



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 3, 2019

Title: Resolution: Co9-83-94 Transamerica Title #8155 - Sunrise Drive Rezoning (Modification of a Rezoning Condition)

Introduction/Background:

The Board of Supervisors approved this modification of a rezoning condition on January 22, 2019.

Discussion:

Rezoning condition #21 restricted the use of the property to attached clubdominiums. The approved modification of the rezoning condition allows for detached single-family residential uses on approximately 2.4 acres.

Conclusion:

The Resolution reflects the Board of Supervisors' approval of the modification of a rezoning condition.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning Telephone: 520-724-8800

Contact: Terrill L. Tillman - Principal Planner Telephone: 520-724-6921

Department Director Signature/Date:  8/16/19

Deputy County Administrator Signature/Date:  8/19/19

County Administrator Signature/Date:  8/20/19



Subject: Co9-83-94

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SEPTEMBER 3, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

Tom Drargowski

DATE: August 15, 2019

RESOLUTION FOR ADOPTION

Co9-83-94 **Transamerica Title #8155 – Sunrise Drive Rezoning (Modification of a Rezoning Condition - Non Substantial Change)**
Owners: Ventana Canyon Alliance, LLC
(District 1)

If approved, adopt RESOLUTION NO. 2019 - _____

OWNER: Ventana Canyon Alliance, LLC
Attn: George White, CEO & General Manager
6200 N. Club House Lane
Tucson, AZ 85750-1339

AGENT: N/A

DISTRICT: 1

STAFF CONTACT: Terrill Tillman, Principal Planner

STAFF RECOMMENDATION: APPROVAL.

CP/TT/ar
Attachments

cc: Co9-83-94 File

RESOLUTION 2019-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE Co9-83-94 TRANSAMERICA TITLE #8155 – SUNRISE DRIVE REZONING; LOCATED ON THE WEST SIDE OF N. HOLE IN THE WALL WAY, APPROXIMATELY 650 FEET NORTH OF THE INTERSECTION OF E. VENTANA CANYON DRIVE AND E. HOLE IN THE WALL WAY; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 OF ORDINANCE NO. 1997-81.

The Board of Supervisors of Pima County, Arizona finds that:

1. The owner of approximately 682 acres applied for a rezoning from SR (Suburban Ranch) to CR-1 (Single Residence), CR-4 (Mixed Dwelling Type), TR (Transitional), and CB-1 (Local Business) zones.
2. On November 1, 1983 the Pima County Board of Supervisors approved the approximately 682 acres for a rezoning from SR (Suburban Ranch) to CR-1 (Single Residence), CR-2, CR-4 (Mixed Dwelling Type), TR (Transitional), and CB-1 (Local Business) zones, subject to standard and special conditions.
3. On October 21, 1997 the Pima County Board of Supervisors adopted rezoning Ordinance No. 1997-81, as recorded in Docket 10666 at Page 1079, for an approximately 4.72 acre portion of the rezoning described in rezoning case Co9-83-94, as shown on the map attached to Ordinance 1997-81 as Exhibit A ("rezoning area") from the SR (Suburban Ranch) to the TR (Transitional) zone memorializing the standard and special conditions.
4. On January 22, 2019 the Pima County Board of Supervisors approved a modification of a rezoning condition on the northern 2.4 acre portion of the rezoning area, as shown in Exhibit A attached to this Resolution, subject to modified and additional standard and special rezoning conditions.
5. Section 3 of Ordinance No. 1997-81 and the Pima County Zoning Code allow the Board of Supervisors to amend the rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1: The rezoning conditions in Section 2 of Ordinance 1997-81 are restated and modified for the northern 2.4 acre portion of the area rezoned by Ordinance 1997-81, as shown in Exhibit A to this Resolution, as follows:

1. Submittal of a complete hydraulic and hydrologic drainage report as determined necessary by the Department of Transportation and Flood Control District.
2. Submittal of a development plan if determined necessary by the appropriate County agencies.
3. Dedication of necessary right-of-way for roads and drainage by separate instrument if the property is not to be subdivided.

