BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: December 17, 2019

Title: P19CA00004 HIGINIO - N. CAMINO DE OESTE PLAN AMENDMENT

Introduction/Background:

Pima County Comprehensive Plan amendment P19CA00004 was heard and approved by the Board of Supervisors on Oct. 15, 2019, to amend the comprehensive plan land use designation from Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU) for approximately 9.77 acres located at the northwest corner of W. Massingale Road and N. Camino de Oeste. Following the hearing, it came to Planning Division staff's attention that notification of the board hearing for the amendment was not provided for the appropriate length of time.

Discussion:

MIU designates areas for a mix of medium density housing types and limited non-residential uses - the request is for single-family residential development. The amendment site is in a region of increasing residential development in northwest Tucson, outside of the Maeveen Marie Behan Conservation Lands System, and located on Camino de Oeste, designated as a Major Street on the Major Streets and Routes Plan. The amendment request complies with the following Growing Smarter acts: (1) Direct development towards existing communities by maximizing its development in public infrastructure. (2) Makes an additional contribution towards the necessary growth to justify the extension of nearby multi-modal transportation.

Conclusion:

Staff is bringing case P19CA00004 back before the board to meet notification requirements in the zoning code; all other aspects of the amendment case remain unchanged.

Recommendation:

Staff still recommends APPROVAL subject to a rezoning policy restricting development to residential uses.

Fiscal Impact:

n/a

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services Telephone: (520) 724-8800

Contact: Mark Holden Telephone: (520) 724-6619

Department Director Signature/Date: 11/22/19

Deputy County Administrator Signature/Date: 11/25/19

County Administrator Signature/Date: 11/25/2019

PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District 1

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

DATE: November 22, 2019

SUBJECT: **P19CA00004 HIGINIO – N. CAMINO DE OESTE PLAN AMENDMENT**

The above referenced Comprehensive Plan Amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, DECEMBER 17, 2019** hearing.

REQUEST: For a **comprehensive plan amendment** of approximately 9.77 acres from Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU), located north of W. Massingale Road and addressed as 7701 N. Camino de Oeste.

OWNER: Higinio Avilez
7701 N. Camino de Oeste
Tucson AZ 85741

AGENT: Projects International, Inc.
c/o Jim Portner
10836 E. Armada Lane
Tucson AZ 85749

DISTRICT: 1

STAFF CONTACT: Donna Spicola, Planner

PUBLIC COMMENT TO DATE: As of November 22, 2019, staff has received written public comment expressing concerns related to the proposed comprehensive plan amendment from one address in the notification area. Two adjacent neighbors stated concerns to the amendment at the October 15, 2019 public hearing.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO REZONING POLICY (6-0; Commissioners Bain, Cook, Maese and Matter were absent).

STAFF RECOMMENDATION: APPROVAL.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (MMBCLS).

PREVIOUS BOARD OF SUPERVISORS ACTION: The Board voted to approve the requested comprehensive plan amendment (5-0) at the October 15, 2019 public hearing. Staff is bringing the case back before the Board to meet zoning code public notification requirements.

TD/MH/ar
Attachments

PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P19CA00004

FOR DECEMBER 17, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: November 22, 2019

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT

P19CA00004 HIGINIO – N. CAMINO DE OESTE PLAN AMENDMENT

Avilez Higinio, represented by Projects International, Inc., requests a **Comprehensive Plan Amendment** of approximately 9.77 acres from Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU), located north of W. Massingale Road and addressed as 7701 N. Camino de Oeste, in Section 36, Township 12 South, Range 12 East, in the Tortolita Planning Area. On motion, the Planning and Zoning Commission voted 6-0 to recommend **APPROVAL SUBJECT TO REZONING POLICY** (Commissioners Bain, Cook, Maese and Matter were absent). Staff recommends **APPROVAL.**
(District 1)

Planning Division Staff Update (November 22, 2019)

The Board of Supervisors heard the above-referenced comprehensive plan amendment case and voted to approve the amendment (5-0) at the October 15, 2019 public hearing. Following the hearing, Planning Division staff became aware that public notice for the case was not provided for the appropriate length of time: the zoning code stipulates that notification of a comprehensive plan amendment shall be given in newspaper and by mailing notice to property owners in the designated amendment area at least fifteen days prior to public hearing. Staff is providing new public hearing notice and bringing the case back before the Board to meet zoning code public notification requirements.

Public Comment to Date

Staff has received written public comment regarding the proposed comprehensive plan amendment from one address in the notification area expressing concerns regarding water levels in private wells in the area, neighborhood residential density, traffic, drainage, and archaeological resources. Two adjacent neighbors spoke at the October 15, 2019 public hearing to express concerns regarding drainage in the neighborhood.

Staff presented information from the comprehensive plan amendment to the commission, stating that the increase in land use intensity to the Medium Intensity Urban (MIU) designation would increase permitted residential density from a minimum of five residences per acre (RAC) to a maximum of thirteen RAC. The applicant's purpose of the amendment is to request a rezoning to increase the density for single family residences.

The applicant's agent spoke and stated that the request is for the MIU land use designation and the intent is for single family residences only with a five RAC product that is similar to everything that has been emerging over the last 20-30 years in the North Thornydale Corridor. The site to the immediate north was approved by the Board of Supervisors for the same kind of single family residential subdivision. This site is along Camino de Oeste which is a designated Major Street on the Major Streets and Routes Plan. Pima Prospers encourages all new density to not be spot zoned but to be put near existing similar density and whenever possible along a designated Major Street. The applicant further explained that the large undeveloped area to the east is a detention basin which has an outlet down Massingale Road under its present condition and that is why both of the access points for this subdivision will be off Camino de Oeste.

The majority of the site has been graded by the existing owner with some revegetation. The site's southern area has been used as an equestrian corral. The only existing vegetation is eucalyptus trees where the house was located, with very few native specimens on-site. Intent would be to do native plant preservation plan and salvage whatever possible. The site is not in the Conservation Lands System (CLS) and there is no riparian habitat on the site.

The east 30' of the site would be dedicated to Pima County in accordance with Major Streets and Routes Plan and west 25' would be a buffer to protect the adjacent residents.

A meeting was held with most effected neighbors and the existing drainage conditions were provided. Drainage is not usually discussed during the comprehensive plan amendment process but the neighbors' concerns were heard. The real flooding issues in the area are off-site, they are regional issues. The flows impacting this site are nominal – less than regulatory. A drainage report will be provided in accordance with the Flood Control District.

A commissioner asked for clarification for the on-site detention basins. The applicant stated that there will be detention basins to grab post development runoff.

A commissioner asked if it would be okay to put a policy for a five RAC limit. Applicant stated that he is not opposed to a policy that limits the RAC but has concerns if it comes out to a 5.2 RAC.

The commission opened the public hearing at which one member of the public spoke in opposition of the request stating that there are concerns revolving around water run-off, cultural resources on-site, and would prefer a limitation of four residences per acre.

The applicant provided a rebuttal to the concerns expressed by the public.

A commissioner asked if an archeological survey is required as part of the rezoning. The applicant stated that it is part of the rezoning process and work has started with no results as of yet.

A commissioner asked if the similar rezoning to the north is a four RAC. The applicant stated that it is a five RAC.

The Commission closed the public hearing.

Commissioner Gungle made a motion to recommend **APPROVAL** of the Comprehensive Plan Amendment, Commissioner Tronsdale gave second.

Upon a roll call vote, and motion to recommend **APPROVAL** passed (6-0; Commissioners Cook, Matter, Bain, Maese were absent), subject to the addition of the following rezoning policy:

