80% open space in SSMA. CLS guidelines call for on-site conservation and/or off-site mitigation.

The biological importance of this property was further recognized when it was designated as a *Highest Priority Private Habitat Protection Priority* in the Conservation Bond Program, which qualifies it for acquisition and is intended to "guide implementation of the county's Multi-Species Habitat Conservation Plan." The Bond Implementation Ordinance states,

The objective of developing the Habitat Protection Priorities was to apply a set of biologically based goals and criteria to the Conservation Lands System to: 1) identify the most important lands to protect first; 2) provide recommendations on the sequencing of land preservation efforts; and 3) design a project so that it can be easily incorporated into an adaptive management program to be implemented over the life of the Federal Section 10 Permit using the best scientific information available.

Full compliance with CLS guidelines is essential. The Coalition for Sonoran Desert Protection supports the staff's recommendation to comply with CLS guidelines by using a combination of on-site conservation and off-site mitigation. These guidelines have been adopted in the Environmental Element of *Pima Prospers*, our state-mandated Comprehensive Land Use Plan. The guidelines provide direction on how to appropriately select off-site mitigation lands and state the following:

August 25, 2017

Northwest Neighborhoods Alliance Protect Land and Neighborhoods

Park

Safford Peak Watershed Education Team

Save the Scenic Santa Ritas Sierra Club-Grand Canyon

Chapter Sierra Club-Rincon Group

Silverbell Mountain Alliance

Sky Island Alliance

Sky Island Watch

Society for Ecological Restoration

Sonoran Arthropod

Studies Institute Sonoran Permaculture Guild

Southwestern Biological

Institute

Tortolita Homeowners Association

Tucson Audubon Society

Tucson Herpetological Society Tucson Mountains Association Wildlands Network

Women for Sustainable Technologies

- 1) The location of off-site mitigation properties should be within the same general geographic region of the original project site.
- 2) Off-site mitigation property should provide the same or better resource values as the original project site including, but not limited to:
 - a. Conservation Lands System (CLS) designations inclusive of 2004 Conservation Bond Habitat Protection Priority designations;
 - b. Vegetation community type (s);
 - c. Habitat values for applicable CLS Special Species (e.g., breeding, dispersal);
 - d. Surface water or unique landforms such as rock outcrops; and
 - e. Contribution to landscape connectivity.
- 3) Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

Thank you again for the opportunity to comment. If you have any questions, please do not hesitate to contact me.

Sincerely,

Carolyn amplel

Carolyn Campbell Director

FOR BOARD OF SUPERVISORS' JUNE 5, 1984, PUBLIC HEARING

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Alex R. Garcia, Director BIMO

DATE: May 21, 1984

DOCUMENT: <u>C09-81-49</u> <u>SINAGUA LIMITED PARTNERSHIP - MESA VERDE ROAD</u> REZONING

REQUEST TO RESCIND RETROACTIVE TIME EXTENSION OF MARCH 20, 1984

AND CONDITIONAL ZONING TO CR-4 APPROVED ON JULY 6, 1981

Request (Co9-81-49) of Department of Transportation and Flood Control District to rescind retroactive time extension and conditional zoning, approximately 19.54 acres, located at the southeast corner of Mesa Verde Road and the Linda Vista Road alignment.

The Planning Department has no objection to rescinding the time extension and closing the case.

The Department of Transportation and Flood Control District requests this action and states:

At the Board of Supervisor's Public Hearing of March 20, 1984, the above-referenced rezoning was given a two year time extension subject to dedication of appropriate right-of-way for Shannon Road (Mesa Verde Road) and Linda Vista Road within thirty days from the Board's approval. On March 22, 1984, we provided written notification of such requirement to the developer. In addition, upon the expiration of the thirty days, we provided a further notice dated April 24, 1984, indicating a second notice with respect to receiving the right-of-way. We have not been able to obtain the right-of-way, therefore, it is requested that the retroactive time extension given on March 20, 1984, be rescinded by the Board and the conditional zoning to CR-4 given by rezoning case Co9-81-49, be rescinded and closed.

This rezoning was approved by the Board of Supervisors on July 6, 1981, subject to certain requirements which include meeting all conditions within three years. Building was restricted to one story within 100 feet of the south and east property lines.

