BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 11/16/2021

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

P21SP00001 CORTARO FARMS 15 LLC, ET AL. – W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

***Introduction/Background:**

The comprehensive plan amendment and specific plan request is for approximately 57.6 acres from the Low Intensity Urban 0.3 (LIU 0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation and from the SR (Suburban Ranch) to the SP (Specific Plan) zone for detached single-family residential, attached luxury rental homes, multi-family residential, and neighborhood commercial goods and services. The site is located within the Maeveen Marie Behan Conservation Lands System (CLS) classified as Special Species Management Area (56 acres) and Multi-Use Management Area (46 acres).

***Discussion:**

The current SR zoning would allow the development of seventeen single-family residences. The applicant proposes a range of densities from 3.5 up to 10 residences per acre (RAC) for single-family detached, 3.0 to 10 RAC for attached residential, 3.5 to 12 RAC for multi-family along with neighborhood level commercial goods. The proposal includes 13.28 acres or 25.10% natural open space on-site and 145.2 acres of off-site mitigation lands to meet the Native Plant Preservation Plan Ordinance and policies of the CLS.

***Conclusion:**

The proposed plan amendment to PDC will bring the specific plan into conformance with the comprehensive plan.

***Recommendation:**

Staff recommends APPROVAL and the Planning and Zoning Commission recommend DENIAL of the specific plan.

***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: 10/26/21

Deputy County Administrator Signature: _____ Date: 10/27/2021

County Administrator Signature: _____ Date: 10/27/2021

PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Rex Scott, Supervisor, District 1

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

DATE: October 26, 2021

SUBJECT: **P21SP00001 CORTARO FARMS 15 LLC, ET AL. – W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT**

The above referenced Plan Amendment and Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, November 16, 2021** hearing.

REQUEST: For a **comprehensive plan amendment and specific plan** for approximately 57.6 acres (parcels 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R) from the Low Intensity Urban 0.3 (LIU-0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation, and from the SR (Suburban Ranch) to the SP (Specific Plan) zone, located on the south side of W. Cortaro Farms Road, approximately one-quarter mile east of N. Sandy Desert Trail, in Section 25, Township 12 South, Range 12 East and Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area.

OWNERS: Cortaro Farms 15, LLC et al.
Attn: Alan Murdock
4007 E. Paradise Falls Drive
Tucson, AZ 85712

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

DISTRICT: 1

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

PUBLIC COMMENT TO DATE: As of November 16, 2021, staff has received 12 written comments in protest to the request.

PLANNING & ZONING COMMISSION RECOMMENDATION: **DENIAL** 5 – 4 (Commissioners Hook, Becker, Maese and Membrila voted NAY, Commissioner Cook was absent)

STAFF RECOMMENDATION: **APPROVAL**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: Most of the 57.6-acre subject site is located within the Maeveen Marie Behan Conservation Lands System (CLS) designated as Multi-Use Management Area (MUMA) (46 acres) and Special Species Management Area (SSMA) (55 acres).

TD/TT/ds
Attachments

PIMA COUNTY
DEVELOPMENT SERVICES

SUBJECT: P21SP00001

FOR NOVEMBER 16, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: October 26, 2021

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT AND SPECIFIC PLAN

P21SP00001 CORTARO FARMS 15 LLC, ET AL. – W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

Cortaro Farms 15 LLC, et al., represented by Projects International, Inc., request a **comprehensive plan amendment and specific plan** for approximately 57.6 acres (parcels 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R) from the Low Intensity Urban 0.3 (LIU-0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation, and from the SR (Suburban Ranch) to the SP (Specific Plan) zone, located on the south side of W. Cortaro Farms Road, approximately one-quarter mile east of N. Sandy Desert Trail, in Section 25, Township 12 South, Range 12 East and Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area. On motion, the Planning and Zoning Commission voted to recommend **DENIAL** 5 - 4, (Commissioners Hood, Becker, Maese and Membrila voted NAY, Commissioner Cook was absent). Staff recommends **APPROVAL**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (September 29, 2021)

The public hearing was held virtually. The commissioners were virtual and members of the public attended virtually and through the telephonic option. Staff and the applicant presented virtually. It should be noted that rezoning condition #13 was updated after the Planning and Zoning Commission to correctly reflect the amended language regarding the standard "Private Property Rights Protection Act." The intent of the condition is unchanged.