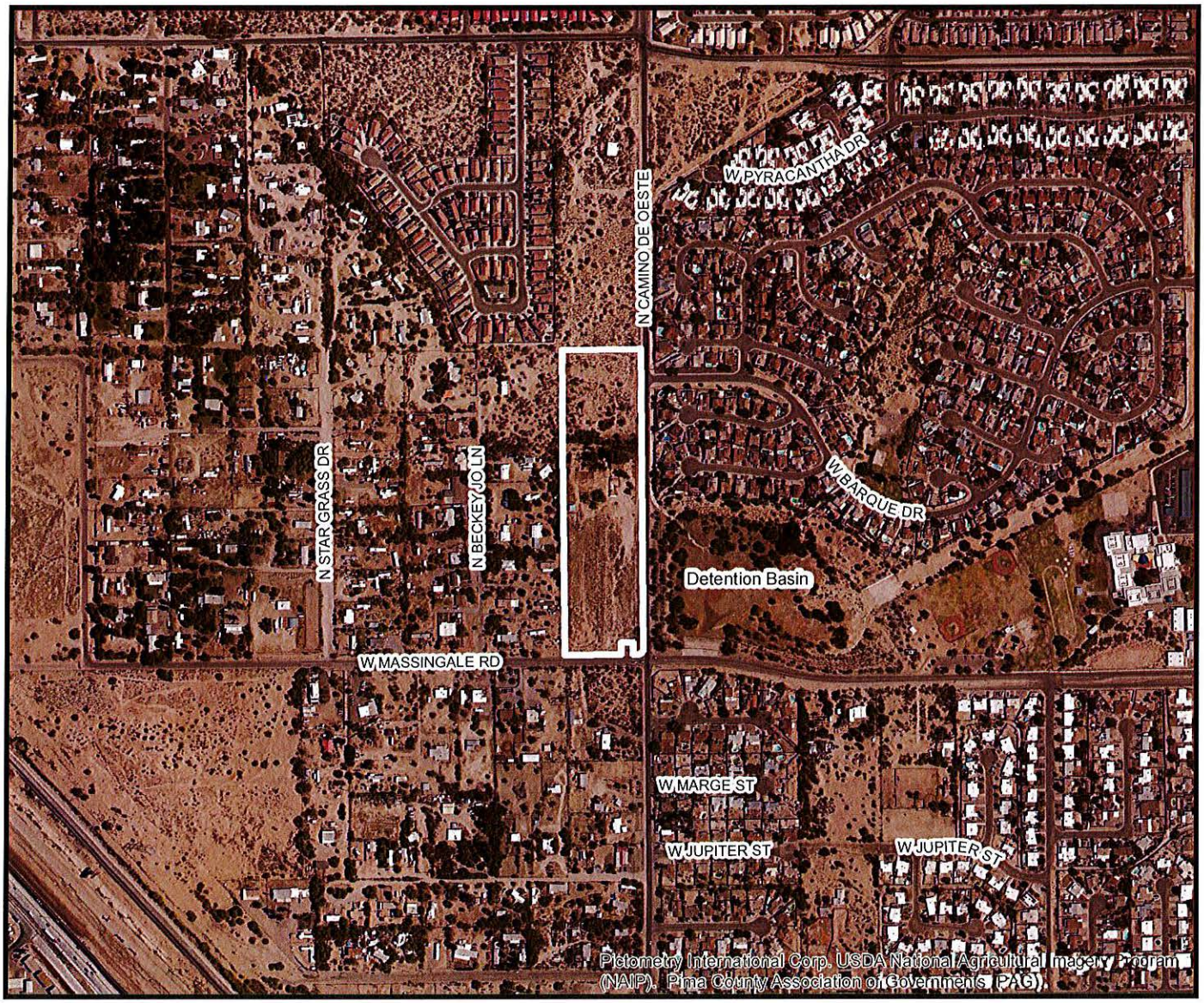
Site to be used for single family residential.

TD/MH/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P19CA00004 File

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use



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Taxcode: 221-35-0640	**P19CA00004 HIGINIO - N. CAMINO DE OESTE PLAN AMENDMENT** Request: Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU) 9.77 Acres +/-	Districts 1 Location: Northwest corner of W Massingale Road and N Camino de Oeste
	Tortolita Planning Area under Pima Prospers Section 36, Township 12 South, Range 12 East	North
	Map Scale: 1:8,000	
	Map Date: July 29, 2019 / dms	

2019 PLAN AMENDMENT PROGRAM

PLANNING AND ZONING COMMISSION
STAFF REPORT

PIMA COUNTY
DEVELOPMENT SERVICES

HEARING DATE	**August 28, 2019**
CASE	**P19CA00004 Higinio – N. Camino de Oeste Plan Amendment**
PLANNING AREA	Tortolita
DISTRICT	1
LOCATION	Northwest corner of W. Massingale Road and N. Camino de Oeste at property addressed as 7701 N. Camino de Oeste
REQUEST	Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU) for approx. 9.77 acres
OWNER	Avilez Higinio
AGENT	Projects International, Inc. – Jim Portner

APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:

"...amend Pima Prospers and redesignate the above-referenced 9.77-acre property from *Low Intensity Urban 3.0 (LIU-3.0)* to *Medium Intensity Urban (MIU)*. This requested designation is consistent with the large block of *MIU* that already exists immediately adjacent to the east and north. The proposed use is a single-family detached residential subdivision."

STAFF REPORT:

Staff recommends **APPROVAL** of the proposed amendment. This proposed infill project will be for single-family residences with a density of approximately 5 residences per acre (RAC). A portion of the site has been cleared and used for accessory/animal structures. The remains of a residential foundation exists. No Rezoning or Special Area Policies are recommended.

Background

The site currently has Low Intensity Urban 3.0 (LIU-3.0) Comprehensive Plan land use designation, to designate areas for low density residential (at a maximum density of 3 residences per acre) and other compatible uses, and to provide incentives for more natural open space. The request is to amend the land use designation to Medium Intensity Urban (MIU), to designate areas for a mix of medium density housing types, such as attached dwellings, garden apartments and single family (at residential densities of between 5-13 residences per acre) and non-residential uses such as offices, medical offices and hotels. Attention should be given to site design that is compatible with adjacent lower density uses.

The site is located in northwestern Tucson, about a half-mile east of Interstate 10 and a half-mile north of Ina Road. The site had a single residence, with accessory buildings and corrals; the remainder of the site appears cleared but otherwise undeveloped. The zoning on the site is split between SR Suburban Ranch on the north and SH Suburban Homestead to the south. Site is located between a remnant of rural lands sited along Interstate 10, and increasing subdivided residential development from Thornydale and Ina Roads to the east and south, respectively.

Plan Amendment Criteria
Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

1a. Growing Smarter Acts
Direct development towards existing communities by maximizing its investments in public infrastructure and save tax money when development is directed toward already established areas. Encouragement of infill development on underutilized properties.

Current multi-modal transportation opportunities: Ina Road one-half mile to the south provides a Sun Tran Express Bus and Thornydale Road one mile to the east provides a Sun Shuttle. This comprehensive plan amendment request makes another contribution towards the necessary growth of population to justify extended transit and multi-modal services.

1b. Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies
3.1 The proposed amendment site works to integrate land use strategies with physical infrastructure to ensure long-range viability of the region. The site represents a reasonable extension of the existing surrounding residential urbanization pattern together with use of existing infrastructure to include transportation, wastewater system, and utilities adjacent to the property.

No special area or rezoning policies currently exist on the subject property.

1c. Maeveen Marie Behan Conservation Lands System (MMBCLS)
The site is located outside the MMBCLS.

2. Oversights, Inconsistencies, or Land Use Related Inequities/Changes
n/a

AGENCY/DEPARTMENT COMMENTS:

Environmental Planning Division:
The subject property is located outside of the Maeveen Marie Behan Conservation Lands System. OSC-Environmental Planning has no comments on this proposal.

Regional Flood Control District:
The site includes FEMA Special Flood Hazard Area Zone A in the extreme southeast corner of the site. This floodplain also impacts Massingale Road along the entire southern boundary. A regional detention basin is located east of N. Camino de Oeste. The site is located in a Critical Basin. The adequacy of space provided for drainage improvements including detention is unknown at this time.

The application identifies the water service provider and the intent to identify conservation measures at the time of development.

Staff conducted the Water Resources Impact Analysis (WRIA) including providing demand projections as follows.

a. The site is adjacent to the Tucson Water service area on two sides.
b. A demand projection has not been completed.
c. The site is not located within a covered subsidence zone.

d. The site is not within a mile of a shallow groundwater area.
e. The site is not within an Isolated Basin.

Based upon the information available at this time staff finds that the project is not expected to have adverse impacts on groundwater dependent ecosystems and furthermore that no additional conservation measures are required based upon proximity to shallow groundwater or demand increases.

The District has no objection or recommended rezoning policies.

Department of Transportation:
DOT has no objection to this request, from a land use perspective this is an infill project with adequate capacity on the adjacent roadway network. Without a site plan showing access locations, traffic impacts, and circulation, impacts to the adjacent right-of-way cannot be determined. Connection to adjacent roadways can be made via Camino De Oeste to the east and Massingale Rd. to the south. The site will require dedication of right-of-way for Camino de Oeste as identified in the Major Streets and Routes Plan (MSR).

Regional Wastewater Reclamation Department:
The plan amendment area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. The 15" and 24" diameter Interceptor runs to the east of the property within the Camino de Oeste right-of-way. A preliminary investigation by PCRWRD identified no capacity issues in the downstream public sewer system for this plan amendment at this time.

The PCRWRD has no objection to the proposed comprehensive plan amendment. A no objection shall not construe any action by Pima County as a commitment to provide sewer to any new development within the plan amendment area, and does not ensure that there is adequate treatment and conveyance capacity to accommodate this plan amendment area in the downstream public sewerage system.

Cultural Resources & Historic Preservation Division:
Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

Department of Environmental Quality:
PDEQ has no additional comments or objections as long as proposed project is served by sewer.

United States Fish and Wildlife Service:
The area of the proposed Comprehensive Plan Amendment is an area that has been historically occupied by two species once listed as endangered under the ESA, the lesser long-nosed bat and the cactus ferruginous pygmy-owl. Both of these species are still currently covered under Pima County's Multi-Species Conservation Plan (MSCP). We remain involved in the conservation of both of these species and we recommend that the County direct that, if this plan amendment moves forward, any future rezoning of the proposed parcel preserve in place or replace any existing saguaros or trees greater than 10 feet tall and comply with any CLS designations

applicable to this proposal. This will allow the preservation of habitat for the lesser long-nosed bat and the cactus ferruginous pygmy-owl.

