BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 17, 2020

Title: P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT

Introduction/Background:

Request of Mortgage Equities XVI LLC, represented by Rick Engineering Co., to amend the comprehensive plan land use designation from Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) on about 68.42 acres located northeast of the intersection of S. Sorrel Lane and W. Hermans Road, and immediately north of the San Xavier District of the Tohono O'odham Nation.

Discussion:

The amendment would match the LIU-3.0 land use on the area to the north, allowing a future rezoning for single family subdivided residential development on the larger 136-acre area. The site is in the designated Comprehensive Plan Southwest Focused Development Investment (growth) Area and is outside the Maeveen Marie Behan Conservation Lands System.

Conclusion:

The site is within an area designated for growth under the comprehensive plan, has similar adjacent subdivisions, and is well-suited for future residential development. County departments and outside agency stakeholders have no objection to the proposed comprehensive plan amendment.

Recommendation:

The Planning and Zoning Commission recommends APPROVAL of the proposed comprehensive plan amendment, subject to one Regional Flood Control District rezoning policy. Staff also recommends APPROVAL of the amendment subject to rezoning policy.

Fiscal Impact:

N/A

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ All

Department: Development Services, Planning Division Telephone: 724-8800

Contact: Mark Holden, Principal Planner Telephone: 724-6619

Department Director Signature/Date: 2/19/2020

Deputy County Administrator Signature/Date: 2/21/2020

County Administrator Signature/Date: 2/21/2020

FILED FOR RECORD

PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Richard Elias, Supervisor, District 5

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

DATE: February 13, 2020

SUBJECT: **P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT**

The above referenced Comprehensive Plan Amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MARCH 17, 2020** hearing.

REQUEST: For a **comprehensive plan amendment** of approximately 68.42 acres from Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) land use designation, on parcels 138-29-6820, 138-29-6830 and a portion of 138-29-002A, located at the northeast corner of the intersection of S. Sorrel Lane and W. Hermans Road

OWNER: Mortgage Equities XVI LLC
Attn: Mitchel Medigovich
PO Box 2986
Prescott, AZ 86302-2986

AGENT: Rick Engineering Co.
Attn: Chuck Martin
3945 E. Fort Lowell Road, Suite 111
Tucson, AZ 85712

DISTRICT: 5

STAFF CONTACT: Mark Holden, Principal Planner

PUBLIC COMMENT TO DATE: As of February 13, 2020, staff has received one comment from an adjacent neighbor with concerns about drainage.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL** (7-0; Commissioners Bain, Cook and Maese 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 (CLS).

TD/MH/ar
Attachments

PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P19CA00005

FOR MARCH 17, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: February 13, 2020

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT

P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT

Mortgage Equities XVI LLC, represented by Rick Engineering Co., requests a **comprehensive plan amendment** of approximately 68.42 acres from Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) land use designation, on parcels 138-29-6820, 138-29-6830 and a portion of 138-29-002A, located at the northeast corner of the intersection of S. Sorrel Lane and W. Hermans Road, in Section 20, Township 15 South, Range 13 East, in the Southwest Planning Area. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL** (Commissioners Bain, Cook and Maese were absent). Staff recommends **APPROVAL**.
(District 5)

Planning and Zoning Commission Public Hearing Summary (January 29, 2020)

Staff presented information on the comprehensive plan amendment to the commission, stating that the applicant seeks to amend the land use designation on the 68-acre site to match that of the land use to the north, for future rezoning of the larger 136-acre area for single family subdivided residential development. A commissioner asked if the applicant was in agreement with the one rezoning policy; staff responded that the applicant had not expressed opposition to the rezoning policy.

The applicant's agent spoke and provided additional information about the amendment request and the proposed residential subdivision project, and said that they agreed with the rezoning policy. A commissioner asked about the criteria for receiving service from Tucson Water; the agent replied that they had met with the utility and would be provided water service.

A commissioner asked about the width of the drainage buffers shown on the agent's presented display; the agent responded that drainage buffers would be significant, ranging in width from 150 feet to 300 feet around the area proposed for development on the site. A commissioner asked about the direction of drainage flow on the property; the agent stated that drainage was sheet flow from west to east toward the Santa Cruz River, and that there is an existing drainage channel in the northeast corner of the property.

A commissioner asked if the tribes had provided comment; staff responded that tribal notification is part of the regular agency transmittal process for review and comment of cases, and that the Pascua Yaqui and Tohono O'odham had been included in the notification, in addition to direct phone communication with the latter tribe's Planner, and neither tribe had commented.

A commissioner asked what is being proposed for development on the site; the applicant's agent introduced the owner, who stated that it would be single family residential development, and that they expected to hold a number of neighborhood meetings to provide guidance on the final design.

The commission opened the public hearing. No one requested to speak and the commission closed the public hearing.

Commissioner Hook made a motion to recommend **APPROVAL** of comprehensive plan amendment P19CA00005, subject to rezoning policy; Commissioner Becker seconded.