4. Recording an acceptable plat which will provide for dedication of necessary rights-of-way for roads and drainage if the property is to be subdivided.
5. Recording a covenant holding Pima County harmless in the event of flooding.
6. Conformance with County paving policies as determined appropriate by the Department of Transportation and Flood Control District.
7. Recording the necessary development related covenants as determined appropriate by the various County agencies.
8. Provision of development related assurances as required by the appropriate agencies.
9. Wastewater Management Conditions:
 - A. A suitable arrangement with Pima County Wastewater Management Department regarding sanitary facilities.
 - B. A Sewer Basin Study may be required.
 - C. The outfall sewer may have to be oversized based on basin flow calculations.
 - D. Sewers within the development may have to be oversized for flow-through requirements.
 - E. Augmentation of a downstream system may be required.
 - F. Any industrial waste discharged into the public sanitary sewerage system shall meet the requirements of Pima County Ordinance No. 1982-154, as amended.
 - G. An Industrial Wastewater Discharge Permit may be required prior to the issuance of a building permit.
10. Transportation Conditions:
 - A. Dedication of 90-feet wide full right-of-way, along with 30-feet wide slope easements on either side of the full right-of-way, for Kolb Road extension through the subject property.
 - B. Construction of four-lane wide Kolb Road extension between the west boundary of the property and Sunrise Drive to applicable Pima County standards for major collectors. The design and construction shall need full approval of the Pima County Department of Transportation and Flood Control District. Staging of these improvements to be approved by Pima County prior to any tentative plat or development plan submittals.
 - C. Dedication of a total of 75 feet wide half right-of-way for the north half of Sunrise Drive adjoining the subject property.
 - D. Provision of all improvements on Sunrise Drive, adjoining the property, determined necessary by the Department of Transportation and Flood Control District.
11. Flood Control Conditions:
 - A. The petitioner must sign covenants stating that no structures shall be constructed within the natural 100-year flood plain as determined by a hydraulic and hydrologic report.
 - B. The petitioner should sign covenants stating that drainage will not be altered, disturbed or obstructed without approval from Pima County Flood Plain Board.
 - C. The submittal of a comprehensive drainage plan to Pima County's Flood Control District for approval. This comprehensive drainage plan should include but not be limited to the following:
 - 1) An analysis of existing onsite and downstream drainage conditions and structures.
 - 2) An analysis of the affect the proposed developments(s) will have on onsite and downstream conditions and structures. This analysis must provide special emphasis on anticipated changes to the 100 year water surface elevations and discharge velocities.
 - 3) A discussion concerning how the developer plans to handle onsite detention/retention, specifically with regards to the transfer of detention from one basin to another and the location of the detention basins.

- 4) A time table for the phasing of the projects and for specific drainage improvements required for the development of said project.
- 5) Submittal and approval of this master drainage plan will be required either before the submittal of a tentative plat or before the petitioner receives a zoning ordinance for any portion of this property, whichever comes first.
- D. Provision of all necessary drainage improvements, including, but not limited to, channelization and flood detention measures, shall be the responsibility of the property owner and are subject to approval of Pima County's Flood Control District.
- E. Any channelization or encroachment would have to be planned such that it would terminate at a logical conclusion which would create no adverse flood conditions to adjoining properties, such as diverting flow, concentrating flow, or increasing the flooding potential.
- F. The petitioner must dedicate all rights-of-way or grant flowage easements for drainage to Pima County, as determined necessary by Pima County Flood Control District.
- G. Since the property lies within a critical basin, the petitioner must comply with the conditions and restrictions as stated in the Flood Plain Management Ordinance.
- H. Building setbacks from channels may be required as determined appropriate by the Pima County Engineer.
- I. At the time of development, the applicant will be required to commit to water conservation measures identified in the Site Analysis requirement in effect at that time to obtain 15 points.
- 12. Adherence to the conceptual site plan and applicable policies of the Catalina Foothills Area Plan.
- 13. Density limited to 1,298 units, not including the TR areas at Kolb Road and Sunrise Drive.
- 14. Provision of a two-residence per acre, single family buffer in the CR-4 area west of the ridgeline. Preservation of view corridors in the two washes north of the ridgeline.
- 15. Provision of a 40-foot setback and acceptable landscaped buffer north and west of Indian Trails Estates. Development of offices at the northeast corner of Kolb Road and Sunrise Drive to be restricted to two stories.
- 16. Submittal and approval of a saguaro preservation plan in the CR-4 block adjacent to Wilnot Road alignment.
- 17. Submittal and approval of a pedestrian and bikeway access plan for residential blocks adjacent to Kolb Road.
- 18. CR-1 rear, side and front yard setbacks be provided for lots along the edge of the property abutting Cimmarron Foothills Estates.
- 19. Kolb Road shall be a public thoroughfare and the Director of Transportation is instructed to insure that the maximum public safety be guaranteed with the construction.
- 20. With the exception of the buffer areas between Indian Trails and Cimmarron, that the 20 foot height restriction is waived and the normal height restriction of 30 feet is reinstated.
- 21. TR in clubdominium area, is restricted to clubdominiums and/or single family residential with a maximum height of 30 feet.
- 22. Public access shall be granted to Ventana Canyon and the Estes Company is instructed to work with Trails Access Committee and Pima County Attorney's Office in order to insure that temporary access is granted until the western edge of the property can be opened. In any future development by the Estes Company in the area, they shall continue to grant public access to Ventana Canyon.
- 23. Owner/Developer(s) shall adhere to all policies, standards and ordinances that are in effect during the plan review process.
- 24. Dedication to provide for an ultimate 100-foot north half right-of-way for Sunrise Drive on the portion of property west of Kolb Road.

