



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 6, 2021

Title: P21RZ00005 PINETREE PROPERTIES - W. RIVER ROAD REZONING

Introduction/Background:

The applicant requests a rezoning of approximately 5.6 acres from the SH (Suburban Homestead) to the TR (Transitional) zone for a 62-lot, attached, condominium-style residential subdivision.

Discussion:

Current SH zoning allows for 13 single-family residence to be built. The proposed 62-lot infill, condominium style development will contain 11.07 residences per acre. Bicycle and sidewalk connectivity to River Road with access to nearby commercial services and employment are planned.

Conclusion:

The proposed 62-lot condominium-style residential subdivision conforms to the Higher Intensity Rural Comprehensive Plan designation.

Recommendation:

Staff recommends APPROVAL subject to standard and special conditions and the Planning and Zoning Commission recommend APPROVAL of the rezoning subject to standard and special conditions with the addition of rezoning condition #8 to limit the height of structures to 24 feet.

Fiscal Impact:

0

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

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

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

Department Director Signature/Date: [Signature] 6/14/21

Deputy County Administrator Signature/Date: [Signature] 6/14/2021

County Administrator Signature/Date: C. R. Durbett 6/14/21



PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Sharon Bronson, Supervisor, District 3

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

Tom Draszowski

DATE: June 15, 2021

SUBJECT: P21RZ00005 PINETREE PROPERTIES - W. RIVER ROAD REZONING #2

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, July 6, 2021** hearing.

REQUEST: For a **rezoning** of approximately 5.6 acres from the SH (Suburban Homestead) to the TR (Transitional) zone located on the north side of W. River Road approximately 900 feet east of N. La Canada Drive, addressed as **1216 W. River Road**.

OWNERS: Pinetree Properties
Attn: Lawrence C. Leung
8710 N. Thornydale Rd., Ste. 120
Tucson, AZ 85742-5032

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

DISTRICT: 3

STAFF CONTACT: Terrill L. Tillman, AICP, Principal Planner

PUBLIC COMMENT TO DATE: As of June 15, 2021, staff has received one written protest.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (6 – 0; Commissioners Bain, Tronsdale, Membrila and Maese were absent)

STAFF RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

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

TD/TT/ds
Attachments



PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P21RZ00005

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FOR JULY 6, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

Tom Praszowski

DATE: June 15, 2021

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P21RZ00005 PINETREE PROPERTIES - W. RIVER ROAD REZONING #2

Pinetree Properties represented by Projects International, Inc., requests a **rezoning** of approximately 5.6 acres from the SH (Suburban Homestead) to the TR (Transitional) zone located on the north side of W. River Road approximately 900 feet east of N. La Canada Drive, addressed as **1216 W. River Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Higher Intensity Urban. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (6 – 0; Commissioners Bain, Tronsdale, Membrilla and Maese were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 3)

Planning and Zoning Commission Public Hearing Summary (May 26, 2021)

The public hearing was held virtually. The staff, applicant and speakers presented virtually or telephonically.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions.

The applicant's representative presented additional information for the proposed project and discussed the characteristics of the surrounding neighborhood. He further discussed how the proposed compact, infill project is supported by the comprehensive plan within the River Road, major east-west transportation corridor with multi-modal forms of transportation available. He discussed how the TR (Transitional) zoning would allow up to 40 residences per acre and this project proposes a density of 11 residences per acre. The bufferyard along with a recreation area to the north are larger to maximize the separation between the new homes and the existing, low density homes to the north. The existing lower density residence to the east is separated by Hansen Avenue. He discussed the project design with a motor court concept surrounded by clustered residences planned for one- and two-story dwelling units with a maximum height of 24 feet.

The hearing was open to the public.

Speaker #1 is the adjacent property owner to the north. He is not opposed to the project, but he discussed how a homeless camp has been on the property and it would be nice to have that area cleaned up. He continued saying that he has small children that play in the backyard and they have been subject to attempted abduction. He questioned whether in between his property line and the proposed new development, if there will be an easement or whether it will be blocked off to prevent traffic and that two-stories makes him uncomfortable with his young children playing in the back yard where others may have a view into his backyard. He is also concerned about how much lighting will be on the property because he has a lot of animals that may bark due to the lighting.

Speaker #2 lives on Roller Coaster Road and is representing seven of his neighbors. They are concerned about drainage. Given the density of the proposed project, there is not much permeable area associated with the project even though there will be detention basins. Historically, this neighborhood has been adversely affected by TR rezonings by the water that comes onto their properties. Several neighbors have been affected by adjacent water flows. The traffic is also a concern. There is no east bound access to the property. There is a single U-turn access from westbound traffic that if it gets backed up will block an entire lane of traffic on River Road. Currently, drivers must depend upon the courtesy of other drivers to get off and onto River Road from Hansen Avenue. Neighbors also share the same concerns about the two stories with Speaker #1. The adjacent Avilla development next to us is a similar density on a similar size lot and it is not an appropriate way to construct this community adjacent to others who have larger lots and it creates a harsh transition. He believes CR-4 is a more appropriate zoning designation for this site.

The representative responded to the concerns discussing the drainage and how at the time of those developments, the requirements were not as restrictive as they currently are. He demonstrated that the proposed basins will decrease the water flows that leave the property. He discussed the traffic on North Hansen Avenue and how the property will not be accessing from Hansen Avenue, but will connect directly onto River Road through an approved modification of driveway separation to allow direct access. Traffic statements will be provided at the time of development, however River Road has additional capacity to serve the development. He continued, the northern boundary of the site will contain a 50-foot-wide bufferyard "D" with a 72-inch decorative masonry wall that will contain a concentrated amount of transplanted palo verde and mesquite trees transplanted on-site. Any two-story structures will be setback a minimum of 60-feet from the adjacent to the lower density housing to the north. Combined with the existing vegetation on the adjacent lot and the proposed, the vegetation should prevent site visibility into back yards and preserve privacy.

A commissioner asked about the lighting. The representative stated that there will not be any street lights and will adhere to the outdoor lighting code which will be shielded and pointed downward. He further addressed the commissioner regarding a question that the speaker asked regarding what would be included in the outdoor 50-foot recreation area. The recreation area will include some tables and barbeque area for regular neighborhood activities and will be enclosed by a perimeter wall.

The public hearing was closed.

Commissioner Hook made a motion to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS WITH THE ADDITION OF A 24-FOOT HEIGHT LIMIT**, Commissioner Gungle gave second.

The commission voted to recommend **APPROVAL** of the rezoning (6 – 0; Commissioners Bain, Tronsdale, Membrilla and Maese were absent), subject to the following conditions:

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. A Traffic Memorandum shall be submitted for review and approval by the Department of Transportation with the Tentative Plat or Development Plan submittal. Offsite improvements determined necessary as a result of the traffic memorandum shall be provided by the property owner.
 - B. The number, location and design of access points shall be determined at the Tentative Plat or Development Plan review process and it is subject to approval from the Department of Transportation. Internal circulation shall be revised to accommodate said access points.
 - C. A shared private access easement between adjacent properties is required prior to Tentative Plat or Development Plan approval.
 - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements.
3. Regional Flood Control District condition: At the time of development the developer shall be required to select a combination of Water Conservation Measures such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers

necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.