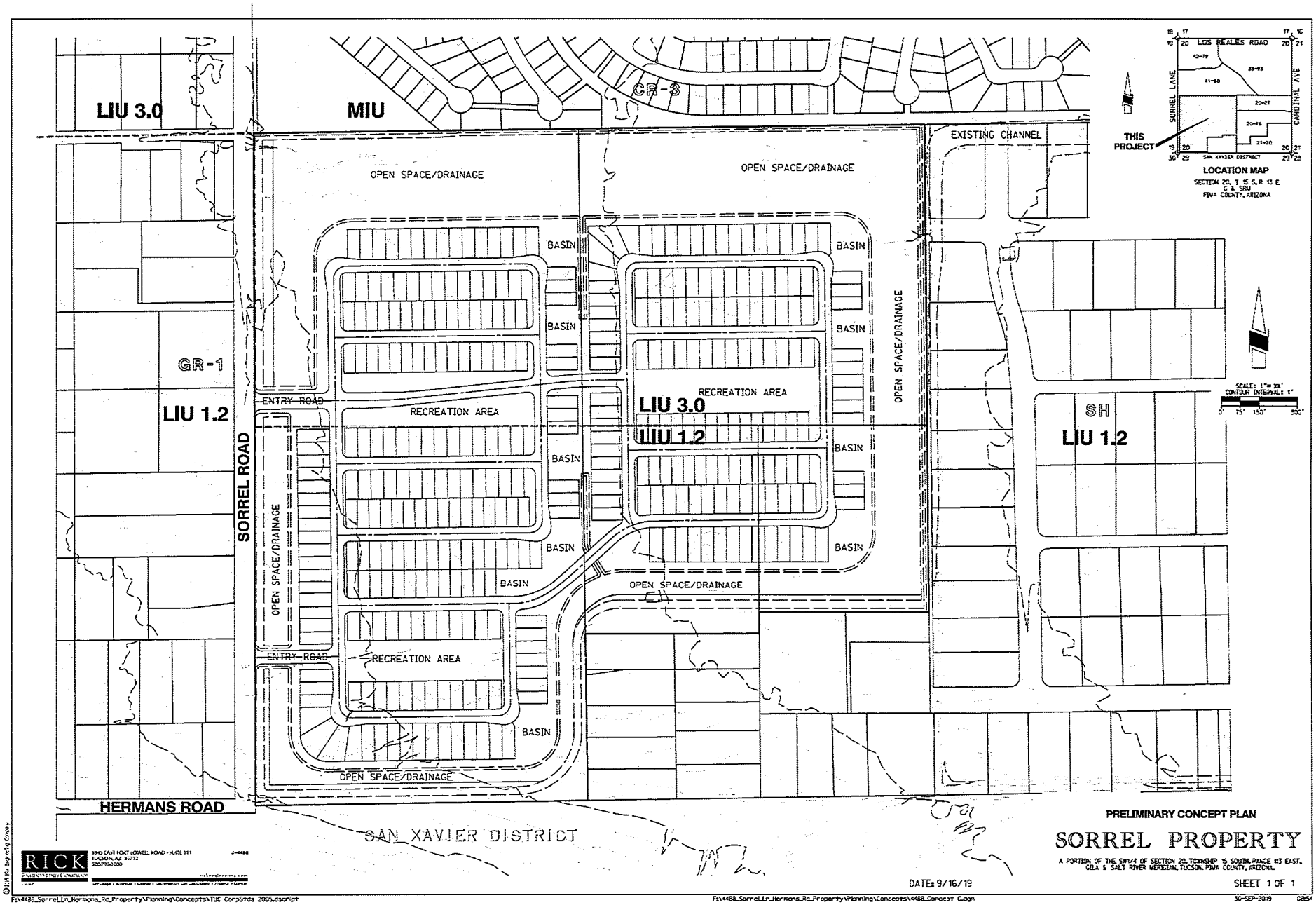
Upon a voice vote, the motion to recommend **APPROVAL** passed (7-0; Commissioners Bain, Cook and Maese were absent), subject to the following rezoning policy:

Drainage improvements shall be enhanced with native riparian vegetation and PCRRH mitigation shall occur on-site

TD/MH/ar
Attachments

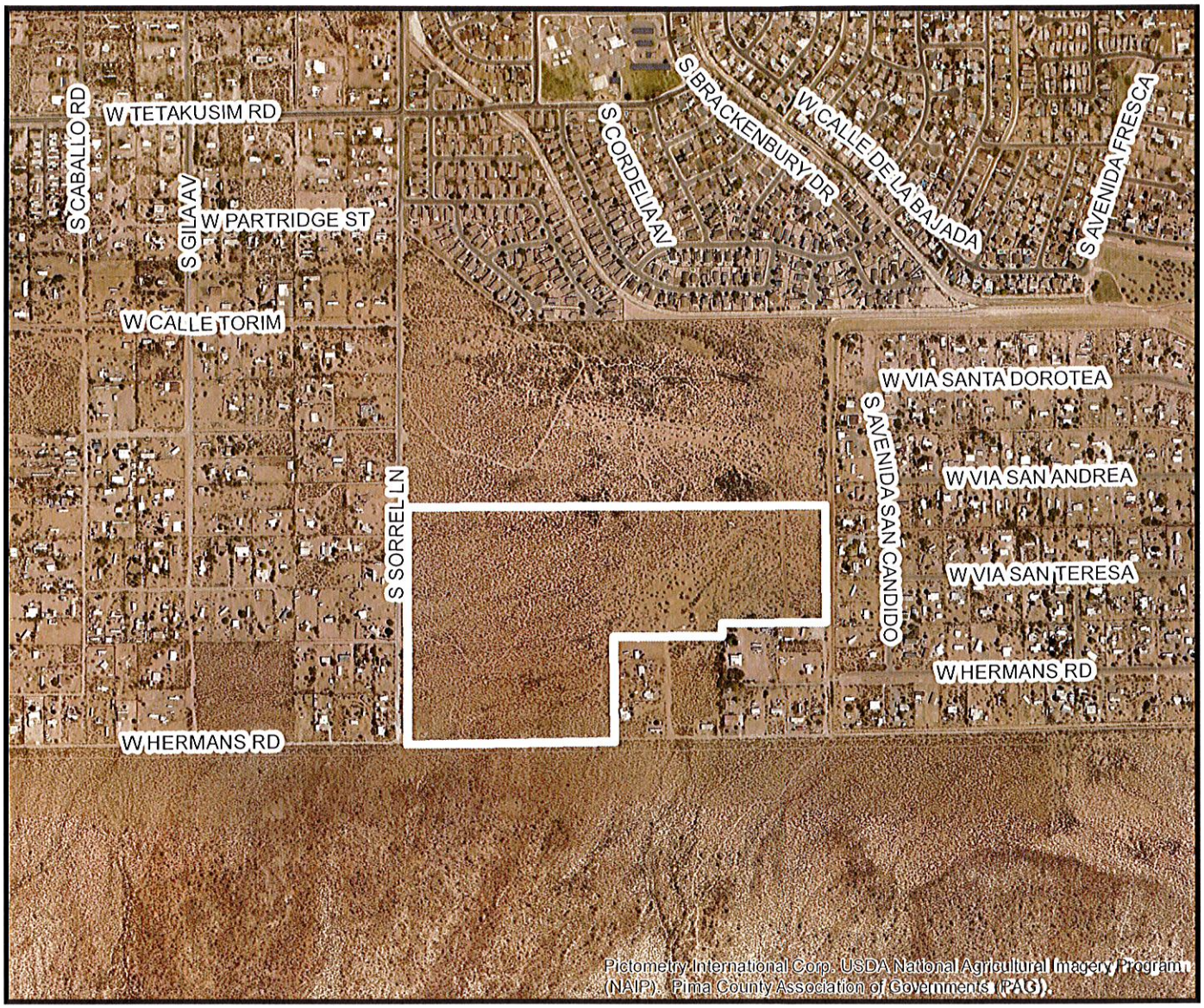
cc: Mortgage Equities XVI LLC, Attn: Mitchel Medigovich, PO Box 2986,
Prescott, AZ 86302-2986
Rick Engineering Co., Attn: Chuck Martin, 3945 E. Fort Lowell Road, Suite 111
Tucson, AZ 85712
Tom Drzazgowski, Chief Zoning Inspector
P19CA00005 File

P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT



COMPREHENSIVE PLAN AMENDMENT

Aerial Map



0 425 850 1,700 Feet

Taxcodes: 138-29-6820, 138-29-6830, and portion of 138-29-002A	**P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT** Request: Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) 68.42 Acres +/-	Districts 5 Location: Northeast corner of the intersection of S Sorrel Lane and W Hermans Road
	Southwest Planning Area under Pima Prospers Section 20, Township 15 South, Range 13 East	North
	Map Scale: 1:12,000	
	Map Date: November 5, 2019 / dms	

2019 PLAN AMENDMENT PROGRAM

PLANNING AND ZONING COMMISSION
STAFF REPORT

PIMA COUNTY
DEVELOPMENT SERVICES

HEARING DATE	**November 27, 2019**
CASE	**P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT**
PLANNING AREA	Southwest
DISTRICT	5
LOCATION	Northeast corner of the intersection of S. Sorrel Lane and W. Hermans Road, APN # 138-29-6820, 138-29-6840 and portion of 138-29-002A
REQUEST	Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) for approx. 68.42 acres
OWNER	Mortgage Equities XVI LLC
AGENT	Chuck Martin, Rick Engineering Co.

APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:

- The 68.42-acre comprehensive plan amendment site is part of a larger 136.4-acre planning area.
- The comprehensive plan amendment is to change the land use designation for the southern 68.42 acres, LIU-1.2, to match that of the northern portion of the planning area, LIU-3.0.
- The planning area is currently zoned GR-1 and will be rezoned to develop at the density permitted by the amended land use designation.
- The planning area is within the Southwest Planning Area and Southwest Focused Development Investment (growth) Area of the Pima County Comprehensive Plan.

STAFF REPORT:

Staff recommends **APPROVAL** of the proposed Comprehensive Plan amendment to **Low Intensity Urban 3.0 (LIU-3.0)**. The site is within the Comprehensive Plan Southwest Focused Development Investment Area identified for growth, and outside the Maeveen Marie Behan Conservation Lands System. County departments, agencies and other stakeholders have no objections to the requested amendment. If approved, the Regional Flood Control District recommends the following rezoning policy:

- *Drainage improvements shall be enhanced with native riparian vegetation and PCRRH mitigation shall occur on-site*

Staff has received communication from one neighbor with concerns related to flooding.

Background
The amendment site is 68.42 acres in area, located in southwestern Tucson about one mile west of S. Mission Road and a half-mile south of W. Los Reales Road. The site is zoned GR-1 Rural Residential and is undeveloped, vegetated mainly with mesquite and creosote bush. The site has a gentle grade (one to two percent) from west to east; Black Mountain, about a mile to the south, drains northward onto the site. The amendment site is the southern portion of a larger 136-acre area, of which the adjacent northern portion has LIU-3.0 land use designation. The entire area will be rezoned if this amendment request is successful.

The site is located in a region of mixed land uses: there are high-density single-family residential subdivisions designated Medium Low Intensity Urban (MLIU) and Medium Intensity Urban (MIU) to the north of the larger undeveloped site; rural residential areas to the east and west with LIU-1.2 land use immediately adjacent and LIU-3.0 from one-quarter to one-half mile away; and, undeveloped tribal land of the Tohono O'odham Nation San Xavier District to the south and Pascua Yaqui tribal land a half-mile to the west.

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
The proposed project extends higher-density subdivisions further to the south of similar existing housing, directing new development toward existing communities. There are basic services and retail located about one-and-one-half miles to the north at Cardinal and Valencia and two TUSD elementary schools located within about one mile. Infrastructure (road, wastewater, drainage) will need to be improved, extended to or provided on the site.

1b. Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies
The site is within Special Area Policy S-17 Tohono O'odham San Xavier District, to recognize tribal sovereignty and mitigate incompatible adjacent urban development through a setback from the district boundary. The site is within Special Area Policy S-29 Southwest Infrastructure Plan (SWIP), to guide provision of infrastructure and services related to transportation, flood control, wastewater and parks. The site is also within the Southwest Focused Development Investment Area (FDIA), designated under the 2015 comprehensive plan update *Pima Prospers* as a growth area identified for a variety of land uses, infrastructure expansion, and multi-modal transportation.

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

2. Oversights, Inconsistencies, or Land Use Related Inequities/Changes
The amendment site and associated area to the north have had LIU-1.2 and LIU-3.0 land use designations, respectively, since the initiation of the county's comprehensive plan in 1992.

The site is within the Southwest FDIA (growth area) planned for more efficient transportation circulation, economic infrastructure expansion and more rational land development patterns. Much of the southwest region has been designated with LIU, MLIU and MIU land use designations to promote growth in the region.

The site is an undeveloped 'greenfield' adjacent to higher-density subdivided residential development to the north. The preliminary concept plan shows a minimum of 150 feet of open space and drainage buffer between the San Xavier District boundary and proposed parcels on the southern end of the site, exceeding the widest required buffer (100 feet from any new structures and improvements) under the S-17 Special Area Policy.

The proposed amendment meets comprehensive plan policies, does not impact Maeveen Marie Conservation Lands System areas and should have minimal impact surrounding communities, and staff recommends approval of the proposed comprehensive plan amendment.

DEPARTMENT/AGENCY COMMENTS:

Department of Transportation

Sorrel Lane is a paved roadway maintained by the County with 35-mile-per-hour (MPH) posted speed limit. Directly adjacent to the site, the existing right-of-way width is 80 feet and varies to the north from 95 feet to 75 feet at the intersection with Los Reales Road. Sorrel Lane functions as a major collector and it is not identified as Major Street or Scenic Route in the Major Street and Scenic Routes plans. The most recent counts for Sorrel Lane is 4,023 average daily trips (ADT) with a capacity of 10,360 ADT. At the rezoning phase, the Department of Transportation will evaluate the need of additional right-of-way dedication of fifteen (15) feet along the westerly property line of parcel 138-29-002A adjacent to Sorrel Lane.

Hermans Road is a local dirt road not maintained by the County. Hermans Road from Mission Road to Ajo Highway was established under Road Proceeding No. 298 with a planned 60-foot right-of-way. There are no available traffic counts or posted speed limit for Hermans Road and it is not identified as Major Street or Scenic Route in the Major Street and Scenic Routes plans. At the rezoning phase, the Department of Transportation will evaluate the need of right-of-way dedication of thirty (30) feet along the southerly property line of parcel 138-29-002A adjacent to the San Xavier District.

Los Reales Road is a paved roadway maintained by the County with 35-MPH posted speed limit with paved shoulders and with vertical curb and sidewalk along the south edge of the roadway. Los Reales Road functions as a major collector with 150 feet of existing right-of-way and it is not identified as Major Street or Scenic Route in the Major Street and Scenic Routes plans. The most recent counts for Los Reales Road between Sorrel Lane and Cardinal Avenue is 9,158 ADT with a capacity of 10,360 ADT.

The provided Preliminary Concept Plan is for a 351-lot residential subdivision and the site is estimated to generate approximately 3,510 ADT. Given the current counts and roadway capacity, Los Reales Road could function over capacity if the site is developed. Technical studies for specific transportation related conditions may identify more detailed improvements, and can be planned for prior to development plans or once development plans are submitted.

Per the number of lots, Pima County Standards require four (4) external connections to the local street system. Documentation that supports a reduction to two (2) connection points as depicted in the Preliminary Concept Plan may be provided at the rezoning phase.