The petitioner has not responded.

ARG/BG/mh

attachments

xc: County Manager, Craig McDowell

Clerk of the Board, Eugenia Wells Transportation and Flood Control District, Chuck H. Huckelberry, Director

Property Management Division, TFCD

Wastewater Management Department

Legal Advisor, Rose Silver



PIMA COUNTY PLANNING DIVISION APPLICATION FOR REZONING

Tucson Lind	la-Vista 20 LTD Part	nership 6088 W. Arizon	a Pavilions Dr. #	1 GREGWEXLER@hotmail.com
Owner		Mailing Add	ress	Email Address/Phone daytime / (FAX)
The WLB G	roup, Inc.	4444 E. Broadway, Tuo	son AZ 85711	gpoland@wlbgroup.com (520) 881-7480
Applicant (if o	other than owner)	Mailing Add	ess	Email Address/Phone daytime / (FAX)
NW1/4 of Sec	20, T12S, R13E an	d NW1/4 of Sec 21, T12S	, R13E 22	25-02-001B; 225-02-002E; 225-04-014G
Legal descrip	tion / property addres	s		Tax Parcel Number
78.6	SR	CR-2		LIU 0.3
Acreage	Present Zone	Proposed Zone	Comprehensiv	/e Plan Subregion / Category / Policies

The following documentation must be attached:

- 1. Assessor's map showing boundaries of subject parcel and Assessor's Property Inquiry (APIQ) printout showing <u>current</u> ownership of subject parcel. DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED. If the applicant is not shown as the owner of the subject parcel a letter of authorization with an original signature matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an original signature of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, an original signature from an officer with his/her title is required along with a disclosure of the entity.
- Submit the site analysis fee and eight (8) copies of the site analysis document. If the proposed project will use an on-site wastewater treatment and disposal system (such as a septic system), nine (9) copies of the site analysis document must be submitted. Also submit one CD of the site analysis document.
- 3. For all rezonings, submit the <u>entire</u> rezoning fee.

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

7-1

Date

Signature of Applicant

FOR OFFICAL USE ONLY

Case name		<u>Co9-</u>			
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District	
Conservation Land	System category				
Cross reference: Co9-, Co7-, other		Comprehensive Plan Subregion / Category /Policies			
Received by	Date	Checked by	i	Date	

March 22, 2016

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

Re: Linda Vista 77 Comprehensive Plan Amendment/Rezoning

To Whom it May Concern:

As owner of the parcel described as Parcel No. 225-04-014G, located in the SEC of Linda Vista Boulevard and Shannon road, I hereby authorize The WLB Group, Inc. to act on my behalf in requests related to the entitlement and development of the proposed 77 acre development located south of Linda Vista Boulevard, on the east and west sides of Shannon Road, know at this time as Linda Vista 77.

Sincerely,

Tucson Linda-Vista 20 LTD Partnership Title

March 22, 2016

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

Re: Linda Vista 77 Comprehensive Plan Amendment/Rezoning

To Whom it May Concern:

As owners of the parcel described as Parcel No. 225-02-001B, located in the SWC of Linda Vista Boulevard and Shannon road, I hereby authorize The WLB Group, Inc. to act on our behalf in requests related to the entitlement and development of the proposed 77 acre development located south of Linda Vista Boulevard, on the east and west sides of Shannon Road, know at this time as Linda Vista 77.

Sincerely,

Tadamasa Hayashi

iăng Lin

Chun Lin

March 22, 2016

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

Re: Linda Vista 77 Comprehensive Plan Amendment/Rezoning

To Whom it May Concern:

As owner of the parcel described as Parcel No. 225-02-002E, located in the SEC of Linda Vista Boulevard and Shannon road, I hereby authorize The WLB Group, Inc. to act on my behalf in requests related to the entitlement and development of the proposed 77 acre development located south of Linda Vista Boulevard, on the east and west sides of Shannon Road, know at this time as Linda Vista 77.