Marana Unified School District:
Proposed change acceptable (comment letter attached).

Cortaro-Marana Irrigation District:
No comments.

Tucson City Water:
The subject property does not appear to meet the requirements of the City of Tucson's Water Service Area Policy and may not be served by Tucson Water. A formal water availability request will need to be submitted to verify true water availability.

Northwest Fire District:
No comments.

Sun Tran:
No comments.

Town of Marana:
No comments.

Tucson Electric Power Company:
No comments.

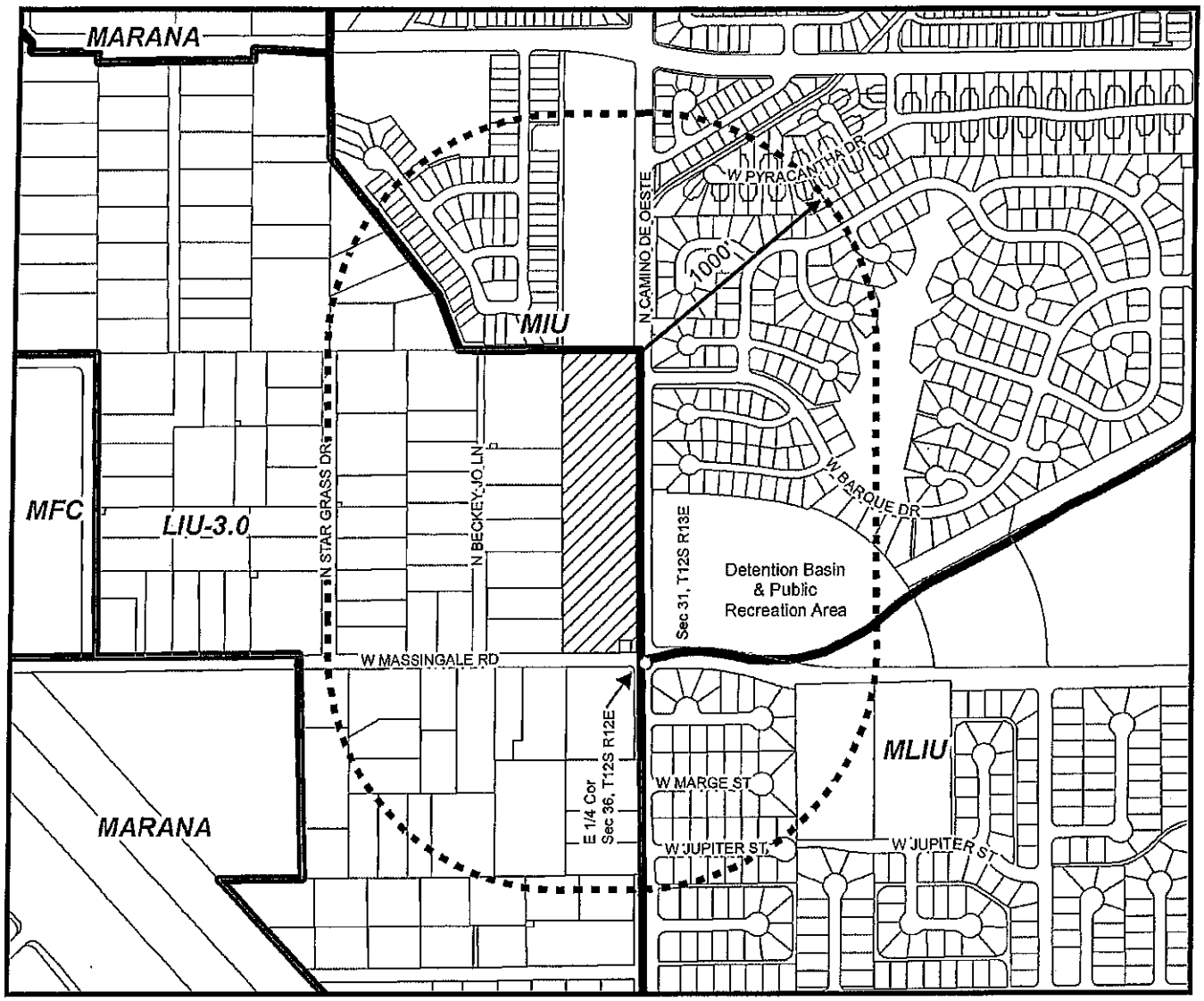
Public Comments:
At time of writing this staff report no public comments have been received.

Respectfully submitted,

Donna Spicola
Planner

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use



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1000' Notification Area Subject Property

Taxcode: 221-35-0640	**P19CA00004 HIGINIO - N. CAMINO DE OESTE PLAN AMENDMENT** Request: Low Intensity Urban 3.0 (LIU-3.0) to Medium Intensity Urban (MIU) 9.77 Acres +/-	Districts 1 Location: Northwest corner of W Massingale Road and N Camino de Oeste

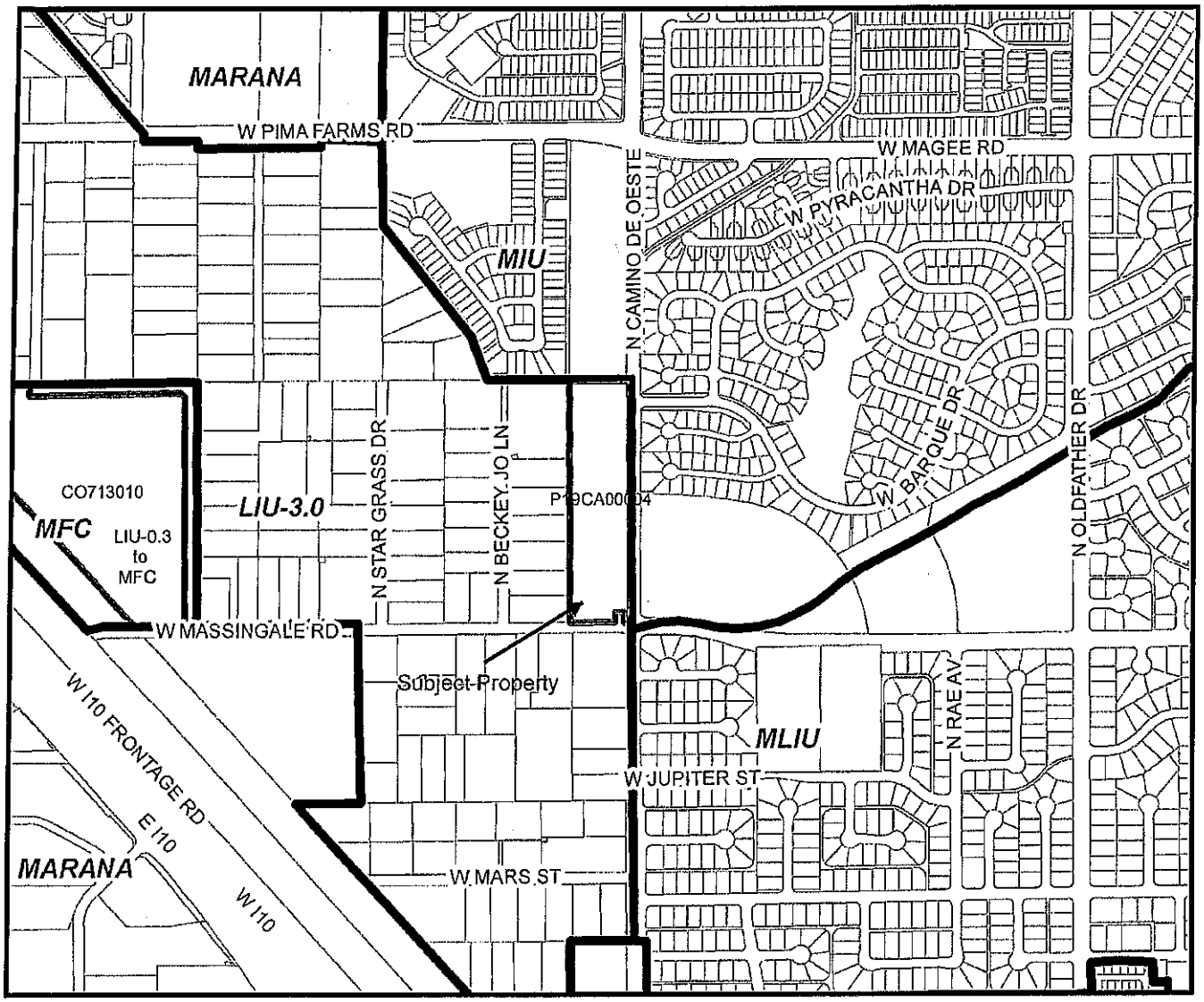
Tortolita Planning Area under Pima Prospers
Section 36, Township 12 South, Range 12 East

Planning and Zoning Commission Hearing: August 28, 2019	Map Scale: 1:8,000
Board of Supervisors Hearing: October 15, 2019	Map Date: August 5, 2019 / dms

North

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use Case History



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Comp Plan Case History

Taxcode: 221-35-0640	**P19CA00004 HIGINIO - N. CAMINO DE OESTE PLAN AMENDMENT**	District 1 Location: Northwest corner of W Massingale Road and N Camino de Oeste
	Tortolita Planning Area	North
	Map Scale: 1:10,000	
	Map Date: August 5, 2019 / dms	

Comprehensive Plan Designations

From:

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.