The Department of Transportation has no objection to the comprehensive plan amendment request.

Regional Flood Control District

1. The site is entirely within Federal Emergency Management Agency (FEMA) Special Flood Hazard Area, Zone A. Flows are distributory and not confined to channels. Downstream drainage complaints are numerous and unresolved. South of the site flows exit the San Xavier District at the base of Black Mountain. North of the site a levee protects homeowners. The lack of on-stream slope will make drainage difficult and expensive to design and build. A FEMA Letter of Map Revision (LOMR) will be required to remove the development from the floodplain and is not a forgone conclusion.

2. Improvements depicted on the "Preliminary Concept Plan" are just that. While the applicant's engineer has conducted a due diligence meeting with District staff regarding this design, it is not clear if FEMA will approve the future LOMR. At the rezoning a condition shall be recommended stating that: A CLOMR shall be submitted to FEMA prior to recording of the Tentative Plat.

3. The site also includes Pima County Regulated Riparian Habitat, of type Xeroriparian Class B, associated with Mission West Wash and the on-site tributary.

4. The application does not identify the water service provider nor the intent to identify Pima Prospers Water Policy compliant conservation measures at the time of development.

5. As required, staff has 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 all sides, with the exception of tribal areas.
   b. A demand projection has not been completed.
   c. Depth to bedrock is 400 to 800 feet and 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, which will be re-evaluated at the time of rezoning.

In conclusion, the site plan shows extensive drainage features generally coinciding with the mapped Pima County Regulated Riparian Habitat, and the District can support a development plan which minimizes habitat disturbance and restores and enhances disturbed areas.

A significant concern for the District is the potential for substantial deposition of sediment within perimeter drainage features, especially within the most southern drainage way which intercepts potentially highly erodible soils from contributing steep slopes. At the time of development, a larger drainage feature may be required to accommodate loss of channel conveyance during a large storm event. The District has on record numerous drainage complaints for the subdivision to the north, Mission West, related to drainage infrastructure maintenance. The conditions, covenants and restrictions (CC&Rs) for this site's plat must include a detailed discussion of maintenance requirements.

The District has no objection to the requested comprehensive plan amendment subject to rezoning policy, and provided that the rezoning preliminary development plan addresses habitat and sediment transport constraints

Regional Wastewater Reclamation Department

The plan amendment area is within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area and is tributary to the Agua Nueva Water Reclamation Facility via the Southwest Interceptor. Existing public sewer system consists of 8-inch sewer lines serving the Mission West Subdivisions just north of the property. PCRWRD identified no capacity issues in the downstream public sewer system for this plan amendment area at this time.

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.

Environmental Planning Division
The amendment site is outside the Maeveen Marie Behan Conservation Lands System. The Environmental Planning Division has no comments on this proposal.

Cultural Resources & Historic Preservation Division
The division reviewed the proposed amendment and has no comments.

Department of Environmental Quality
The department has no comments nor objections to the proposed project.

City of Tucson, Planning & Development Services Department
Staff has reviewed the amendment, and while the amendment would create a denser development than is indicated by *Pima Prospers* policy guidance for the future of the subject area, it appears to be generally compatible with policy guidance regarding use and density for the surrounding area. Assuming that there are no significant environmental or other reasons that led to the difference in the Comprehensive Plan's policy guidance between the subject area and the area directly to the north, the City of Tucson does not object to the amendment.

From a sustainability perspective increased density seems preferable to more land coverage. However, in the long-run building more densely in already built areas with infrastructure, rather than new areas, would seem a reasonable goal. The City of Tucson is beginning its planning for the update of *Plan Tucson, the City of Tucson General and Sustainability Plan* and issues of sustainability, including climate change, are anticipated to be key focus. We look forward to discussions with Pima County and other jurisdictions and agencies about these critical topics.

Tucson Water
The subject properties (parcels 138-29-6820, 138-29-6830 and 138-29-002A) do 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 to confirm service will need to be submitted to verify true water availability.

Drexel Heights Fire District
Drexel Heights Fire District has reviewed the amendment to the Pima County Comprehensive Plan and has no objection to the change to LIU-3.0 for this property site. If this project is approved, Drexel Heights Fire would request opportunity to review future development plans for water, hydrant placement, street width, access, and model homes to the project.

SunTran
This plan does not affect public transit. The nearest SunTran bus stops are located near the intersection of Sorrel Lane and Tetakusim Road, which is one-half to three-quarters of a mile north of the plan site.

US Fish & Wildlife Service
There is the potential for the endangered Pima pineapple cactus to occur within the limits of the proposed Plan Amendment. If this amendment is approved, we recommend that surveys for this species occur as a condition of any future rezoning. If any Pima pineapple cacti are located during surveys, we recommend that Pima County or the project proponents contact us to discuss the development of any necessary conservation measures or mitigation.

Tohono O'odham Nation, San Xavier District / Pasqua Yaqui Nation
Neither tribal nation has comments.

PUBLIC COMMENTS:

Staff has received communication from one property owner in the Mission West subdivision to the north with concerns related to neighborhood flooding.

Respectfully submitted,

Mark Holden, AICP
Principal Planner

cc: Chuck Martin, Rick Engineering Co.

P19CA00005 MORTGAGE EQUITIES XVI LLC – S. SORREL LANE PLAN AMENDMENT
Pima County Comprehensive Plan Land Use Designations & Policies

Current: Low Intensity Urban 1.2 (LIU-1.2)

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.

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

Requested by applicant: Low Intensity Urban 3.0 (LIU-3.0)

Objective: same as above

Residential Gross Density: Minimum - none; Maximum - 3.0 RAC

Comprehensive Plan Special Area Policies

S-17 Tohono O'odham San Xavier District
To recognize tribal sovereignty and promote coordination between the Nation, especially the San Xavier District and Pima County, and to mitigate negative impacts of potentially incompatible urban development with setback and landscaping requirements.

Policies:

A. Setback Requirements & Bufferyard Requirements
   1. New residential development on parcels of 80 acres and greater: 100-foot setback from the District boundaries, including an undisturbed natural desert buffer of at least 40 feet or a designed bufferyard of not less than 25 feet
   2. New residential development on parcels of less than 80 acres: all setback requirements of the applicable zoning district and a bufferyard option of not less than 10 feet
   3. New non-residential development: all setback requirements of the applicable zoning district and a bufferyard option of not less than 10 feet

B. No building shall exceed 24 feet within 100 feet from District boundaries

C. In the event future plan amendments designate additional urban land use intensities along the boundary, this special area will be extended to include those areas and all provisions of this special area shall apply.