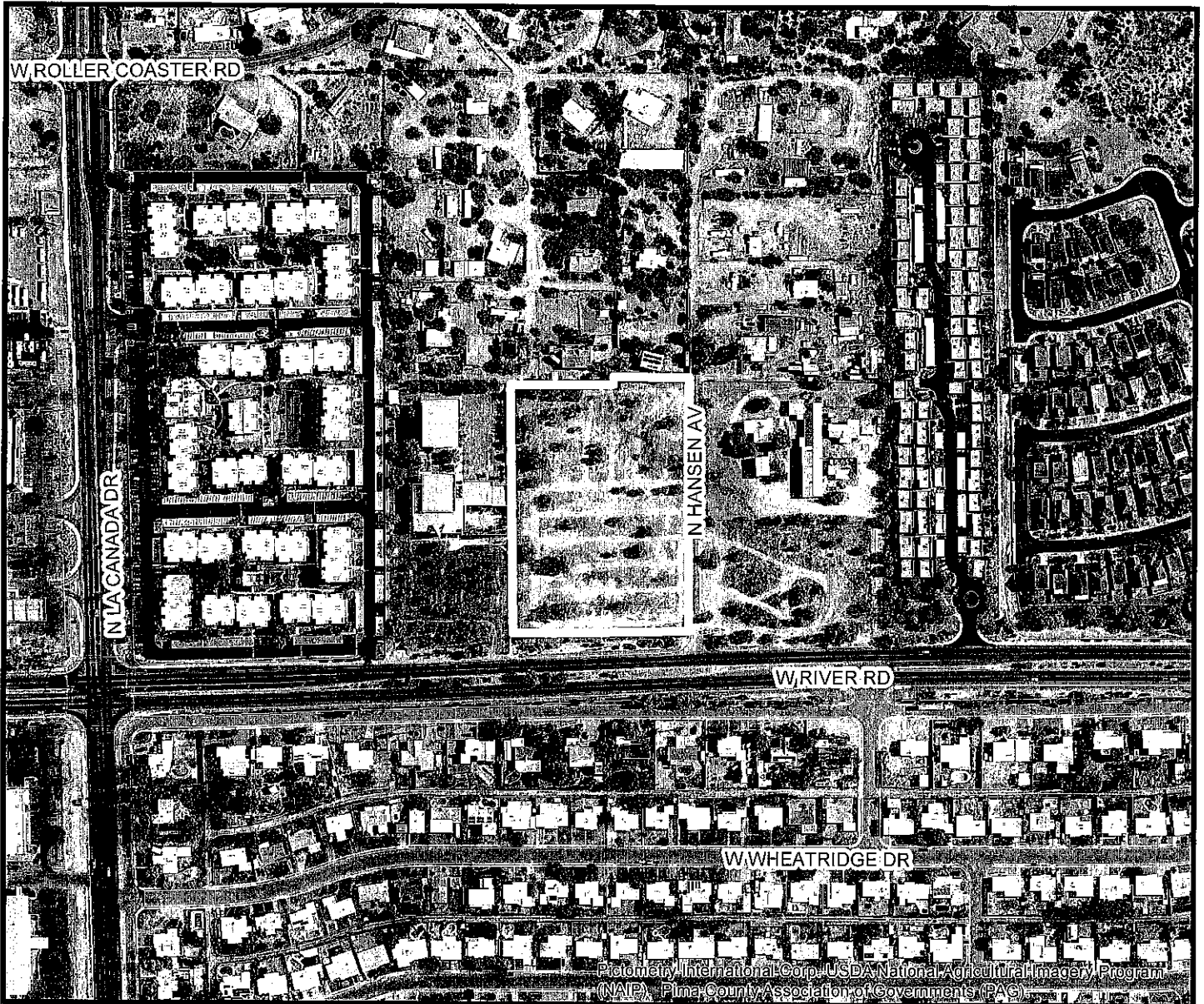
- F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to preliminary development plan A or B, approved at public hearing.
8. The maximum height of structures is limited to 24 feet.
- ~~8-9.~~ In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
- ~~9-10~~ The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ds
Attachments

c: Projects International, Inc., Attn: Jim Portner, 10836 E. Armada Lane, Tucson, AZ 85749
Thomas Drzagowski, Chief Zoning Inspector

Case #: P21RZ00005
Case Name: PINETREE PROPERTIES - W. RIVER ROAD REZONING
Tax Code(s): 105-07-016E

AERIAL EXHIBIT



0 145 290 580 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:

Map Scale: 1:4,000	Map Date: 4/27/2021 - ds



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

HEARING May 26, 2021

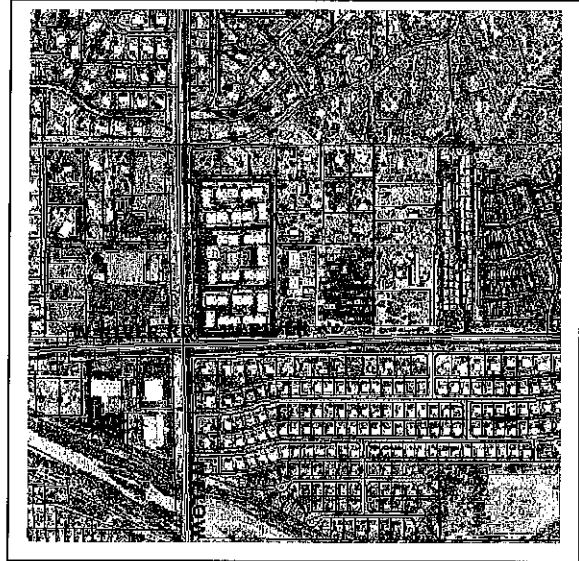
DISTRICT 3

CASE P21RZ00005 Pinetree Properties –
W. River Road Rezoning #2

REQUEST Rezone from SH (Suburban
Homestead) to the TR (Transitional)
Zone (5.6 acres)

OWNER Pinetree Properties
Attn: Lawrence C. Leung
8710 N. Thornydale Rd., Ste. 120
Tucson, AZ 85742-5032

APPLICANT Projects International, Inc.
Attn: Jim Portner
10836 E. Armada Lane
Tucson, AZ 85749



APPLICANT'S PROPOSED USE

The approximately 5.6-acre subject property is planned for a 62-lot, attached, condominium-style residential subdivision.

APPLICANT'S STATED REASON

"The rezoning site is located within a major east-west transportation corridor and, more generally, within a wholly developed and urbanized area that possesses a long-established mix of residential and non-residential uses. As such, this proposed rezoning complements and expands an existing residential mix that already includes more than one thousand apartments, townhomes, and conventional single-family residences. It will add approximately sixty-two (62) one-story and two-story homes to this mix."

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a 5.6-acre rezoning to the TR (Transitional) zone for a 62-lot infill residential subdivision for attached, single-family dwellings, conforming to the Higher Intensity Urban comprehensive plan designation. The comprehensive plan supports the efficient use of existing infrastructure and promotes compact development in locations appropriate for growth.

PUBLIC COMMENT

As of the writing of this report, May 11, 2021, staff has not received any comments.

COMPREHENSIVE PLAN

The southernmost two-thirds of the 5.06-acre subject property's comprehensive plan land use designation was Medium High Intensity Urban (MHIU), amended from Low Intensity Urban 1.2 in 1979. Under Pima Prospers, the County's update to the Comprehensive Plan, many of the land use designations were replaced, the MHIU was one of the no longer utilized land use designations. The property's land use designation was amended to Higher Intensity Urban (HIU), the closest designation to the former. The HIU designates areas for high density single-family development, townhomes, condominiums, apartments, office and hotels and others similar uses located along major transportation corridors planning for bicycle and walking access to commercial services and employment. The minimum residences per acre (RAC) in the HIU designation is 8 and defers the maximum to the TR (Transitional) zoning designation which allows for 1 unit per 1,000 square feet (average) or 243 units (gross). The proposed condominium style development conforms to the comprehensive plan with an 11.07 RAC. Bicycle and sidewalk connectivity to River Road with access to nearby commercial services and employment further the intent of the HIU land use designation.