A. ***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

To:

Medium Intensity Urban (MIU)
Objective: To designate areas for a mix of medium density housing types, such as attached dwellings, garden apartments, and single family, as well as non-residential uses such as offices, medical offices, and hotels. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses. Where possible, pedestrian and bicycle access shall be provided to commercial areas, schools, institutional uses, and other similar uses.

- Residential Gross Density: Minimum- 5 RAC; Maximum- 13 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 5 RAC; Maximum- 10 RAC

GOVERNING BOARD

Maribel Lopez, Ed.D., President
John Lewandowski, Vice President
Suzanne Hopkins, Member
Tom Carlson, Member
Dan Post, Member

ADMINISTRATION

Doug Wilson, Ed.D., Superintendent
Carolyn Dumler, Ed.D., Assistant Superintendent
Kristin Reidy, Assistant Superintendent
Dan Contorno, Chief Financial Officer

MARANA
UNIFIED SCHOOL DISTRICT

May 29,2019

Donna Spicola
Planner
Pima County Development Services
201 N. Stone Ave
Tucson, AZ 85701

RE: Comprehensive Plan Amendment # P19CA00004 within Marana Unified Schools

Dear Ms. Spicola,

Thank you for informing us of the 9.77-acre property on which Projects International Inc. is proceeding with a rezoning application to Pima County. Based upon the proposal, we understand that the site could be developed as Medium Intensity Urban vs. Low Intensity Urban. Marana Unified School District currently uses a factor of .25 students per home for elementary and .1 students per home secondary. These proposed changes are acceptable to our schools and we can meet the needs of this development for quality education.

These students can be supported by the following schools with their current enrollment and capacity numbers shown Quail Run Elementary (405/783), Tortolita Middle School (790/1234), and Mountain View High School (1794/2257). All schools have capacity for the impact this proposed development may have on our student population under current conditions

Thank you for developing homes and businesses in our community. Marana Unified School District knows that one of the keys to the continued success of our wonderful community is the quality of our children's education. This belief is held so strongly that we have multiple developers providing the school district with rooftop development funds as they increase the number of properties being built in our community. The district uses these funds to ensure as we grow they are able to provide the necessary infrastructure to support the presentation of an inspiring education. Your voluntary participation in this process is an invaluable investment in our community. Please contact the Marana Schools finance office at 520-682-4756 to learn more about participation.

Please contact Dan Contorno at 520-682-4756, or myself at 520-616-4521 if you have any further questions.

Sincerely,

R Federico

Russell Federico, M.Ed.
Executive Director of Operations
Marana Unified School District

Inspiring students to learn today and lead tomorrow.

PROJECTS INTERNATIONAL, Inc.

STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

10836 E. Arroyo Lane
Tucson, Arizona 85749-9240
520-850-0917
jportner@projects-intl.com
www.projects-intl.com

TO: Nearby Property Owners
FROM: Jim Portner, Projects International, Inc.
DATE: August 8, 2019
RE: **Request to Update/Amend the Pima County Comprehensive Plan (Pima Prospers)**
9.77 Acres at the Northwest Corner of Camino de Oeste @ Massingale Road

I'm sending you this packet of information because the Pima County Assessor lists you as the owner of real property that is located within 1000' of a request we have filed to amend the Pima County Comprehensive Plan (now known formally as "Pima Prospers"). This request pertains to the 9.77 acres at the northwest corner of Camino de Oeste @ Massingale Road. I am the project manager for this application, which has been submitted by me on behalf of the property owner, Mr. Higinio Avilez.

Please recognize that a request to amend the Comprehensive Plan is NOT a rezoning. It will not change the property's underlying zoning, which would remain its current combination of SR & SH. Any request to actually change this zoning of the property can only occur by a wholly separate public process in the future, one wherein a detailed development proposal and design is brought forth and where you would be fully notified, invited to a formal neighborhood meeting, and be given the opportunity to express your input at public hearings before both the Planning & Zoning Commission and the Board of Supervisors.

The comprehensive plan amendment process, on the other hand, is a conceptual exercise that examines overall land-use trends in a given area and takes into account changing conditions and growth trends, such as that occurring along important streets like Camino de Oeste (which is a designated *Collector Street* on Pima County's Major Streets & Routes Plan). The comprehensive plan supports concentrating residential densities along such major, designated roadways.

Given the emerging growth trends in the area, we believe it is appropriate that the property in question be redesignated by Pima Prospers from its current *Low Intensity Urban 3.0 (LIU)* category to *Medium Intensity Urban (MIU)*. The current *LIU* designation already allows up to three (3) homes per acre. If approved for *MIU*, the property owner intends to then pursue rezoning for a residential subdivision that would contain approximately forty-six lots, which would yield an overall density of just less than five (5) units per acre.

We are well aware that drainage is a huge issue in this entire area, given the large flows that routinely occur in Massingale Road during storm events. Any future subdivision would be designed with a series of flood-control basins and protective measures to ensure that the post-development flows exiting the project would be less, in both volume and velocity, than those which currently leave the site.

The purpose of this mailing is to provide you with detailed information on this plan amendment request and to offer you my name and contact information for any questions or comments you may have. Enclosed you will find the following informational materials:

- A Fact & Information Sheet describing the major points of this amendment request
- A conceptual *Framework Plan*, describing the generalized land-use components as we envision them on the property, including a landscape buffer along the entire west boundary. Please note that a detailed development plan would not be provided until the time of a future rezoning application.

A public hearing on this item will be held before the Planning & Zoning Commission on August 28, 2019. A few days from now, you will receive a separate notice from Pima County informing you of that public hearing.

I encourage you to call or email me with any questions or comments you might have. My cell phone number is 520.850.0917 and my email is jportner@projectsintl.com. I will respond promptly. I have already met with some your neighbors who live immediately adjacent to this property, and I am happy to meet with you as well at your request. I'd be glad to come to your home if you reside in the area.

I look forward to hearing from you.

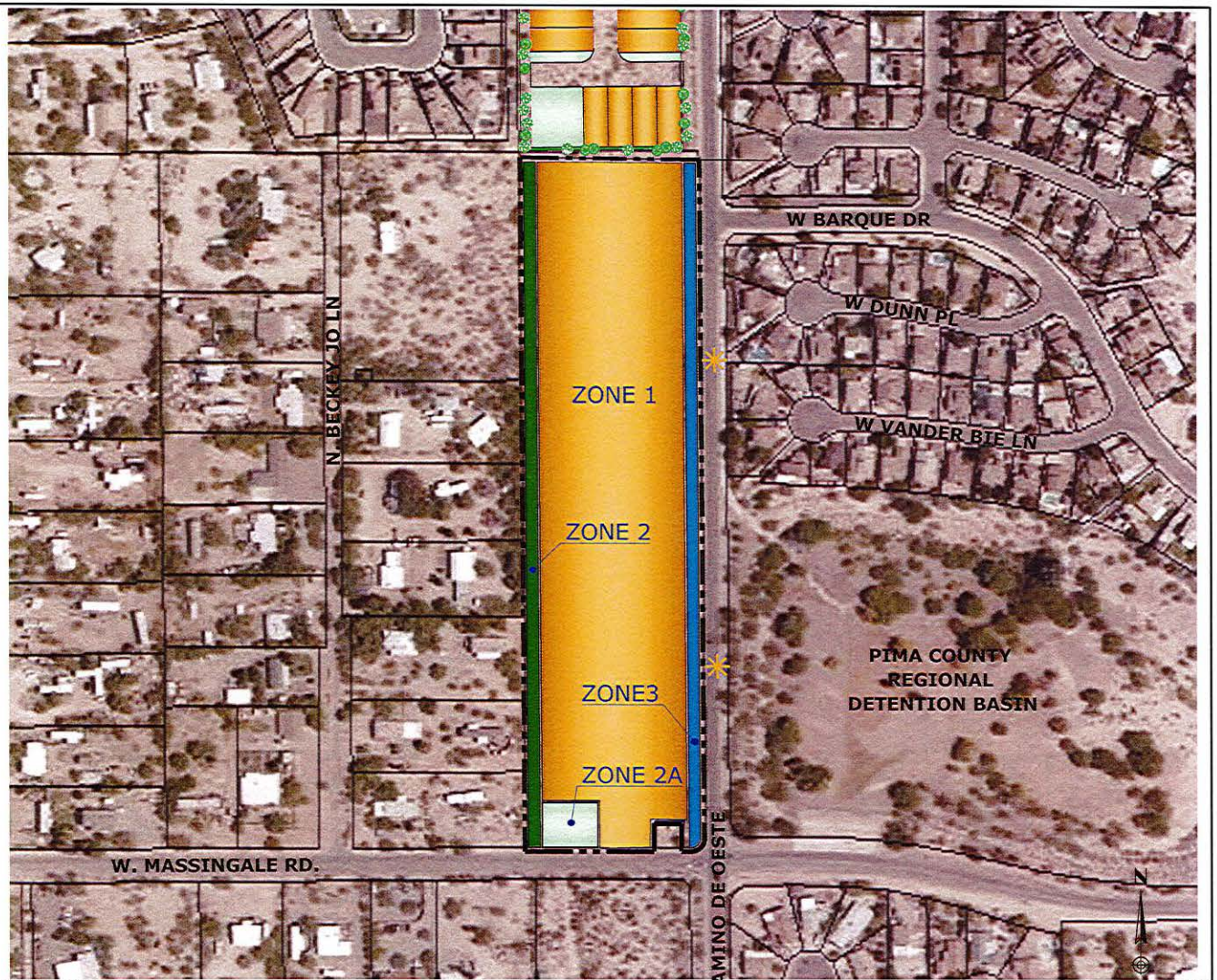
P.S. – This mailing has been sent to a list of surrounding property owners that was generated using property ownership information and mailing addresses on file with the Pima County Assessor's Office. I apologize if the name or address information on your envelope is incorrect in any way.