S-29 Southwest Infrastructure Plan (SWIP) Area

Policies

A. Comprehensive Planning:
   1. SWIP shall guide funding and provision of infrastructure and services related to transportation, flood control, wastewater, parks and recreation, and government facilities
   2. New residential uses are incompatible within ½ mile of the Tucson Trap and Skeet Club
   3. Proposed development shall be planned, designed, and constructed to implement the sustainability principles as described in the SWIP

B. Environmental Planning: At a minimum, applicable Maeveen Marie Behan Conservation Lands System Conservation Guidelines shall provide mitigation onsite, offsite, or in some combination thereof

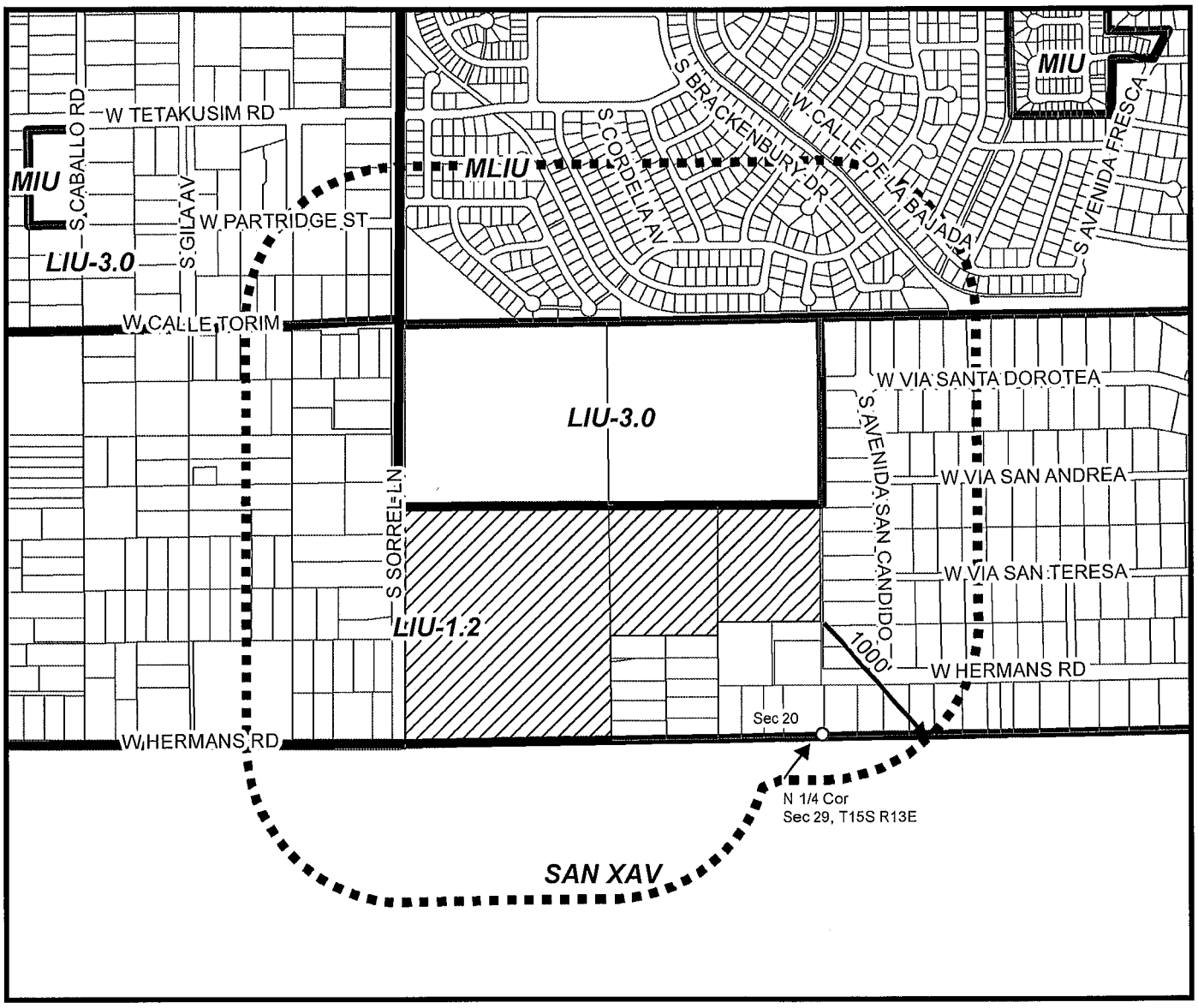
C. Regional Flood Control District:
   1. No building permits shall be issued until offsite flood control improvements are constructed to remove proposed development out of the FEMA 100-year floodplain
   2. Development shall not occur within the Black Wash Administrative Floodway

D. Wastewater Management: sewer service to any new development within the plan amendment area shall not be provided until Pima County executes an agreement with the owner/developer

E. At a minimum, the majority of infrastructure and transportation costs shall be self-funded by the developer

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use



0 425 850 1,700 Feet

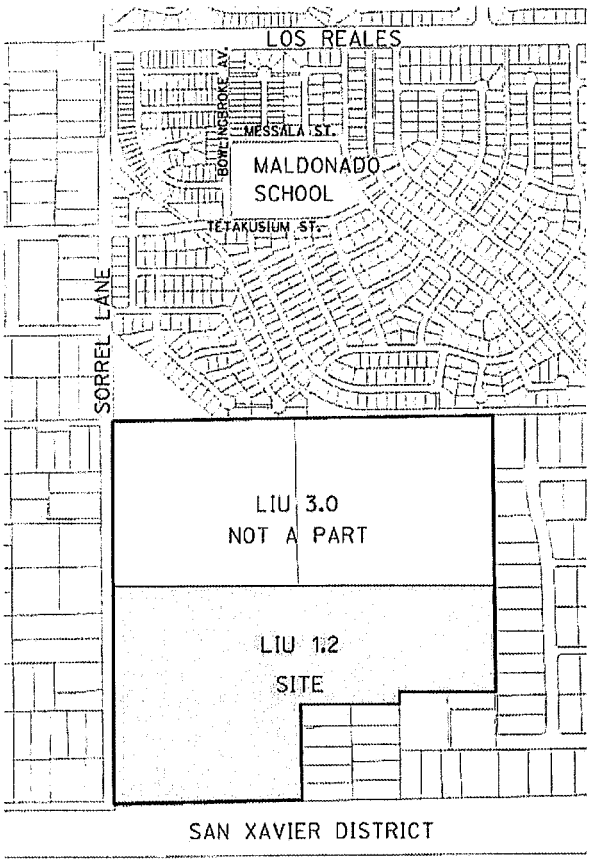
Subject Property 1000' Notification Area

Taxcodes: 138-29-6820, 138-29-6830, and portion of 138-29-002A	**P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT** Request: Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 3.0 (LIU-3.0) 68.42 Acres +/-	Districts 5 Location: Northeast corner of the intersection of S Sorrel Lane and W Hermans Road
	Southwest Planning Area under Pima Prospers Section 20, Township 15 South, Range 13 East	North
	Planning and Zoning Commission Hearing: November 27, 2019	Map Scale: 1:12,000
	Board of Supervisors Hearing: January 21, 2019 (tentative)	Map Date: October 2, 2019 / dms

PLEASE JOIN US FOR A

NEIGHBORHOOD MEETING

Rick Engineering Company, on behalf of Mortgage Equities XVI, LLC, is hosting a neighborhood meeting to discuss a Comprehensive Plan Amendment for approximately 68 acres located at the northeast corner of Sorrel Lane and Hermans Road.