There are no Special Area or Rezoning Policies pertaining to the property.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SH	Lower Density, Un-subdivided Residential
South:	CR-2/CR-3	Medium Density Developed Residential Subdivision
East:	TR/SH	Vacant, Planned for High Density Townhomes/Lower Density Un-subdivided Residential
West:	TR	Developed Commercial - The Chinese Cultural Center

The subject property is surrounded by lower-density, un-subdivided and subdivided residential uses to the north, a commercial use and high-density apartments to the east. Well established, medium-density, subdivided residential uses exist to the south across the River Road thoroughfare. Lower-density, un-subdivided residential use and vacant land planned for high density townhomes, and apartments lie to the west.

The area contains a mix of commercial and residential uses along the major River Road corridor. The nearest major grocery/strip services/restaurant uses lie approximately 900 feet away at the northwest corner of River Road and La Canada Drive. Churches, banks and personal services are all located nearby. Additional uses, a car wash and Walgreens pharmacy are located at the southwest corner of River Road and La Canada Drive. Recreational opportunities exist at the Chuck Huckelberry Loop located just south of River Road along the Rillito River.

PREVIOUS REZONING CASES ON PROPERTY

The subject property had three previous rezoning cases. Two of the rezoning cases were closed and one case was withdrawn by the applicant.

- Case Co9-74-029 rezoning from SH (Suburban Homestead) to the CR-5 (Multiple Residence) zone for a group foster home on 10 acres which included the approximately 5 acre subject parcel and the approximate 5 acre parcel to the east. The case was closed because the Pima County Zoning Code was amended to allow for group foster homes in SH zoning, thus making the request no longer necessary.
- Case Co9-83-164 rezoning from SH to the TR (Transitional) zone and was closed because no request to be heard by the Board of Supervisor's was made after the Planning and Zoning

Commission's recommendation of denial. This rezoning was for 10 acres which included the approximately 5 acre subject parcel and the approximately 5 acre parcel to the east.

- Case Co9-96-039 rezoning from SH to TR for the subject property was withdrawn by the owner due to the market conditions for the proposed apartment uses. The rezoning was under the current ownership.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

- P18RZ00012 - W. Pima Farms Road Rezoning was approved by the Board of Supervisors May 7, 2019 for 9.07 acres from the SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone for a 45-lot, single-family one and two-story residential subdivision located approximately one mile to the northeast of the subject rezoning.
- P19RZ00011 – N. Camino De Oeste Rezoning was approved by the Board of Supervisors March 17, 2020 for 9.73 acres from the SR (Suburban Ranch) and SH (Suburban Homestead) to the CR-4 (Mixed-Dwelling Type) zone for a 46-lot, single-family one and two-story residential subdivision located approximately three-fourths of a mile to the northeast of the subject rezoning.
- Co9-99-43 – W. River Road Rezoning was approved by the Board of Supervisors November 26, 1999, subsequent time extensions were granted in 2009 and 2020, and the rezoning conditions were amended in August of 2020 to allow for a 30-unit townhome development on 2.05 acres. The property is adjacent to the subject rezoning to the east.

Past activity:

Most of the properties along the River Road major thoroughfare have been rezoned, excepting flood ways and washes. Many of the rezonings were for low-density CR-1 (Single Residence) zoning and high-density CR-4 (Mixed-Dwelling Type) and CR-5 (Multiple Residence) residential subdivisions. Some of the rezonings were for CB-1 (Local Business), CB-2 (General Business) and TR (Transitional) typically for commercial uses. Some of the TR rezonings resulted in residential subdivisions. Riverside Crossing Specific Plan (SP) rezoning was approved for a mix of residential and commercial uses. The rezonings began in the mid 1950's and remained consistent in number up to the most recent years with a proportionate mix of residential and commercial requests.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS)

The subject property is located outside the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT

Staff supports the request because the planned residential use is compatible with the medium and high-density residential uses in the area. The proposal conforms to the comprehensive plan and concurrency of infrastructure exists to support the use. Employment centers, services and retail combined with multi-modal forms of transportation exist along the River Road thoroughfare with sidewalk connectivity and bicycle lanes. A Sun Tran bus stop exists on the adjacent property to the east. Availability of multi-modal forms of transportation and the nearby services within walking distance create healthy, vibrant communities and help reduce greenhouse gas emissions by eliminating the need for additional vehicular trips.

River Road is a Major Street and Scenic Route which limits the height of residential structures to two-stories and 24 feet for any structure within 200 feet of the scenic route. The preliminary development plan (PDP) demonstrates compliance with this requirement. The structures will be

required to be earth tone in color and not exceed a light-reflective value of 80%. The development will provide a minimum 10-foot-wide bufferyard "D" to the south and along the eastern boundary adjacent to a residential use. The remaining bufferyard to the east, adjacent to TR zoning is not required, although demonstrated within the PDP. The southern bufferyard adjacent to River Road requires a minimum 10-foot-wide bufferyard "D" and will contain compatible vegetation within the proposed detention basin. Along the western boundary of the property adjacent to the Chinese Cultural Center, no bufferyard is required, however a bufferyard is also demonstrated within the preliminary development plan.

The vegetative qualities of the site are quite unremarkable. Much of the property has been denuded due to the use of the property as overflow parking for the Chinese Cultural Center. There are no saguaros nor ironwoods. There are 14 palo verde trees and 35 mesquite trees planned to be salvaged and utilized within the perimeter bufferyard and landscaped areas as much as possible.

The proposed 62-lot, condominium-style residential subdivision proposes one- and two-story development. Sidewalk connectivity will be provided on one side of the street ultimately connecting to River Road. Access to the property is planned near the western boundary off of River Road and through the west via a shared access with the Chinese Cultural Center. The proposed location of the River Road driveway will not meet driveway separation between the subject property and the Chinese Cultural Center to the west, so the applicant has applied for a Modification of Subdivision Street Standards. A second PDP demonstrates a shared driveway along Hansen Avenue to the east connecting directly to River Road and maintaining the shared access with the Chinese Cultural Center to the west in the event that the modification is not approved. The subject site will be served by City of Tucson water and will connect to sewer.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	Yes	Tucson City Water "will serve" letter in site analysis.

CONCURRENCY CONSIDERATIONS		
SCHOOLS	Yes	Capacity letter in site analysis

TRANSPORTATION REPORT

River Road is a paved four-lane curbed roadway maintained by Pima County with raised medians, and multi-use lanes. River Road is a Major, Scenic Route and an Urban Principal Arterial per the Arizona Department of Transportation's Statewide Federal Functional System Map. The River Road right-of-way width is 200 feet with a posted speed limit of 45 miles per hour (mph). The most recent traffic counts for River Road is 23,633 average daily trips (ADT) with an approximate capacity of 37,810 ADT.

Hansen Avenue abuts the subject's east property boundary and is a shared ingress/egress easement. Internal roads to the development are proposed to be private. Access to the site is proposed directly on River Road and via shared access through the existing driveway for the property to the west. The proposed new driveway on River Road does not meet the 2016 Subdivision and Development Street Standards (SDSS) separation requirement of 230 feet with the existing driveway to the west. The Department of Transportation recommends that development access be provided off of Hansen Avenue along with a shared access with the property to the west. The applicant has submitted an SDSS modification request for the relief of the driveway separation requirements to allow an exclusive driveway for the site onto River Road. Access through the existing driveway to the west of the rezoning site will require a private shared access easement.