Fact & Information Sheet

Application & Request to Update/Amend the Comprehensive Plan (Pima Prospers)
Northwest Corner of Camino de Oeste @ Massingale Road
Pima County Case No. P19CA00004

- **Property Location:** at the immediate northwest corner of Camino de Oeste and Massingale Road.
- **Property Size:** 9.77 acres.
- **Existing & Proposed Comprehensive Plan Designation:** Pima Prospers currently designates the property as *Low Intensity Urban 3.0 (LIU)*, which already permits a density of three (3) residential units per acre. The requested designation is *Medium Intensity Urban (MIU)*, which is consistent with the large, established *MIU* district already in place along Camino de Oeste and further to the north, northwest, east and southeast.
- **Existing Use of the Property:** the property contains a single residence and has been almost entirely graded for the home, its accessory structures, and a large equestrian riding ring.
- **Proposed Use of the Property:** a residential subdivision containing approximately forty-six (46) single-family, detached residences. The project would be comparable in lot size and in density (approximately five [5] units per acre) to the residential neighborhoods already in place to the north, northwest, east, and southeast.
- **Existing/Proposed Zoning:** Existing zoning is a combination of SR (Suburban Ranch) and Suburban Homestead (SH). If the requested amendment of the comprehensive plan is approved, the owner will subsequently seek a rezoning to CR-4, which is comparable to the existing residential subdivisions already in place to the north, northwest, and east.
- **Surrounding/Adjacent Properties:** To the immediate northwest west is the Pima Farms residential neighborhood. To the north is a property recently rezoned to CR-4 which will contain a similar residential subdivision. Beyond that to the north is the Country Highlands subdivision (containing the Remington and Morningstar HOA's). To the northeast is the Suncrest subdivision, as well as the Oeste Lomas subdivision, which is platted but not yet built. To the east (across Camino de Oeste) are the existing Gatewood Pointe and Gatewood Ranch neighborhoods. To the immediate west and to the south (across Massingale Road) are unsubdivided, low-density properties containing individual residences.
- **Impacts on Drainage:** We are fully aware that this is a major issue in the area, in that Massingale Road effectively functions as a drainage channel during storm events. The future project would incorporate a series of flood-control basins and protective measures to manage the unchecked flow that presently exits the property. These flood-control elements will ensure that any future subdivision releases its flows at volumes and velocities which are actually less than those of the run-off from the site under current conditions.
- **Impacts on Traffic:** The adjacent roadways (Camino de Oeste and Massingale Road) are currently operating below capacity and can absorb the additional traffic being generated by this development. Camino de Oeste is a designated *Collector Street* on the Pima County Major Streets & Routes Plan.
- **Public Process:** A public hearing will be held on the matter before the Planning & Zoning (P&Z) Commission on August 28, 2019. A Board of Supervisors (BOS) meeting will then be scheduled following the P&Z hearing; the BOS will make the final decision on this request. You will receive separate notices for these hearings directly from Pima County.

This is an information/fact sheet prepared by Jim Portner of Projects International, Inc. on behalf of the property owner. It is intended to communicate the major points of this request to amend the comprehensive plan. Further detail is contained in other elements of this information packet.



NOTE: This is a conceptual schematic and is subject to future refinement at the time of rezoning. Acreages shown are approximate.

LEGEND

Boundary of Subject Property Comprehensive Plan Amendment

Vehicular Access to Camino De Oeste only

ZONE DESCRIPTIONS:

Zone 1: Single Family Residential Component. This area dedicated to residential uses of the type and density generally similar to the existing single-family residential subdivisions adjacent to the property to the northwest, north (approved rezoning), east, and southeast. Final form and product type to be market-reflective at the time of future rezoning and development. A Bufferyard "A" planning will be provided along both the Camino de Oeste and Massingale Road frontages.

Zone 2: Perimeter Landscape Buffer. This area is a twenty-five foot (25') wide buffer to benefit existing lower-density residential properties to the west. This Zone is a combination of natural, undisturbed desert and graded/re-landscaped area. Sparse natural areas will be supplemented with additional plantings of desert trees and shrubs.

Zone 2A: Detention Basin. This area will capture the post-development drainage run-off from the property and will meter out at a rate that is, at a minimum, 10% less than the existing drainage condition. The basin will be landscape with desert trees and shrubs so as to integrate with Zone 2 above and with the required landscape buffer that will also be provided along Massingale Road.

Zone 3: Public Right-of-Way Dedication. This is a thirty-five foot (35') wide strip that will be dedicated to Pima County for Camino de Oeste. This dedication is in keeping with the adopted Major Streets & routes Plan.

GENERAL NOTES:

1. Vehicular access to and from this site will occur only from Camino de Oeste.
2. An enhanced landscaped border will be provided where the proposed residential development immediately abuts existing lower-density residential lots. See Zone 2 above. Details of the buffering and mitigation adjacent to these lots will be determined at the time of final design and will be detailed in the Site Analysis and Preliminary Development Plan (PDP) provided at the time of future rezoning.
3. Salvaged native-desert tree and shrub specimens, to the extent available from the property, will be transplanted primarily into the above Zone 2 buffer, with an intent to achieve a mature character along this edge as rapidly as possible.
4. This property lies outside ofthe Maeveen Behan Conservation Lands System (CLS) and contains no Xeroriparian "C" regulated habitat.

PROJECTS INTERNATIONAL, Inc.
STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

EPS GROUP

COMPREHENSIVE PLAN AMENDMENT REQUEST:

LIU 3.0 TO MIU

9.7 ACRE PARCEL @ NORTHWEST CORNER CAMINO DE OESTE @ MASSINGALE ROAD

(OWNERSHIP: HIGINIO AVILEZ)

FRAMEWORK PLAN

msalari May 08, 2019 1:45pm U:\Projects\2018\18-533\Civil\CADD\Plans\Rezoning\Phase-2\Framework Plan.dwg

Neighbor Meeting Summary

Comprehensive Plan Amendment Case No. P19CA00004
Avilez – Camino de Oeste
NWC Camino de Oeste @ Massingale Road

Meeting Date & Time: Tuesday, July 30, 2019; the meeting commenced shortly after the scheduled start time of 3:00 PM.

Location: The residence on the property located at 4658 W. Massingale Road #2, which is immediately adjacent to the subject property of this comprehensive plan request.

Meeting Notice & Arrangements: This meeting was coordinated through Ms. Karen Grab, who owns several downstream properties. Ms. Grab was actively involved in the recent rezoning of the 9-acre property at the SWC of Camino de Oeste @ Pima Farms Road (Case No. P18RZ00012). Her concerns were primarily drainage-related due to the historic flooding which has occurred throughout the area. During the aforementioned rezoning, she had asked that we keep her informed on all matters as development proceeds. As such, I reached out to her to inform her of this comprehensive plan amendment request and asked if she'd be willing to put the word out and arrange a meeting of her neighbors to discuss the request and the drainage-related impacts of it to her and her neighbors. She agreed to do so, personally contacted those in her neighborhood, and offered her property for the meeting location.

Attendance: Six (6) individual property owners attended, comprising all of those who abut the amendment subject property to the immediate west (i.e. to the adjacent west), together with one owner who lived further west downstream. A separate sign-in sheet is attached.

Synopsis: Jim Portner, as applicant and representative of the property owner, welcomed the attendees and led a discussion using a series of color 11" x 17" exhibits and gave a set of all of them to each attendee for their own use. The exhibits illustrated: 1) the *Framework Plan* for the requested comprehensive plan amendment; 2) the existing drainage conditions (i.e. in the undeveloped condition) for both the subject property and for the recently-rezoning property to the north; 3) two different conceptual drainage solutions for how the post-development projects would capture, detain, and meter run-off onto their downstream properties. In closing the meeting, Portner outlined the anticipated process and timeline for the comprehensive plan and future rezoning, including the public hearings that would be held before the Planning & Zoning Commission and the Board of Supervisors.