The Neighborhood Meeting
Will Be Held On:

Tuesday
November 26th
6:30 pm to 7:30 pm

LOCATION:

Maldonado Elementary School
3535 West Messala Way
Tucson, Arizona 85746

The amendment request to the Planning and Zoning Commission is to change the land use category on the southern half of the property from Low Intensity Urban 1.2 (LIU1.2) to Low Intensity Urban 3.0 (LIU3.0) to match the residential land use allowed on the northern portion of property. This change would allow more flexibility in the design of the vacant land. The proposal is consistent with the policies of the Pima County Comprehensive Plan and the Southwest Infrastructure Plan.

Questions and comments on the amendment may be submitted to the Pima County Planning Division of the Development Services Department – 201 N. Stone Avenue, Tucson, AZ 85701 or phone number is 724-9000.

You will receive or have received a notice from Pima County to inform you of the Planning and Zoning Public Hearing on November 27, 2019. **Please note that due to conflicts with the Thanksgiving holiday, we have asked for a continuance of the public hearing at the Planning and Zoning Commission to the next scheduled meeting date.**

If you have any questions please call Chuck Martin at 795-1000.

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RICK ENGINEERING COMPANY

SORREL PROPERTY
COMPREHENSIVE PLAN AMENDMENT
Neighborhood Meeting Sign-in Sheet
November 26, 2019
JN 4488

NAME	ADDRESS	Phone or Email Optional
GEO HETHERINGTON	3755 W. TETAKUSIM	GEO2240@aol.com
DARWIN LOPEZ	3790 W. Tetakusim	darwinlopez47@gmail.com
LISA ANTKOW	7626 S. Bosworth Field	antkow@hotmail.com
Christina Kelly	3242 W. Hermans Rd	520-247-5562
Maryl Schneider	3242 W. Hermans Rd	(520) 400-8805
MARIO SOLO	3414 W HERMANS RD	520 406-8227
Josefina Solo	"	" "
Fidel Garci	7620 S Cordelia AV.	— —
Idelisa Garcia	7620 S. Cordelia Ave	— —
Bill Woods	7686 S. Carlisle Ave	
Mary Soto	3524 W Hermans Rd	520 990 2788
Carol Soto	" "	" 990 2571
Genevieve Acosta	8040 S Sorrel	
Mary Hunter	8040 S Sorrel	
Albert Peralta	7599 S Malcolm Ave	aperalta4@gmail.com
Joanie Contreras	3141 W. Via Santa Teresa	jmacontreras25@gmail.com
Darlin Cornel	3161 W. Santa Teresa	
D M MACHADO	3785 W [illegible] DR	mamachado80@gmail.com.

Concerns

- flooding (you indicated the "little triangle" would accept water with flooding — what impact will that have on houses + flood plan to the north of proposed plan?
- 2 entry points onto Sorrel. County suggests 4. County also indicated Los Reales is almost at capacity as is — what will you do for Los Reales

My mane concern is The Flood control. The water going on to Cardnial. If you Rise The land it will flood The land on The East side of The Dike.
I want some control of Traffic on Herman's Rd. lighting To meet The night Sky's. are there enough acees IN To The Development

---

Flooding Zone is for Hermans

if he put in a Wash. will That Take us out

Whats in it for us

Need time out Here for Distract 5

What about flooding to Hermans to east

About Zoma for Sorrel and Hermans

What about Cardinal Rd need to be all weather Rd.

Access points Streets Cardinal + Los Reales require to be wider

* Access through St. SANTA DOROTEA

BILL WOODS

My main concern is the additional traffic and basically only one entrance to the new development Also I paid a premium for the view

RICK
ENGINEERING COMPANY

SORREL PROPERTY
COMPREHENSIVE PLAN AMENDMENT
Neighborhood Meeting Notes
November 26, 2019
JN 4488

Neighbors started arriving at a little after 6:00 and were invited to come up to review the exhibit showing the area of the plan amendment. The neighbors pointed out where their homes, talked about the issues with flooding and access.

The meeting began at about 6:35 PM.

Chuck Martin introduced himself and the property owner Gary Lane. He gave a short overview of the proposal to develop the property with single family residences and other information from the narrative that had been submitted with the application. He also explained the processes that would have to occur prior to the development of the property. He noted that the comprehensive plan amendment was only the beginning and it alone would not allow higher density development. He also stressed that there would not be a Planning and Zoning Commission meeting for the project until January.

The meeting was opened to questions. The majority of the comments and questions were related to the drainage and flooding issues in the area and how the development could affect them. It was explained that the proposal is in its infancy, and Rick had worked with Pima County regarding the drainage and it was too early in the process to have specific numbers and solutions. A board that showed the proposed development area with the surrounding channel/open-space/buffers was presented to help explain what the design may look like. Chuck explained that the intent was to collect the flood waters in the channel/open-space/buffers and hold it on the eastern side of the site. It would be released into the existing channel. It was noted that the staff report recommended conditions to address the drainage design and improvements as a part of the rezoning.

The neighbor's concerns were also concerned about the only access being on Sorrel Lane and the increase in traffic. Gary noted that the staff report noted that specific technical studies would identify improvements that may be necessary for the development. One neighbor stated that they use the dirt road on the Hermans Road alignment and they were concerned about more people driving down Hermans Road. Some neighbors though the access should come from the eastern subdivision to relieve traffic on Sorrel Lane.

Chuck asked the neighbors to fill out index cards with their concerns so that they could be included with the neighborhood meeting information. He once again noted that this is the first step in the process to improve the property. Gary said that he was willing to work with the neighbors and see how their concerns could be addressed. He also noted that he was willing to have additional meetings before the formal rezoning submittal was submitted to the County, after the General Plan Amendment was approved.

The meeting ended at about 7:35 PM.

PIMA COUNTY
DEVELOPMENT SERVICES
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701-1207
(520) 724-9000

Biological Impact Report

(Not Applicable for Rezonings that Require a Site Analysis)

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

This report will include information provided by both Pima County Planning staff (Part I) as well as the applicant (Part II).

Part I. Information Provided by Pima County staff:

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

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

Part II. Information Provided by the Applicant:

1. Has the owner of the project site had any communications with Pima County about the County potentially acquiring the property? No

   If yes, provide a summary of those communications: _____
   _____
   _____

PIMA COUNTY
DEVELOPMENT SERVICES

2. Several species are of particular interest. Please fill out the following table to the best of your ability.

Species	Ever found on project site?	Date of last observation if found on project site?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	Yes		No
Needle-spined pineapple cactus	No		No

Contact the Office of Sustainability and Conservation at 520-724-6940 if you have any questions about this report.