The proposed 62 condominium rental homes will generate approximately 620 ADT. Given the current counts and roadway capacity, the site is not expected to significantly impact River Road. There are no concurrency concerns with this request.

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

FLOOD CONTROL REPORT

1. Neither regulatory floodplains nor habitat impact the site.
2. Tucson Water will provide renewable water to the site. Therefore, a determination has been made that there are no impacts to shallow groundwater dependent ecosystems. A condition is recommended to ensure compliance with the Water Policy of the Comprehensive Plan.

The District has no objection subject to recommended condition #3.

WASTEWATER RECLAMATION REPORT

The rezoning 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 Southeast Interceptor. Capacity for the proposed development is currently available within the 8" public sewer I-79-072, downstream from manhole 9395-04 (Type I 2019-301, dated December 26, 2019). This letter is not an approval of point and method of connection. Allocation of capacity is made by the Type III Capacity Response.

The Planning Section of PCRWD has no objection to the request subject to the addition of rezoning conditions #4A-F.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection to this request subject to the addition of condition #5.

ENVIRONMENTAL QUALITY

The Department of Environmental Quality has no objection nor comment.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of condition #6.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service have no comment.

WATER DISTRICT REPORT

City of Tucson Water has no comment. A will-serve letter is contained within the site analysis.

SCHOOL DISTRICT REPORT

The Amphitheatre Unified School District has no comment. A letter of capacity is contained within the site analysis.

FIRE DISTRICT REPORT

Northwest Fire District has no comment.

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

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

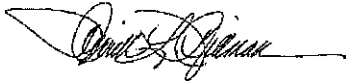
1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
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3. Regional Flood Control District condition: At the time of development the developer shall be required to select a combination of Water Conservation Measures such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.

4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site

by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

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

Respectfully Submitted,






Terrill Tillman, AICP
Principal Planner

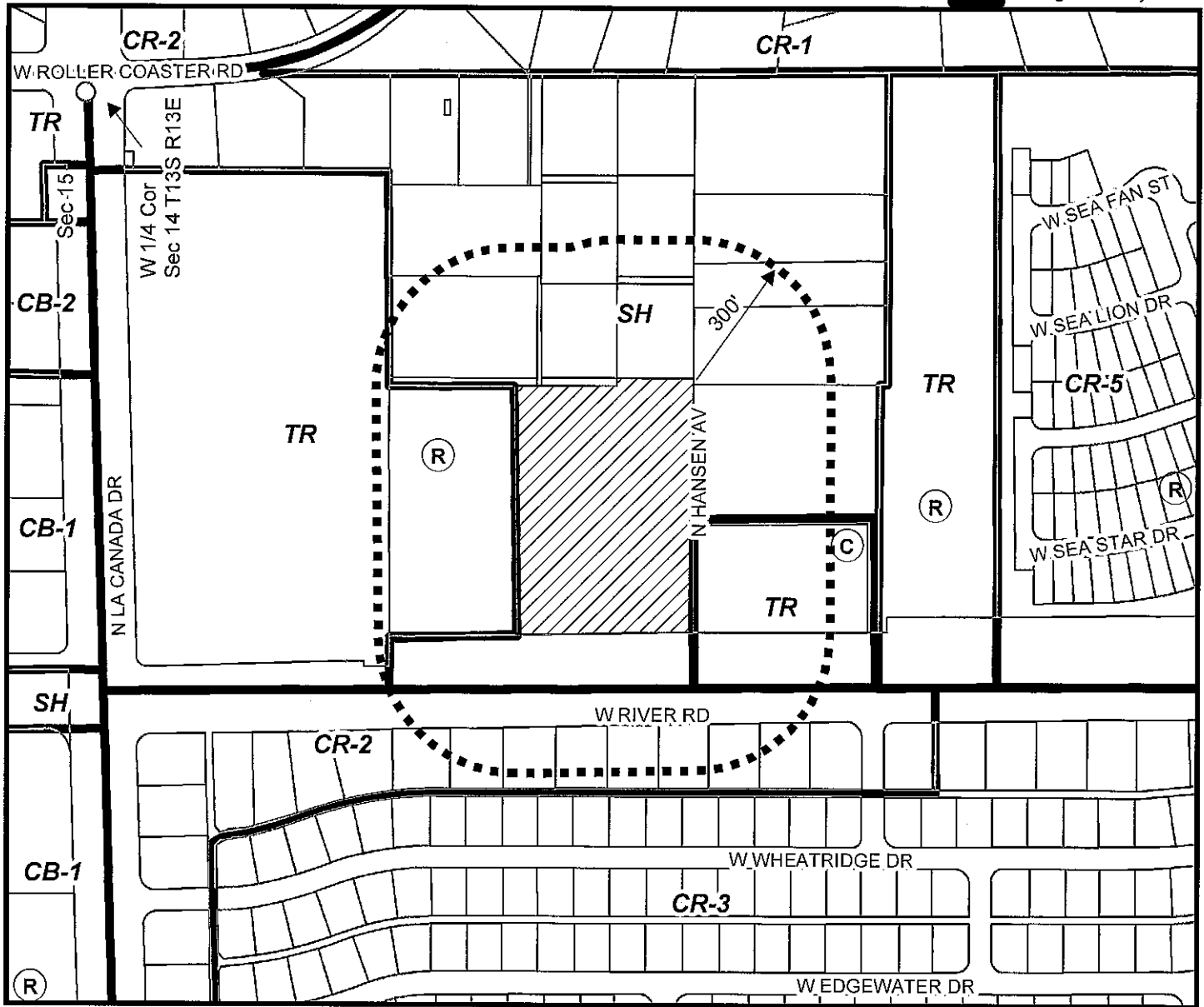
c: Projects International, Inc., Attn: Jim Portner, 10836 E. Armada Lane, Tucson, AZ 85749

Case #: P21RZ00005

Case Name: PINETREE PROPERTIES - W. RIVER ROAD REZONING

Tax Code(s): 105-07-016E

-  300' Notification Area
-  Subject Property
-  Zoning Boundary



0 145 290 580 Feet

Area of proposed rezoning from SH to TR



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 5/26/21 (scheduled)

Board of Supervisors Hearing: TBA

Base Map(s): 46

Map Scale: 1:4,000

Map Date: 4/27/2021 - ds




Higher Intensity Urban (HIU)