Neighborhood Comments and Concerns: Over the course of the meeting, the group delved into the details of the project, with the majority of the attention being given to drainage matters. The following points summarize the discussion:

- *Proposed Post-Development Drainage Solutions:* Portner presented two potential solutions: 1) one which honored the existing points of concentration onto the neighbors' properties; and 2) one which directed all westward run-off southward to Massingale Road, effectively "drying up" the neighbors' properties. He was careful to note that the latter solution was, technically, not in accordance with applicable Floodplain Regulations since it diverted existing flows from their current pattern. He explained that he was discussing the potential for this solution with the Pima County Flood Control District and that there was a good possibility that it might not be allowed by them due to the diversion issue. Nonetheless, he was presenting it for discussion purposes and to obtain neighbor input and reaction.

- *Neighbor Input/Reaction to Drainage Concepts:* Most of the neighbors were comfortable, and some definitely preferred, the solution where the run-off was directed southward to Massingale Road and effectively "dried up" their properties. The effect upon the existing lush mesquite trees on their properties was discussed, to which most of the owners felt that these specimens were well established and would survive satisfactorily on site rainfall. One individual expressed the opinion that any reduction in run-off to the trees would surely have a negative impact upon them. All this being said, Portner again reiterated that this particular drainage solution was not approved by the Regional Flood Control District and might very well not be allowed due to its diversion characteristics. Nonetheless, he committed to further pursuing the solution with the District to obtain a final answer.
- *Neighbor Input/Reaction to Drainage Concepts (Continued Discussion)*: In the event that the above solution was <u>not</u> ultimately allowed, the neighbors inquired as to the manner in which the off-site run-off from the new subdivision project would be handled and directed onto their properties. Portner explained that detention/retention basins would be located within the project at each of the points of off-site discharge. These basins would capture the project's run-off, detain it, reduce its flow velocity and thereby remove its sediment, and then meter essentially clean water onto their properties at a rate which is a minimum of 10% less in volume than in the existing (i.e. undeveloped) condition. The metering of the outflow would be accomplished through a series of bleeder pipes and, at their outlet, an apron of rock rip-rap to dissipate the energy of the flow and spread it out as it leaves the project. This dissipation reduces the potential for erosion on the downstream neighbors.
- *A Specific Drainage-Related Objection*: One of the property owners questioned the 100-year quantity being shown (in the existing condition) as flowing onto his property. He felt that the quantity was far too high and wanted to make sure that it was indeed accurate. He stated that he'd lived there for decades and never saw a flow of that magnitude. He asked Portner to have the engineer check his calculations, because he did not want an inflated value to be used that might justify more post-development flow coming onto his property. Portner agreed to work with his hydrologist to check their analysis.
- *Number of Stories of the Proposed Homes.* Portner indicated that it was the developer's intent to offer both one-story and two-story options to potential purchasers, but reminded them that the height issue is one that is firmed up at the time of a rezoning, and that a rezoning would only occur if the comprehensive plan amendment was approved. He indicated that, in such situations where new residential subdivisions are placed next to existing lower-density homes, it is customary to place a one-story height limitation that mirrors the location of those existing one-story structures abutting the site.
- *Landscape Buffer.* The neighbors inquired as to the nature of the 25' wide buffer being shown along the western boundary. Portner explained that it would be planted with salvaged tree specimens taken from the property, as well as be supplemented with additional nursery stock so as to create an effective separation between the new project and the existing homes. He also stressed that the final drainage solution would affect the particulars of the buffer. If all off-site drainage was directed southward to Massingale Road, then the buffer would be a planted drainage channel. If no such diversion was ultimately allowed, the buffer area would contain the rock rip-rap outlet aprons at each of the required retention/detention basins, with tree plantings occurring around them.

- *Public Sewer versus Pump Station.* Some of the attendees mentioned that many of the neighboring subdivisions operated private lift stations for their sewer service. There was a concern that this project would introduce yet another. Portner indicated that no lift station was needed for this project, and that the Pima County Regional Wastewater Reclamation District had indicated that gravity sewer service could be achieved by connecting to the existing 15" public sewer line in Camino de Oeste.

After all of the above and after no more questions were expressed, the meeting broke up and concluded at approximately 4:40 PM, with some individuals remaining another 10 minutes for informal discussions and questions.

See Next Page for Sign-In Sheet

Sign-In Sheet

Neighbors Meeting

P19CA00004 – Avilez Property – NWC Massingale Road @ Camino de Oeste

July 30, 2019 – 3:00 PM

Karen Grabb Property at 4658 W. Massingale Road #2

Name	Address	Phone	Email
Karen Grab			
[illegible]			
Cynthia Meredith Mathewson			
Patrick Rodda			
Don Hayes			

This meeting summary was prepared by Jim Portner of Projects International, Inc. It is intended to objectively communicate the general flavor and major points of the referenced neighborhood meeting, with the understanding that specific individuals who attended may possess different viewpoints of the proceedings.

Request to Amend Pima Prospers

9.77 AC -- NWC Camino de Oeste @ Massingale Road

Explanation & Justification of Proposed Amendment

1. Location and General Nature of the Request

The owner of the above subject property is seeking a comprehensive plan amendment for their 9.77-acre parcel. The property is located on Camino de Oeste at the northwest corner of Massingale Road, and is one (1) mile west of Thornydale Road. Camino de Oeste is a designated *major route* on the Pima County Major Streets and Routes Plan and is classified as a public collector street.

The property presently serves as the owner's primary residence. In light of the continued urbanization of the surrounding area and the associated establishment of higher density residential subdivisions, together with the recently approved CR-4 zoning of the adjacent 9.7-acre property directly to the north, the owner has elected to prepare his property for future development that is consistent with the emerging trend of urbanization.

2. Requested Comprehensive Plan (Pima Prospers) Designation

The requested comprehensive plan amendment for the entire 9.77-acre property is to redesignate the site from *Low Intensity Urban (LIU) 3.0* to *Medium Intensity Urban (MIU).* The *MIU* designation materially expands the substantial *MIU* district already in place to the immediate/adjacent northwest, north, northeast and east. This *MIU* district presently contains more the seven hundred (700) developed residences in the immediate proximity of the site, with many more in place as one moves further eastward toward the Thornydale Road corridor.

The ultimate intent of this request, if approved, is to subsequently pursue a rezoning of the property that would allow its future development as a single-family residential subdivision which is consistent in its type and character to those already in place nearby and throughout the adjacent *MIU* district. No non-residential or multi-family uses are proposed. The proposed single-family density for the site will be approximately five (5) units per acre (5 RAC).

With this in mind, the approval of this request would have the material impact of raising the allowed density of the property by only two (2) units per acre over that which is presently permitted under the existing *LIU 3.0* Pima Prospers designation.

3. Reasons for Plan Amendment Request

The proposed request is justified as an expansion of the well-established urbanized sector of *MIU* that is already in place along Camino de Oeste, a designated major street (collector) on the *Pima County Major Streets and Routes Plan.* The proposed request also furthers several of the policies and principles of the *Growing Smarter Act* and *Pima Prospers.* Same are discussed below.

a. Implementation of Growing Smarter Act

The proposed plan amendment request is consistent with several of the Smart Growth Principles as identified by the Smart Growth Network (SGN). These are individually discussed below.

<u>Multi-Modal Transportation Opportunities</u>

The continued widening and westward expansion of the well-established Thornydale Road urbanized corridor will make a material contribution toward regional opportunities for multi-modal transportation. The ultimate creation of robust multi-modal opportunity throughout our overall transportation system requires a critical-mass of densified population that can only be achieved through continued urbanization. The proposed comprehensive plan amendment request makes another contribution toward the level of densification necessary to grow our population base and justify extended transit and multi-modal services.

Take Advantage of Compact Building Designs

In the global perspective, this proposed request does not "leap frog" into otherwise isolated areas, but instead expands a large mass of existing single-family residential and designated *MIU* that is already well established in adjacent proximity to the site. In doing so, it furthers a compact spatial arrangement of urbanization and materially fosters an intelligent and practical expansion of the growth pattern for the area that is well underway.

Rational Infrastructure Expansion and Improvements

Intelligent and efficient regional growth demands the intelligent and efficient use of established public infrastructure. Given that the proposed request is contiguous to an established urbanized residential area, the plan amendment site is developable using the existing framework of public infrastructure that is already in place and project-convenient. No significant system expansions or augmentations are necessary to serve it.

Conservation of Natural Resources

The plan amendment site lies wholly **outside of** the Maeveen Behan Conservation Lands System (CLS). In addition, the majority of the property has already been disturbed/impacted by prior grading and residential activities on the site. As such, approval of this plan amendment request and the future development of the property as intended will have no negative impact upon any valuable biological resources nor be in conflict with any adopted environmental policies contained within Pima Prospers.

b. Compliance With & Implementation Of Pima Prospers

This Project complies with the County's Pima Prospers Use of Land (Chapter 3) and Physical Infrastructure Connectivity (Chapter 4) policies. The pertinent policies are as follows: Land Use Element (Section 3.1), Environmental Element (Section 3.4), Housing & Community Design Element (Section 3.5), Transportation Element (Section 4.1), and Cost of Development (Sections 7.1 & 7.2).