Mark Holden

From: noreply@server.mailjol.net on behalf of allForms <noreply@server.mailjol.net>
Sent: Monday, September 30, 2019 1:19 PM
To: DSD Planning
Subject: Comprehensive Plan Amendment Application OR Concurrent Comprehensive Plan Amendment and Rezoning or Specific Plan Application
Attachments: 11245993.zip

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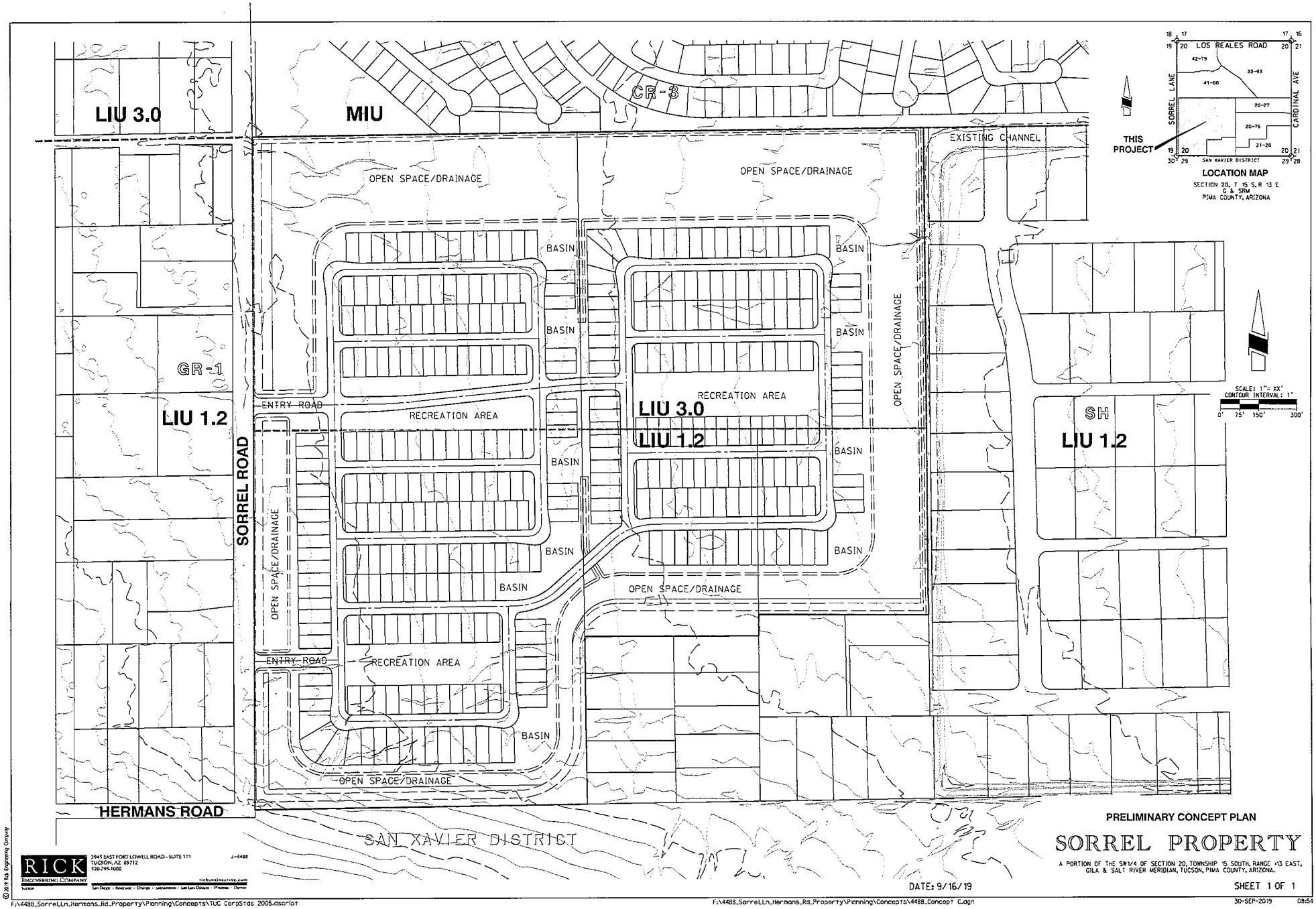
Disregard	***>>> DISREGARD The message above the Form Results ROW <<<***
Note about attachments	***>>> Pima County virus software CYLANCE automatically scans files. There IS NOT a right mouse scan this file option. Attachments are scanned by our email appliance when received, then again by Cylance when saved or opened. <<<***
Owner Name	Mortgage Equities XVI, LLC
Owner Address	P O Box 2986
Owner City	Prescott
Owner State	AZ
Owner Zipcode	86302
Owner Phone	602 510-4568
Owner_Email	Mitch.meedigvich@gamil.com
Applicant Name	Rick Engineering Company
Applicant Address	3945 E. Ft. Lowell Rd #111
Applicant City	Tucson
Applicant State	AZ
Applicant Zipcode	85732
Applicant Phone	520-795-1000
Applicant_Email	cmartin@rickengineering.com
Property Address	Not issued.
Property Parcel Number	128-13-002A, 6810, 6820, 6830

Property Acreage	68.
Current Land Use Designation	LIU-1.2
Proposed Land Use Designation	LIU 3.0
Policies	Southwest Planning Area
Concurrent Property Acreage	
Property Present Zone	
Property Proposed Zone	
FTP-Link	
Signature	I confirm the information provided is true and accurate 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. (By checking the box, I am electronically signing this application.)
Application Date	30-Sep-2019
More Information about this submission and submitter	
Submission ID	11245993
Date & Time	30th Sep 2019 1:18 PM
Form Location	--
IP Address	70.167.9.182
Browser info	Mozilla/5.0 (Windows NT 6.1; WOW64; Trident/7.0; rv:11.0) like Gecko
Predicted Country	--


LIU 3.0
MIU
CR-3
EXISTING CHANNEL
OPEN SPACE/DRAINAGE
OPEN SPACE/DRAINAGE
BASIN
BASIN
BASIN
BASIN
BASIN
BASIN
BASIN
BASIN
BASIN
BASIN
GR-1
LIU 1.2
ENTRY ROAD
RECREATION AREA
RECREATION AREA
LIU 3.0
LIU 1.2
OPEN SPACE/DRAINAGE
OPEN SPACE/DRAINAGE
OPEN SPACE/DRAINAGE
SORREL ROAD
ENTRY ROAD
RECREATION AREA
OPEN SPACE/DRAINAGE
SH
LIU 1.2
HERMANS ROAD
SAN XAVIER DISTRICT
THIS PROJECT
LOS REALES ROAD
SORREL LANE
CARDINAL AVE
SAN XAVIER DISTRICT
LOCATION MAP
SECTION 20, T 15 S, R 13 E
G & SRM
PIMA COUNTY, ARIZONA
SCALE: 1"= XX'
CONTOUR INTERVAL: 1'
0' 75' 150' 300'
PRELIMINARY CONCEPT PLAN
SORREL PROPERTY
A PORTION OF THE SW1/4 OF SECTION 20, TOWNSHIP 15 SOUTH, RANGE 13 EAST,
GILA & SALT RIVER MERIDIAN, TUCSON, PIMA COUNTY, ARIZONA.
DATE: 9/16/19
SHEET 1 OF 1
RICK ENGINEERING COMPANY
3945 EAST FORT LOWELL ROAD - SUITE 111
TUCSON, AZ 85712
520-795-1000
J-4488
rickengineering.com
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30-SEP-2019 08:54