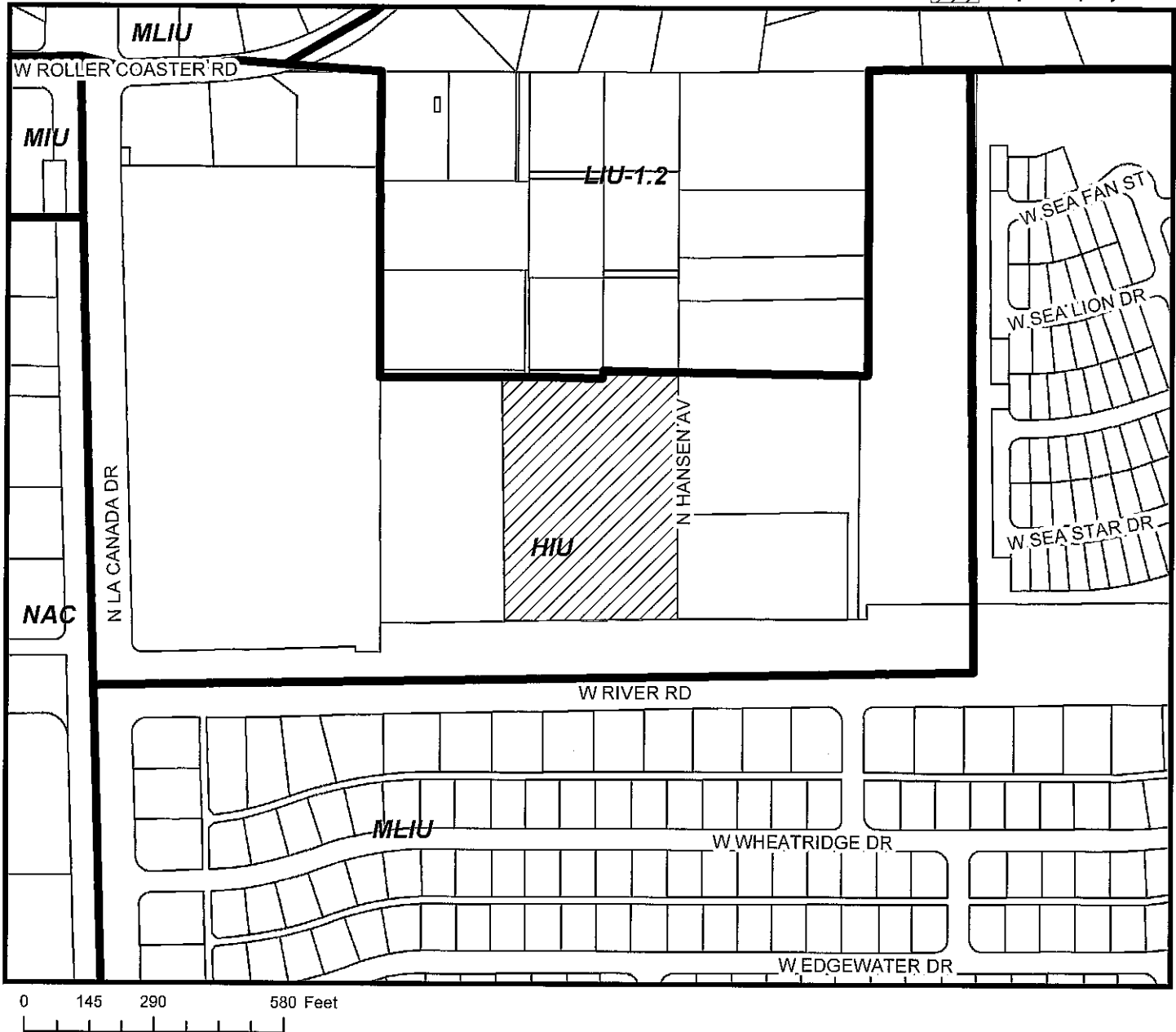
Objective: To designate areas for a mix of medium to high density housing types, such as higher density single-family development, townhomes, condominiums and apartment complexes, as well as other compatible uses, such as offices, hotels, research and development, and other similar uses. These areas have direct access to major transportation corridors and other arterials and are within walking or bicycling distance from major commercial services and employment centers. They generally do not abut land in low intensity urban categories. Small-scale residential compatible retail services are allowed on the first floor of a multi-story building, provided that they are accessed from an arterial and are oriented away from lower density residential development.

- Residential Gross Density: Minimum- 8 RAC; Maximum- as allowed by the requested conforming zoning district
- Residential Gross Densities for TDR Receiving Areas: Minimum- 8 RAC; Maximum- 18 RAC

Case #: P21RZ00005
Case Name: PINETREE PROPERTIES - W. RIVER ROAD REZONING
Tax Code(s): 105-07-016E

COMPREHENSIVE PLAN EXHIBIT

 Subject Property



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:

PIMA COUNTY COMPREHENSIVE PLAN C07-13-10

Map Scale: 1:4,000

Map Date: 4/27/2021 - ds





PROJECTS INTERNATIONAL, Inc.

STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

10806 N. Arroyo Lane
Tucson, Arizona 85749-9400
520-850-0917
jportner@projectsintl.com
www.projectsintl.com

FROM: Jim Portner, Projects International, Inc.
DATE: April 29, 2021
RE: **Invitation to Attend an Online Neighborhood Meeting Regarding a Proposed Rezoning 5.6 Acres on the North Side of River Road, East of La Canada Drive**
Pima County Rezoning Case No. P21RZ00005

I'm sending you this information because you own property, or are a representative of a nearby homeowners association, within 1000' of a rezoning request we have filed with Pima County to rezone 5.6 acres of land on the north side of River Road, approximately ¼ mile east of La Canada Drive.

The property sits directly east of the Tucson Chinese Cultural Center. It is vacant, and most of the ground-story vegetation and shrubs are completely gone. Some native trees (palo verdes and mesquites) remain.

I am the project manager for the rezoning effort, which proposes to construct attached townhomes for rental on the property. There are apartments already fronting on River Road further to the west and east. Our proposed rental homes, however, provide larger units and more upscale interiors, as well as two-car garages for all units to eliminate the kind of on-street parking you typically see with apartments.

While there are already high-density residential uses (both apartments and townhomes) established on the north side of River Road, the subject property is also abutted by low-density residential parcels to the north and partly to the east. We have incorporated perimeter landscape buffers into the project to respect these existing residences. The mesquites and palo verdes remaining on the property that are viable for transplanting will be salvaged and used in these buffers to create a mature look as quickly as possible. Also, we have positioned a landscaped detention basin along our northern boundary, together with a small outdoor recreation area so as to maximize our building setback.

I am inviting you to attend a neighborhood meeting that we've organized to provide the opportunity to learn more about the Project and to be a forum for comment and for answering your questions. Due to the prevailing Covid-19 pandemic and the continuing health concerns of many, the meeting will be conducted through on an online platform. The meeting will take place as follows:

**Wednesday, May 12, 2021
6:15 PM to 8:15 PM**

To participate, go to this website:

www.riverpoint2022.com

This is a very simple website we've created to provide an easy link to the neighborhood meeting, and to also provide a download link for the entire *Site Analysis and Land Use Proposal* document that we've submitted to the County as part of our rezoning application. This document goes into far more detail if you're interested. You can also submit your questions on the website ahead of the above meeting.

Also included in this mailing is a copy of our *Preliminary Development Plan (PDP)* from the above *Site Analysis & Land Use Proposal* document, as well as a *Fact Sheet* that provides answers to a lot of common questions.

After our neighborhood meeting, a public hearing on this item will take place before the Pima County Planning & Zoning Commission. This will be scheduled by the County and will occur on either May 26, 2021 or June 30, 2021. After that, a second public hearing will be scheduled before the Board of Supervisors, who will make the ultimate decision on this rezoning application. You will receive separate notices in the mail directly from Pima County on both of these public hearings.