Land Use Element (Section 3.1)

The proposed project works toward the established Goal 1 objective (p.3.2) of integrating land use with existing physical infrastructure to ensure long-range viability of the region. The requested plan amendment integrates with the existing transportation, wastewater, potable water, and utilities resources already adjacent to the property. It represents a reasonable and prudent extension of the existing residential urbanization pattern and, as such, will be effectuated off of the existing network of infrastructure rather than requiring any further expansion of it.

Environmental Element (Section 3.4)

The proposed property lies wholly **outside of** the Maeveen Behan Conservation Lands System (CLS), as does the majority of the larger urbanized area around it. Furthermore, the majority of the property has already been disturbed/impacted by prior grading and residential activities on the site. As such, approval of this plan amendment request and the future development of the property as intended will have no negative impacts upon any valuable biological resources nor will it be in conflict with any adopted environmental policies contained within Pima Prospers.

Housing and Community Design Element (Section 3.5)

The proposed project furthers the Goal 8 (p. 3.45) objective of providing new development that is generally compatible and scale-appropriate, as well as the Goal 10 (p. 3.46) objective of ensuring development that reflects the dominant character and sense of place of its given area. This project is guided by the simple goals of: 1) providing a single-family residential use that, as best as possible, fits with and responsibly co-exists with its surroundings, and 2) reflects and generally emulates the type, character, and density of the established urbanized pattern to the north and east, while suitably buffering the lower-density residences that exist to the immediate west.

Transportation Element (Section 4.1)

The proposed project furthers the Goal 1 (p. 3.45) objective of promoting a comprehensive and multi-modal transportation system. The Thornydale Road corridor to the east is emerging as a significant north-south transportation artery within the overall County transportation system. Multi-modal objectives are furthered by fostering the continued intensification and residential densification of such corridors. At present, Thornydale Road is served by limited public transit routes, most of which are *Sun Shuttle* services rather than full-fledged Sun Tran routes. Continued growth and urbanization through projects such as the one proposed will contribute towards the goal of achieving a critical mass of population that supports a multi-modal, transit-rich corridor.

Cost of Development (Sections 7.1 & 7.2)

The proposed project furthers the principles of Section 7.1 and the *Goals and Policies* of Section 7.2 to achieve fairness in public infrastructure funding and to ensure that all new development pays its appropriate fair-share of same. The proposed project will assume the design and construction cost of all new public infrastructure necessary to serve its proposed residences. Further, it

will contribute to the funding of prioritized regional public transportation improvements through its payment of impact fees in accordance with the Department of Transportation's impact fee program.

c. Existing Relevant/Applicable Special-Area Policies.

No Special Area policies apply to the properties in question. At the time of this submittal, no new Special-Area policies are proposed or anticipated for the subject plan amendment. On-going discussions with staff and stakeholders will occur throughout the amendment process, which may result in such Policies being promulgated and refined as circumstances warrant.

d. Existing Relevant/Applicable Rezoning Policies.

There are no adopted Rezoning Policies that apply to the this plan-amendment site.

e. Potential/Proposed Special-Area or Rezoning Policies

Based upon similar plan amendment requests approved over the past several years, we anticipate no extraordinary rezoning policies applying to this particular request, with the potential exception of certain particulars pertaining to appropriate density limits on the property, as well as the proper protection of the lower-density residences to the immediate west. With this in mind, rezoning policies that address these matters may ultimately be promulgated for these items as we move through the amendment process.

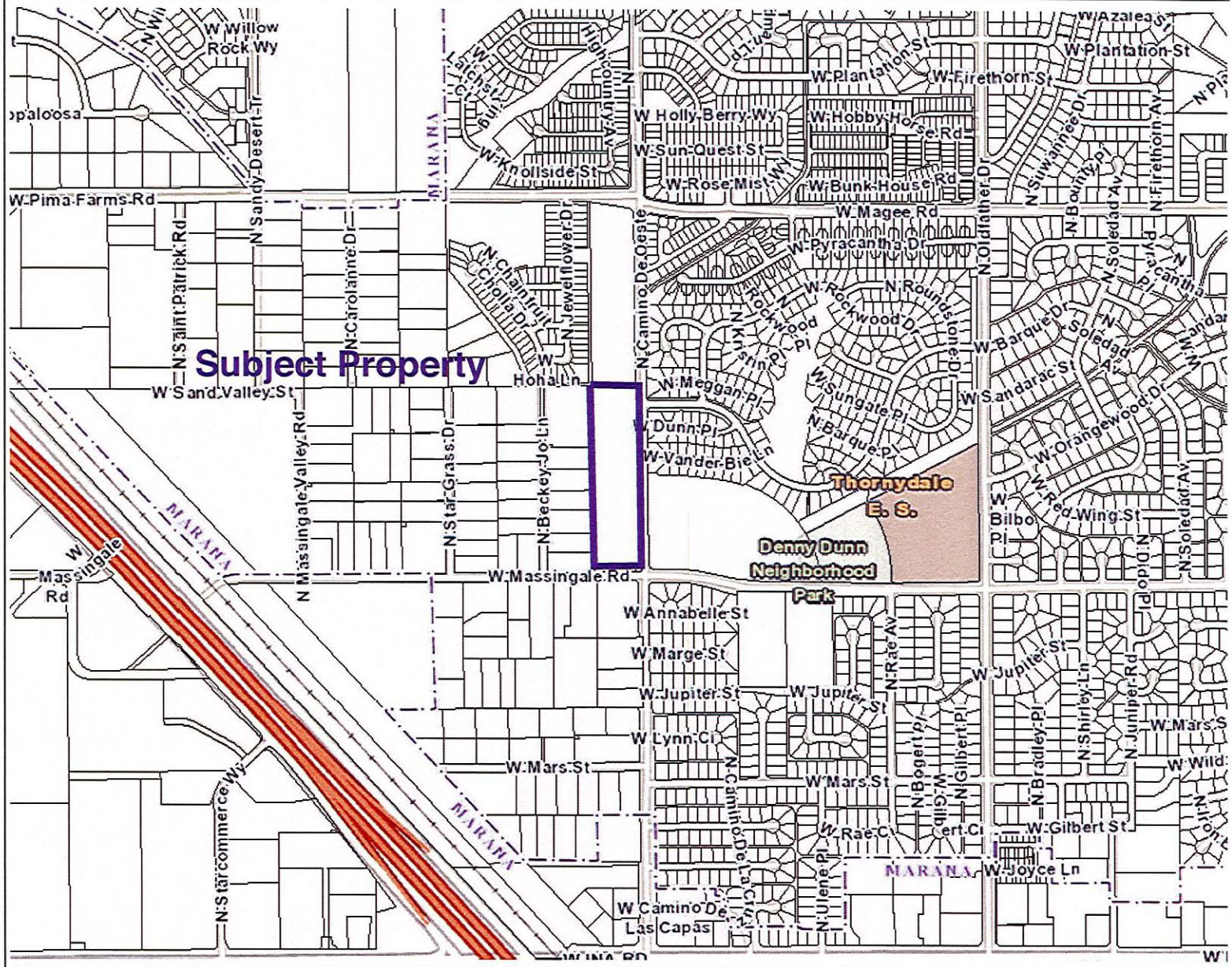
f. Compatibility with Conservation Lands System (CLS)

The proposed property lies wholly **outside of** the Maeveen Behan Conservation Lands System (CLS), as does the majority of the larger urbanized area surrounding it. As such, no compliance with CLS is required and there is no requirement for on-site set-asides nor off-site mitigation.

g. Impact on Existing Land Uses in the Surrounding Area

Development of the proposed plan amendment site as intended is a density-appropriate expansion of the existing urbanized residential character that is well established in the area. Special care must be given to the treatment of project's western boundary to appropriately respect the existing lower-density residences in place there. The submitted *Framework Plan* provides for an appropriate buffer and setback along this western boundary, together with the planned use of landscape stock and salvaged/transplanted specimens to create a mature appearance along this edge in a reasonably rapid timeframe.

Avilez Property -- Location Plan



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Pima County GIS

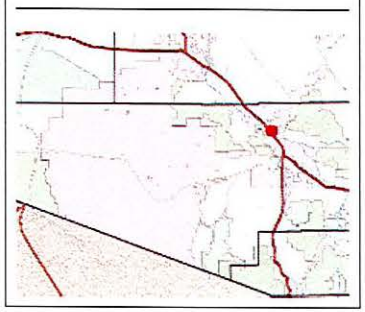
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map are subject to Pima County's ITD GIS disclaimer and use restrictions.

NOTES

The Subject Property is located at the northwest corner of Camino de Oeste @ W. Massingale Road.

It is Assessor's Parcel No. 221-35-0640. The Property's gross area is 9.77 AC.

The property to the immediate north is now in the rezoning process under Case # P18RZ00012.