25. Receipt of a letter of credit for \$70,000 within two weeks of November 28, 1988. The \$70,000 will be made available to Pima County upon completion of the Kolb-Sunrise intersection improvements.
26. The two-inch asphaltic concrete overlay of Kolb Road shall be provided when deemed necessary by Pima County Department of Transportation and Flood Control District.
27. Cultural Resources condition: 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.

Passed and adopted, this _____ day of _____, 2019.

Chair, Pima County Board of Supervisors

ATTEST:

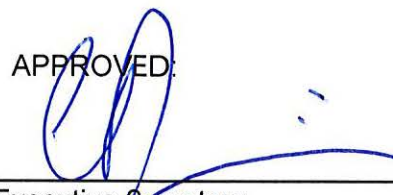
Clerk, Board of Supervisors

APPROVED AS TO FORM:

 6/20/19

Deputy County Attorney
Lesley M. Lukach

APPROVED:



Executive Secretary
Planning and Zoning Commission

SITE PLAN INFORMATION

- SITE AREA: 2.4± ACRES
- TYPICAL LOT SIZE: 50' X 100'
- TYPICAL LOT AREA: 5,000 SF
- ZONING: TRANSITIONAL ZONE (TR)
- NUMBER OF LOTS: 14
- DENSITY: 5.8 UNITS / ACRE

LEGEND OF SYMBOLS

- — — — — PROPERTY BOUNDARY
- — — — — LOT LINE

MOUNTAIN GOLF COURSE HOLE #1

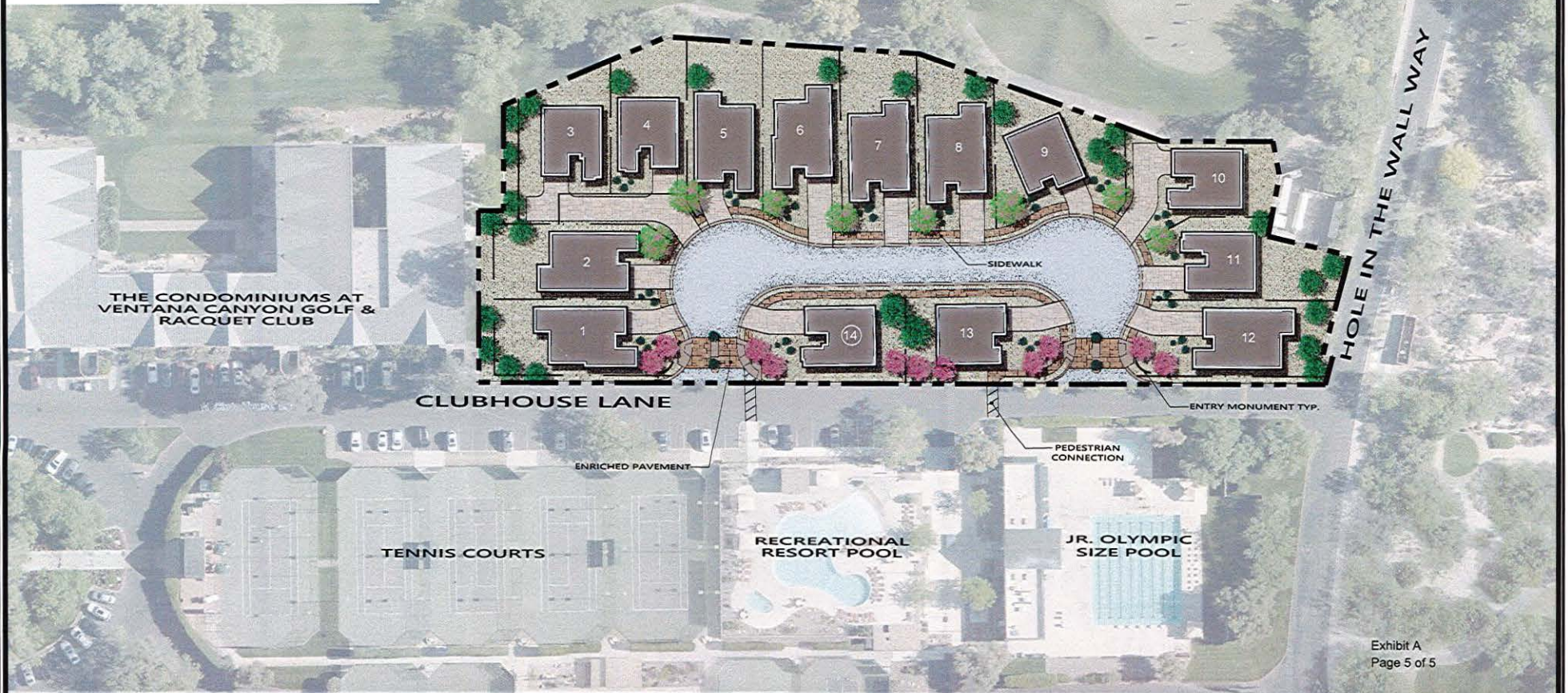


Exhibit A
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