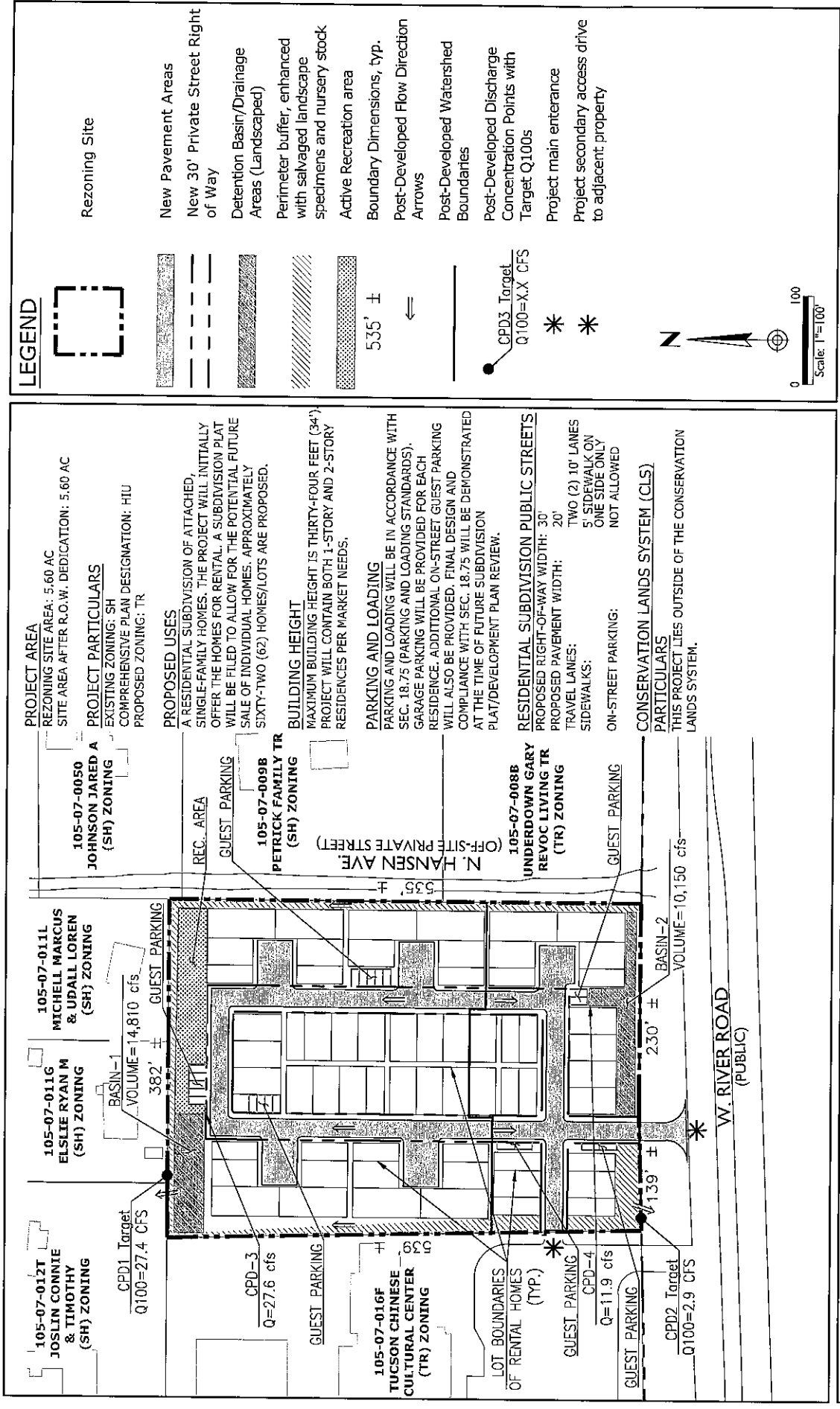
I encourage you to attend the above online meeting. If you cannot, please submit your questions or comments on the above website, or feel to call my personal cell phone (520.850.0917) with any questions you might have. If you're comfortable with an in-person meeting, I'm happy to arrange one at a location of your choosing.

Fact & Information Sheet

Application & Request to Rezone a 5.6-Acre Property North Side of River Road, East of La Canada Drive Pima County Rezoning Case No. P21RZ00005

- **Property Location:** on the north side of River Road, approximately ¼ mile east of La Canada Drive, immediately east of the Tucson Chinese Cultural Center.
- **Property Size:** 5.6 acres; the property is vacant.
- **Existing Comprehensive Plan Designation:** Pima Prospects designates the entire site as *High Intensity Urban (HIU)*. The *HIU* designation encourages high-density residential and requires a minimum density of eight (8) residential units per acre.
- **Existing Use of the Property:** the property is vacant, but has been mostly cleared of ground vegetation; only some palo verde and mesquite trees remain. Those that are viable for transplanting will be salvaged and used in perimeter landscape buffers.
- **Proposed Use of the Property:** sixty-two (62) attached townhomes are proposed. These will initially be offered as luxury rental homes. A subdivision plat will also be filed so that the townhomes can eventually be offered for individual sale.
- **Existing/Proposed Zoning:** Existing zoning is SH (Suburban Homestead). The proposed zoning is TR (Transitional). TR zoning abuts the property on the west and partly on the east.
- **Surrounding/Adjacent Properties:** To the west are the Tucson Chinese Cultural Center and rental apartments. Condominiums are planned to the east. Beyond that are existing apartments and townhomes. Lower-density unsubdivided residential properties abut the site on the north and partly to the east.
- **Buffering of Neighbors:** Enhanced buffers will be provided where the existing lower-density residences abut the property. In these areas, salvaged mature mesquites and palo verde trees from the site will be used so as to create a mature edge as rapidly as possible. Along our north boundary, we have positioned a landscaped detention basin and outdoor recreation area so as to maximize our building setback from the neighbors.
- **Impact on Traffic:** River Road and the surrounding public roadways have the capacity to absorb the additional trips from this project. Its main entrance will be off of River Road. No access will be taken from N. Hansen Avenue.
- **Impact on Drainage:** Adjacent properties will incur no negative impacts from drainage. Detention/retention basins are provided to capture post-development stormflows, hold them, and then meter them out at their existing locations at volumes at or below existing conditions.
- **Public Process:** A public hearing will be held on the matter before the Planning & Zoning (P&Z) Commission. This will be scheduled by Pima County and will occur either on May 26, 2021 or June 30, 2021. A Board of Supervisors (BOS) meeting will then be scheduled following the P&Z hearing; the BOS will make the final decision on this rezoning request. You will receive separate notices for these hearings by regular mail 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 rezone the property. Further detail is contained in the full *Site Analysis & Land Use Proposal* document submitted to the County.





PROJECT'S INTERNATIONAL, Inc.
STRATEGIC GUIDANCE
FOR DEVELOPMENT
FOCAL ADVICE & COUNSEL



EPS
GROUP

RED POINT DEVELOPMENT
4.62 ACRE PARCEL @ NW CORNER OF W. RIVER RD. & N. HANSEN AVE.
(OWNERSHIP: PINETREE PROPERTIES)
REZONING: SH TO TR

EXHIBIT II-B.1
PRELIMINARY DEVELOPMENT PLAN
PAGE ____

Neighborhood Meeting Summary

Rezoning Case No. P21RZ00005 Pinetree Properties – River Road Rezoning North Side of River Road; East of La Canada Drive

This meeting summary was prepared by Jim Portner of Projects International, Inc. It is intended to objectively communicate the major points of the referenced meeting in good-faith fashion, with the understanding that specific individuals who attended may possess different viewpoints as to the proceedings and the content below.

Meeting Date & Time: Wednesday, May 12, 2021; the meeting commenced at 6:20 pm. We intentionally waited for five minutes past the scheduled start time of 6:15 PM to allow for any late arrivals who may have had difficulties logging onto this virtual/online meeting.

Location: The meeting invitation directed invitees to the riverpoint2022.com website that was set up specifically for this rezoning. There, they found a simple one-button link to join the online meeting using the Zoom virtual platform. This method was chosen due to the prevailing Covid-19 pandemic. The website also allowed individuals to download the entire *Site Analysis and Land Use Proposal* document should they wish to gain more detailed information.

Meeting Invitation & Mailing: All properties within 1,100' of the site (251 in number) were mailed the following: 1) an invitation & explanatory cover letter; 2) a *Fact Sheet* further detailing the rezoning application; and 3) a color exhibit of the proposed rezoning's *Preliminary Development Plan (PDP)* contained in the project's *Site Analysis* document.