Sincerely. Cheryl Chun-Yen Lin Chia-Liang Lin

Shin-Chun Lin



Arizona Centar for Law In the Public Interest

Arizona League of Conservation Voters Education Fund

Arizona Native Plant Society

Bat Conservation International Cascabel Conservation Association

Center for Biological Diversity

Center for Environmental Fibics

Center for Environmental Connections

Defenders of Wildlife Desert Watch Drylands Institute

Efficiere Fagan Coalition Environmental and Cultural

Conservation Organization Environmental Law Society Friends of Cabeza Prieta

Friends of Ironwood Forest

Friends of Wadera Canvon

Friends of Seguero National

Filends of Tortolita Gates Pass Area Nefghborhood

Native Seeds/SEARCH

Neighborhoad Coalition of Greater Tueson

Northwest Neighborhoods

Save the Scenic Santa Bitas Sierra Club-Grand Canyon

Sierra Club-Rincon Group Silverbell Mountain Alliance

Association

Alliance Frotect Land and

Chapter

Neighborhoods Safford Peak Watershed

Education Team

Sky Island Alliance

Sky Island Watch Society for Ecological

Sonoran Arthropod Studies Institute

Sonoran Permaculture Guild

Tucson Herpetological Society

Tücson Mountains Association Wildlands Network

Southwestern Biological

Tortolita Homeowners Association Tucson Audubon Society

Women for Sustainable

Technologies

Restoration

Institute

Park

Coalition for Sonoran Desert Protection

300 E. University Blvd., Suite 120 Tucson, Arizona 85705 p (520) 388-9925 • f (520) 791-7709 www.sonorandesert.org

> Brad Johns, Chair, and Commissioners Pima County Planning & Zoning Commission 130 W. Congress St. Tucson, AZ 85701

RE: P16RZ00012 TUCSON LINDA-VISTA 20 LTD PARTNERSHIP, ET AL - N. SHANNON ROAD REZONING

Dear Chair Johns & Commissioners,

Thank you for the opportunity to provide comments on the proposed N. Shannon Road Rezoning (P16RZ00012).

This 78.6-acre parcel contains multiple Conservation Lands System (CLS) categories under the Comprehensive Land Use Plan. These include Important Riparian Area (IRA), an underlying Multiple Use Management Area, and a Special Species Management Area (SSMA) designation overlaying the entire property.

The CLS categories present on the property have associated open space guidelines: at least 95% open space in IRA and 80% open space in SSMA. CLS guidelines call for on-site conservation and/or off-site mitigation.

The biological importance of this property was further recognized when it was designated as a *Highest Priority Private Habitat Protection Priority* in the Conservation Bond Program, which qualifies it for acquisition and is intended to "guide implementation of the county's Multi-Species Habitat Conservation Plan." The Bond Implementation Ordinance states,

The objective of developing the Habitat Protection Priorities was to apply a set of biologically based goals and criteria to the Conservation Lands System to: 1) identify the most important lands to protect first; 2) provide recommendations on the sequencing of land preservation efforts; and 3) design a project so that it can be easily incorporated into an adaptive management program to be implemented over the life of the Federal Section 10 Permit using the best scientific information available.

Full compliance with CLS guidelines is essential. The Coalition for Sonoran Desert Protection supports the staff's recommendation to comply with CLS guidelines by using a combination of on-site conservation and off-site mitigation. These guidelines have been adopted in the Environmental Element of *Pima Prospers*, our state-mandated Comprehensive Land Use Plan. The guidelines provide direction on how to appropriately select off-site mitigation lands and state the following:

August 25, 2017

- 1) The location of off-site mitigation properties should be within the same general geographic region of the original project site.
- 2) Off-site mitigation property should provide the same or better resource values as the original project site including, but not limited to:
 - a. Conservation Lands System (CLS) designations inclusive of 2004 Conservation Bond Habitat Protection Priority designations;
 - b. Vegetation community type (s);
 - c. Habitat values for applicable CLS Special Species (e.g., breeding, dispersal);
 - d. Surface water or unique landforms such as rock outcrops; and
 - e. Contribution to landscape connectivity.
- 3) Demonstration that the resource and conservation values of the off-site mitigation property will be protected in perpetuity.

Thank you again for the opportunity to comment. If you have any questions, please do not hesitate to contact me.

Sincerely,

Carolyn Campbel

Carolyn Campbell Director