Notes:

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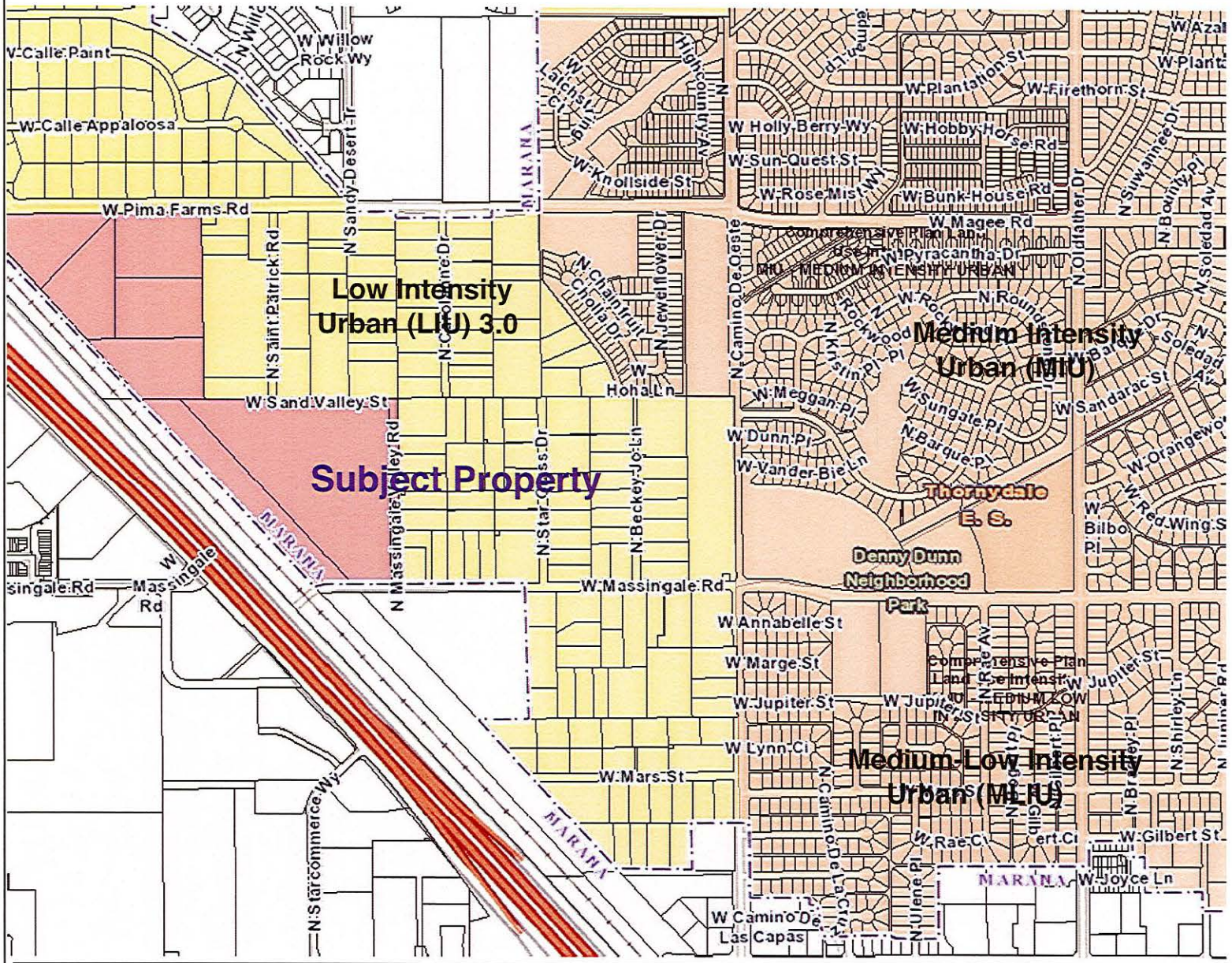
Avilez Property -- Surrounding Pima Prospers Designations



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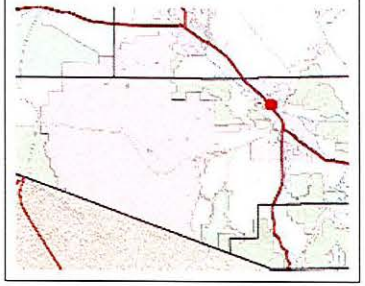
NOTES

The Subject Property is currently designated LIU 3.0.

The requested Pima Prospers designation is Medium Intensity Urban (MIU). The proposed use is a single-family detached residential subdivision.

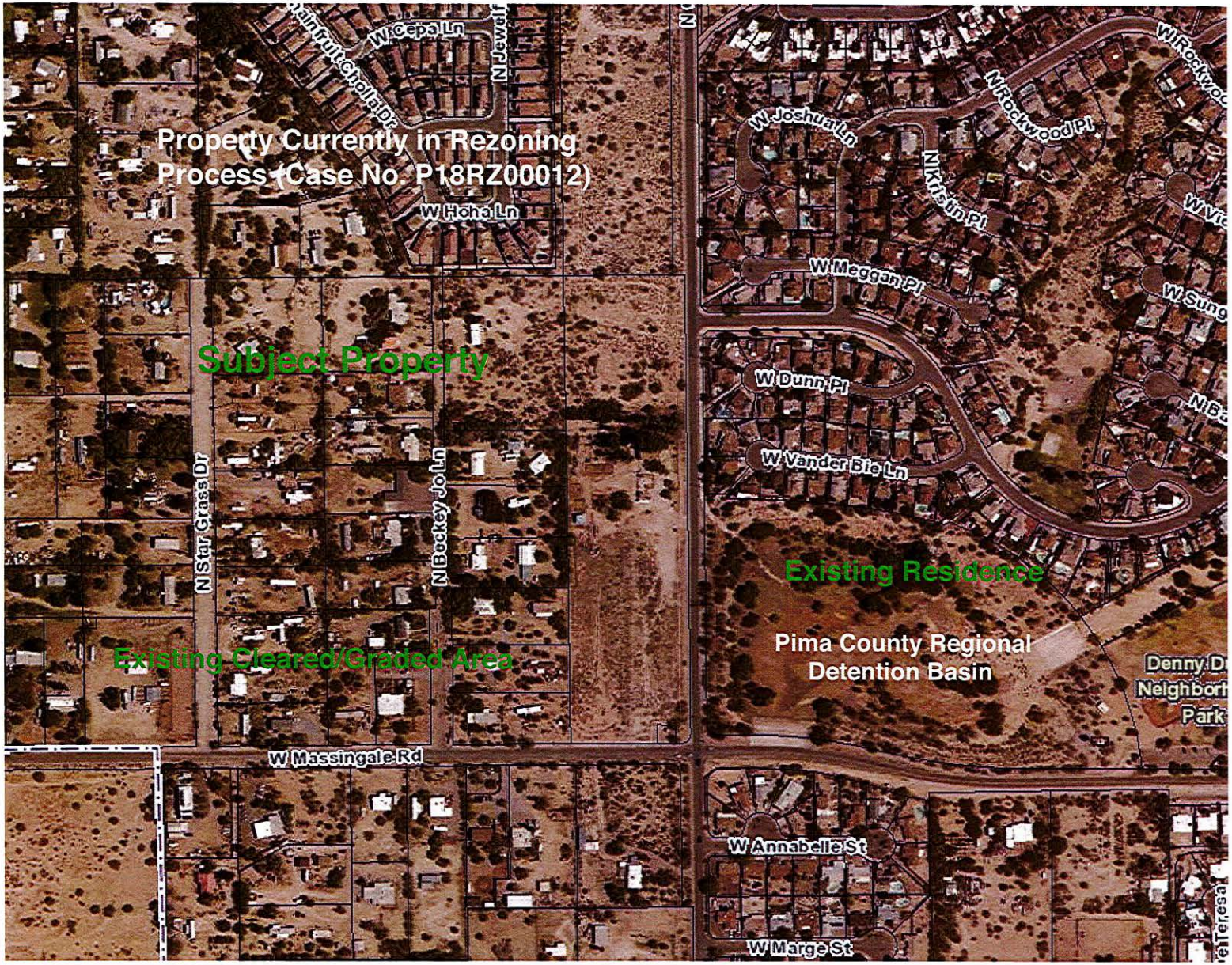
This request expands the large block of existing MIU already in place to the north and east, and is appropriate given the Property's location adjacent to Camino de Oeste, a designated major street.



Notes:

4/29/2019

Avilez Property -- Aerial Photo/Site Detail



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Pima County GIS

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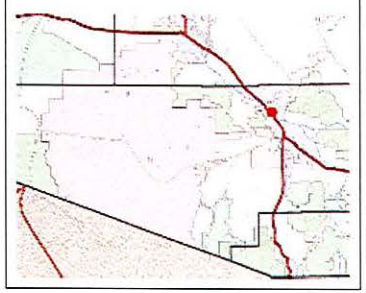
NOTES

The Subject Property contains an existing residence and several accessory buildings.

The southern two-thirds of the property is disturbed via the above residence, together with the significant prior grading that has occurred over the southern half of the site.

The Property lies OUTSIDE OF the Conservation Lands System.



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