Sorrel Property Narrative

September 24, 2019

JN 4488

<u>Comprehensive Plan Amendment - LIU 1.2 to LIU 3.0</u>

The site is within the Southwest Planning Area of the Comprehensive Plan. It is included in the Growth Area of the planning area.

There is interest to develop four parcels in the planning area that constitutes a total of 136.4 acres. The northern portion of the site (68-acres) has an LIU-3.0 land use designation. The remaining 68.4-acres have an LIU 1.2 designation. The purpose of the Comprehensive Plan Amendment is to change the land use designation for the 68.4-acres to match the land use designation on the northern portion of the property. All of the property is currently zoned GR-1 and will require a rezoning to develop the site at the density allowed by the land use designation.

The site is surrounded by residential development on three sides. To the north is the Mission West Subdivision, which is zoned CR-4 and has a density of 3.54 RAC. On the east is the Santa Xavier Estates Subdivisions, which are zoned SH and have an approximate density of 0.7 RAC. On the west is an area of un-subdivided parcels of various sizes, zoned SH.

To the south of the site is San Xavier District property which is undeveloped.

The land slopes from west to east and is fairly flat. The property is currently mapped as a FEMA flood area. In order to improve the site for residential development, the sheet flows entering the site would be collected and redirected to the eastern property line. The drainage areas for these flows are expected to compose about 30% of the site area, as shown on the preliminary concept plan. Although the drainage requires significant land area, they will serve as wide buffers to the surrounding development.

The base infrastructure is in place or near the site:

1. Streets - Access to the site is from Sorrel Lane, a two lane paved public street. Sorrel Lane has a direct connection to Los Reales Road, one-half mile north of the site.
2. Sewer – There are existing sewer lines in the streets of the Mission West Subdivision north of the site.
3 Water - There are Tucson Water lines on three sides of the site.
4. Electric, gas and other dry utilities are also adjacent to the site.

AUTHORIZATION

September 25, 2019

Property Owner: Mortgage Equities XVI, LLC

Property Owner Contact Information: Mitchel Medigovich, Operations Manager, Phone, 602-510-4568, Po Box 2986, Prescott, AZ 86302

Property Location – Hermans and Sorrel Road, Pima County – See attached Map

Assessor's Parcel Numbers: 138-29-002a, 6810, 6820, 6830

The above referenced property is currently under contact and in escrow wherein Mortgage Equities XVI, LLC is the Seller and LMK Investments LLC is the Buyer.

Buyer wishes to take certain actions to obtain approvals and entitlements from Pima County and/or the City of Tucson to prepare the property for development.

Seller authorizes LMK Investments and its contractor Rick Engineering to act before the appropriate commissions, boards, committees, departments and divisions of Pima County and/or the City of Tucson to pursue such measures to obtain approvals and permits suitable to Buyer.

All such measures shall be at the expense of Buyer and no cost, expense, charge or obligation shall become a liability of the Seller or an encumbrance (voluntary or involuntary) to the real property.

Mitchel Medigovich,
President
Mortgage Management Inc.,
Operations Manager
Mortgage Equities XVI, LLC

ENTITY INFORMATION

Search Date and Time: 9/30/2019 2:42:15 PM

Entity Details

Entity Name:	MORTGAGE EQUITIES XVI, LLC	Entity ID:	L13256787
Entity Type:	Domestic LLC	Entity Status:	Active
Formation Date:	11/17/2006	Reason for Status:	In Good Standing
Approval Date:	11/27/2006	Status Date:	
Original Incorporation Date:	11/17/2006	Life Period:	12/31/2035
Business Type:		Last Annual Report Filed:	
Domicile State:	Arizona	Annual Report Due Date:	
		Years Due:	
Original Publish Date:	1/8/2007		

Statutory Agent Information

Name:	MITCHEL S MEDIGOVICH SR	Appointed Status:	Active
Attention:			
Address:	P.O. BOX 2986 , PRESCOTT, AZ 86302, USA		
Agent Last Updated:	11/14/2016	E-mail:	
Attention:		Mailing Address:	P.O. BOX 2986 , PRESCOTT, AZ 86302, USA
County:			

Principal Information

Title	Name	Attention	Address	Date of Taking Office	Last Updated
Manager	MORTGAGE MANAGEMENT INC		PO BOX 33491, PHOENIX, AZ, 85067, USA	11/17/2006	11/27/2006

Page 1 of 1, records 1 to 1 of 1

Address

Attention:	Address: 322 FOREST HILLS CIRCLE, PRESCOTT, AZ, 86303, USA	County: Maricopa	Last Updated:

Entity Principal Office Address

Attention:	Address:	County:	Last Updated:

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Mark Holden

From: DSD Planning
Sent: Monday, October 28, 2019 2:52 PM
To: Mark Holden
Subject: FW: October 30, 2019 Meeting: P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT

From: Lisa Antkow [mailto:antkow@hotmail.com]
Sent: Monday, October 28, 2019 1:43 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: October 30, 2019 Meeting: P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT

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To Whom It May Concern,
Re: P19CA00005 MORTGAGE EQUITIES XVI LLC - S. SORREL LANE PLAN AMENDMENT

I am a home owner in the area in which a plan amendment is being requested. I have serious concerns about the proposed plan amendment and the eventual building, if the plan is passed, that will occur in that area. Specifically, I am concerned that any significant building in that zone will create severe flooding in the surrounding areas.

The area already experiences major flooding issues with even the most mild of rain storms. Any type of building would cause the flooding to be pushed west of Sorrel and likely north, causing the homes in the "Mission West" development (homes North of Calle Torim) to possibly flood. As it is, Pima County Transportation has to routinely place traffic flooding barriers on Sorrell Lane, south of Calle Torim, due to the flooding. Additionally, they have to bulldoze the debris of the flooding after every storm.

If there is consideration of this plan moving forward, I would request that a flood impact survey on the area be conducted and communicated to the neighbors in the area.

Please feel free to contact me with any questions.

Thank you,

Lisa Antkow
7626 S. Bosworth Field Way
Tucson, AZ 85746
(520) 954-9895
antkow@hotmail.com