Attendance: Five (5) individuals (representing 4 properties) attended the meeting, accounting for 1.6% of the 251 properties that were noticed. Due to the online format, there was no traditional sign-in sheet, but the following individuals gave their full names and indicated that their properties were immediately north of the rezoning site: 1) Marcus Mitchell, 2) Glenn Dixon, and 3) Connie & Tim Joslin. One additional individual attended and logged on with the name "Mortimer". He or she did not disclose their location, but I believe they were not adjacent to the subject property.

Synopsis: Jim Portner, as applicant and representative of the property owner, welcomed the attendees and made a presentation using various exhibits from the *Site Analysis and Land Use Proposal* document, as well as some additional site photos and other illustrations. Due to the small number of attendees, all participants were "unmuted" and we took questions freely as the presentation proceeded. The result was an interactive discussion wherein information and attendee comments and questions were openly exchanged and answered throughout the evening.

Specific Comments and Concerns: The following specific items constitute the primary content/discussion and questions raised during the meeting:

- **Proposed Drainage.** There was particular concern from Mr. Glenn Dixon as to the post-development drainage that exits the subject property at its northwest corner. He explained that our exhibits showed a single arrow as the exit point, when in fact the existing drainage was of a sheetflow variety and not concentrated. Portner explained that the symbology of the exhibit did tend to give that mistaken impression, but that the final design solution would incorporate weir outlets and energy dissipators so that the outflow would approximate the current sheetflow condition. He directed the attendees to the existing and proposed drainage sections of the *Site Analysis and Land Use Proposal* document if they sought more detail. He also expressed his willingness to interact with Mr. Dixon during

the future engineering design stage so as to provide the detail inherent in the final solution. The attendee expressed thanks for this, but also cautioned that he had heard the same kind of verbiage from the developers of the existing apartments to the west, and that the final result still had a negative impact on the downstream properties.

- *Number of Stories of the Proposed Homes.* Portner indicated that the project included both one-story and two-story units, and that the single-story variety were approximately 15' in height, while the two-story ones were just under 24' tall. He stressed that all of the units along the east and west property boundaries (i.e. those closest to adjacent properties) were one-story in height. Upon questioning, he clarified that four (4) of the clustered units near the northern boundary were two-story, but that these had been sited so as to be well set back from the north boundary and also buffered by the intervening landscaped detention basin and passive recreation area. Marcus Mitchell mentioned that he was not crazy about seeing two-story units. Portner promised to plot a cross-section from Mr. Mitchell's property to illustrate the location and height of the new two-story units in relationship to his home. This was sent to Mr. Mitchell via US Mail on 17 May.
- *Clarification on Maximum Building Height.* Glenn Dixon noted that the Preliminary Development Plan indicated a potential building height of thirty-four feet (34'). Portner explained that this was the maximum height allowed by the Zoning Code within the requested TR zoning, but that the actual building heights proposed here were the 15' and 24' ones described above.
- *Will there be a Wall to Buffer the Properties North of the Project?* This was asked by Connie Joslin. Portner detailed the proposed buffering around the entire perimeter, with special emphasis on the north and east boundaries where the existing lower-density homes abutted it. Yes, there would be a minimum 6' decorative masonry wall provided in these locations in accordance with the project's bufferyard requirements per the Zoning Code. Portner also noted that the existing mesquites and palo verde trees salvaged from the property would be concentrated in these areas so as to create a mature landscape appearance as quickly as possible. Mr. Mitchell had mentioned he already had a 7' wall on his property line adjoining the rezoning site. Portner said that, during future design at the time of subdivision platting, we may look at a buffer modification in this location so as to not have two parallel masonry walls a short distance apart.
- *Rental Units or For-Sale?* Portner explained that, even though the proposed units were townhomes and not conventional "rental homes" (where all parking is visible on-street and not hidden within private garages), the townhomes here would still be initially offered as rentals. This was being done so that the owner/developer could be in charge of all maintenance of the grounds and all installed landscaping until things were well established. A mature and more finished landscape look would enhance market potential, at which point the developer may then consider offering the units for individual home sales.
- *Upcoming Planning & Zoning Commission Public Hearing and Public Process.* Portner mentioned that this rezoning proposal was currently scheduled for the 26 May Planning & Zoning Commission public hearing and that they would soon be receiving a notice for same in the mail from Pima County. He explained that, if the Commission rendered its recommendation at that hearing, the item would then probably go the Board of Supervisors for a final vote some time in July, 2021.

After all of the above and after no more questions were expressed, Jim Portner thanked the attendees for their time and the meeting concluded at approximately 7:20 PM.



PROJECTS INTERNATIONAL, Inc.

STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

10836 E. Armada Lane
Tucson, Arizona 85749-9460
520-850-0917
jportner@projectsintl.com
www.projectsintl.com

Delivery Via US Mail

May 17, 2021

Mr. Marcus Mitchell
1247 W. Roller Coaster Road
Tucson, AZ 85704

**RE: REZONING OF THE PROPERTY SOUTH OF YOUR RESIDENCE
Pima County Case No. P21RZ00005**

Dear Marcus:

First of all, I want to apologize for us misspelling your last name on our preliminary development plan exhibit. My drafter just goes off of the GIS data, so this error is ours.

Thank you for participating in our online meeting of last Wednesday, 12 May. During that, you raised the issue of the two-story units and I said I'd plot up a simple cross-section to determine lines of sight between your home and the proposed two-story units. Same is attached. I realized after the meeting that your street address is the only contact info I have for you.

The cross-section shows the approximate 56' setback of the two-story home from our shared property line (and from your 7' wall), as well as the intervening passive recreation area we proposed along our northern boundary. The drawing is plotted accurately using the same horizontal and vertical scale. Based on same, I now know that planting a 15' to 16' tall tree beyond your wall (within our recreation area) will intercept the line of sight and screen our proposed homes from your view.

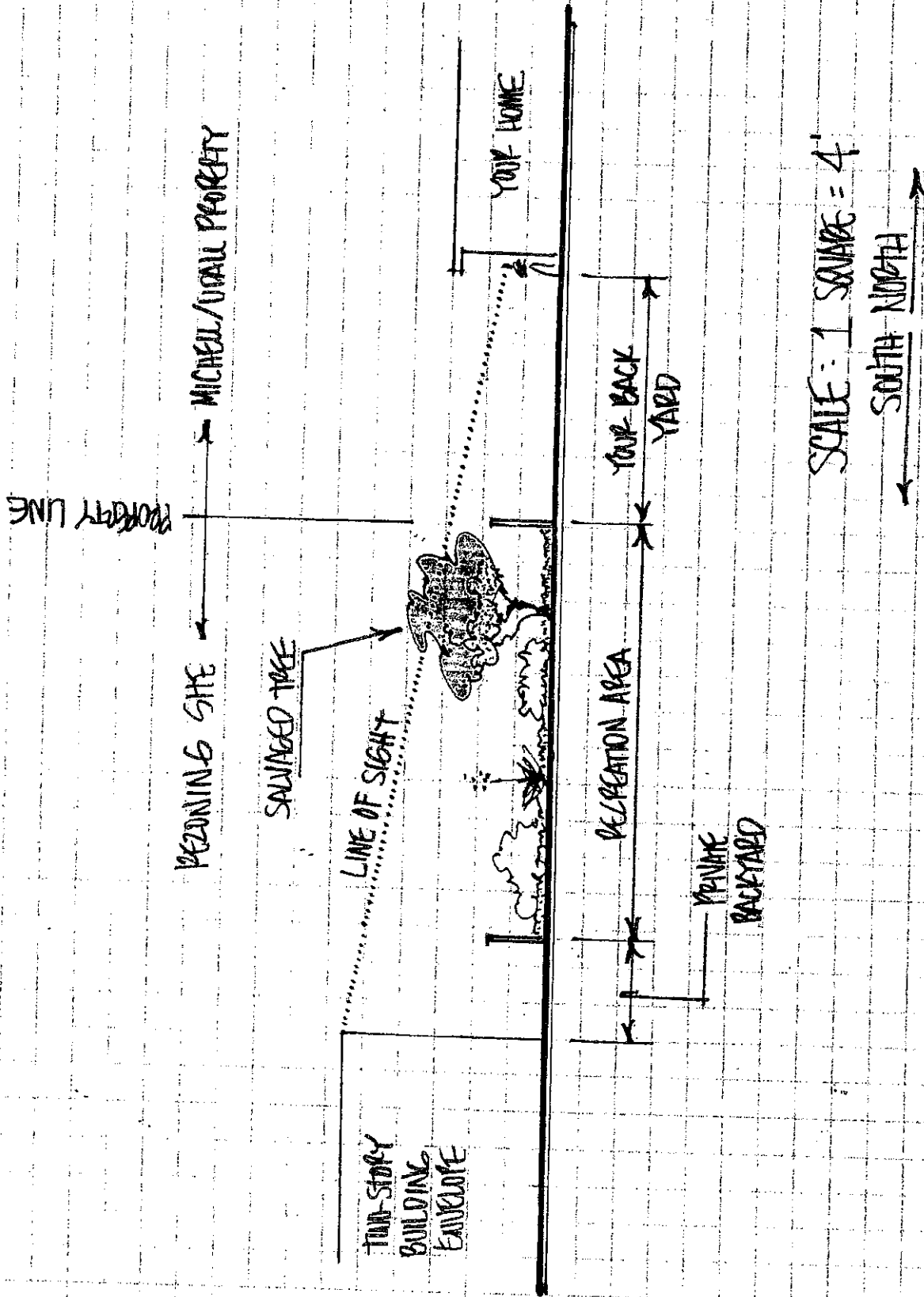
We have many such trees on-site that we will salvage. We had already planned on planting a row of these mature salvaged trees along our northern boundary so as to create a continuous tree canopy and effectively mitigate views from your residence.

Please let me know if you have any questions via email (jportner@projectsintl.com) or my cell phone (520.850.0917).

Best Regards,
PROJECTS INTERNATIONAL, INC.

Jim Portner, Principal
Designated Representative of the Property Owner

enc.



From: DSD Application for Rezoning or Specific Plan
To: DSD Planning
Subject: Application for Rezoning / Specific Plan Submission
Date: Friday, April 9, 2021 12:18:45 PM
Attachments: Letter of Authorization Document - Authorization Letter.pdf

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

New submission

You received a new submission.

Owner name

Pinetree Properties, Redpoint Development, Inc. (c/o Larry Kreis, GM)

Owner address

8710 N. Thornydale Road -- Suite 120

Owner city

Tucson

Owner state

AZ

Owner zipcode

85742

Owner phone

5204082300

Email

lkreis@redpointdevelopment.com

Applicant name

Jim Portner, Principal, Projects International, Inc.

Applicant address

10836 E. Armada Lane

Applicant city

Tucson

Applicant state

AZ

Applicant zipcode

85749

Applicant phone

5208500917

Applicant_email
jportner@projectsintl.com

Property address
1216 W. River Road

Property parcel number
105-07-016E (entire parcel)

Property acreage
5.60

Property present zone
SH

Property proposed zone
TR

Policies
Catalina Foothills/HIU/No (0) Rezoning/Special-Area Policies Apply

Letter of authorization document
[Authorization Letter.pdf](#)

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
09-Apr-2021



3/22/2021

Mr. Chris Poirier, Pima County Planning Official
DEVELOPMENT SERVICES DEPARTMENT
Planning Division
201 N. Stone Avenue – 2nd Floor
Tucson, AZ 85701

RE: LETTER OF AUTHORIZATION
Rezoning Application – 1216 W. River Road

Dear Mr. Poirier:

As the owner-of-record of the above-referenced property (Assessor's Tax Parcel No. 105-07-016E), Pinetree Properties hereby authorizes Jim Portner of Projects International, Inc. to represent us as the applicant and/or agent in rezoning the property.

In the interests of disclosure, the officers of Pinetree Properties are as follows:

Lawrence C. Leung, Partner
Daniel K. Leung, Managing Partner
Barbara Chang, Partner
Michael K. Leung, Partner
Edward Louie, Partner

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel K. Leung", is written over a horizontal line.

Daniel K. Leung, Manager Partner
Pinetree Properties

Letter of Protest and Objection to rezoning 1216 W River Road.

Attn: Pima County Planning and Zoning Commission/Board of Supervisors

Re: Rezoning P21RZ00005 Pinetree Properties – W. River Road Rezoning #2 - represented by Projects International, Inc., who are requesting a rezoning from SH to TR at the addressed location 1216 W. River Road.

We (Tim and Connie Joslin) are the property owners of 1255 W. Roller Coaster Rd., Tucson, AZ 85704, designated as 105-07-012T on the map provided s Exhibit II-B1 from Pinetree Properties.

We wish it to be known that we are protesting and opposed to the rezoning of 1216 W. River Road to zoning of TR.

Following a virtual meeting with Mr. Jim Portner, Projects International, Inc. on May 12, 2021, and in review of the documentation supplied outlining the preliminary development plan: **We are in protest that the property, 1216 W. River Road be rezoned from SH (Suburban Homestead) to TR (Transitional).**

Points of Objection and Protest:

- **IMPACT ON DRAINAGE:** We object to negative impact from drainage and protest that this will be an increased runoff issue for our property. We have concern that the drainage basin will not adequately contain run-off from the proposed site. I see no substantial additional drainage basins proposed on this project. As it stands now, we incur a fair amount of run-off from 1216 W. River Road & strongly object to incurring any larger amount of water run-off. This run-off will not have opportunity to absorb to some extent into the ground. What reassurances are in this case that the proposed basin can contain this increase in run-off and that grade will be maintained?
- **CURRENT DRAINAGE ISSUES:** We protest negative impact on drainage. When the Sun River Apartments were built, west of our property), we were assured that there would be no negative impact of drainage from that project. Following the completion of the project, 1255 W. Roller Coaster and the property owned by the Dixons (directly north of us) we both flooding during monsoons, which was not significantly present prior to the Sun River Apartments being built.
- **BUFFER ZONE/WALL:** We object that no proposed wall be placed on the southern border. I asked and was not given a assurance, nor do I see on any plans, that there would be a block wall placed between the proposed project and all of the southern bordering properties. A block wall at minimum of 10 feet is imperative in continuing to maintain privacy as adjacent land owners and buffering traffic noise.
- **TWO-STORY/BUIDING HEIGHT:** We object to 2-story buildings, and 34 foot height. In the online meeting with Jim, he mentioned they were only proposing to go to 24 feet. We have not seen any blue prints or models indicating such. Where will these be located? We are not in favor of two-story buildings as we already have infringement upon our privacy at the South and West borders with buildings greater than 24 feet in height.
- **IMPACT ON TRAFFIC:** We protest that River Road has the capacity to absorb the additional traffic from this project. River Road already has high traffic congestion at the intersection of River and La Canada during hours considered as rush-hour. This will become more congested with the addition of traffic from this proposed project and any U-turns made on River Rd into the 1216 W River Road site.