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

A commissioner asked about the proposed ingress/egress. Staff clarified that the ingress and

egress points may avoid natural areas, but the preliminary development plan isn't clear. The commissioner asked about the residential density of the project and whether there are enough access points to support the use. Staff deferred the question to the applicant, but stated that the density proposed is a range.

A commissioner questioned the variety of styles and the aesthetically pleasing development that staff discussed in the staff report and whether a developer has been identified. Staff is unaware of an identified developer. The commissioner stated that it is difficult to have an aesthetically pleasing development when there is no developer identified.

A commissioner questioned whether the off-site mitigation property has been identified. Staff replied that generally the off-site property for CLS mitigation is identified at the time of subdivision plat. The applicant has identified a property for the native plant preservation mitigation in Cochie Canyon. The commissioner discussed that staff's report discusses that the site is "quite remarkable" and the property has high biological value, is a unique habitat site with high density ironwood and saguaro populations. He is concerned that when we accept off-site mitigation that the same biological value of land is received in exchange. Staff clarified that the County has accepted off-site mitigation lands in Cochie Canyon for previous rezonings in the area and stated that this property is a unique property and concurs with staff's assessment that the site is "quite remarkable" with very high densities of the saguaro and ironwood densities. She further discussed comparisons of the rezoning site's densities of ironwoods and saguaros per acre. This parcel contains 1,320 ironwoods or 23.2 ironwoods per acre, the most similar rezoning where Cochie Canyon was utilized for off-site mitigation was 11.5 ironwoods per acre. Off-site mitigation lands for CLS is reviewed for the same or better resource values as the property being developed with the same vegetative quality, landscape connectivity and wildlife habitat. Cochie Canyon would be found qualitatively like for like in terms of the CLS off-site mitigation.

Staff clarified that for Native Plant Preservation off-site mitigation, it is a one to one species for mitigation or direct equivalency to ameliorate the potential disturbance to a site. A commissioner discussed that while the mitigation may replace plant for plant, what may not be achieved is replacing a particular parcel and its role in the larger biological context. Once you lose this property, you lose this property and there is something qualitatively lost. While this isn't a wildlife corridor with full connectivity, this property does contain some connectivity and he requested some clarification. Staff clarified that this property is connected to some Pima County mitigation lands at the southwest corner of the south which were provided for the development of Thornydale Road. To the north, the properties are low-density and connects to Arthur Pack Regional Park which comprises an approximate 500-acre island that functions as a localized wildlife corridor and habitat block.

A commissioner requested clarification regarding the grading and the Hillside Development Zone (HDZ). Staff clarified that a portion of Planning Area "A" contains small areas of HDZ which are areas that contain slopes greater than 15%, many of them are planned for disturbance. When grading any slope 15% or greater, the grading table allows for 50% grading of the site. Grading increases for area graded on less than 15% slopes will allow for grading increases up to 70% of the site to be graded. She further discussed that this site will be eligible for the 70% grading, however, the specific plan allows for 100% grading without seeking relief from the Design Review Committee. The commissioner commented that the policies of the comprehensive plan support approval and balance, however in his opinion, there is one clear omission in that the biological value has not been taken into consideration as part of that balance.

The applicant's representative presented additional information about the proposed project and discussed how this project will be developed under a consistent design motif theme, aesthetic

look and be an integrated as a whole, as opposed to a disparate set of individual developments which serves everyone in a more positive way. He thanked staff and the stakeholders for their work and complimented their ability to work professionally and frankly with each other; however, discussed that he and staff aren't in full agreement on this project and is contrary to what staff discussed and stated that this is an infill project supported by Pima Prospers policies. He demonstrated the location of the project and a map containing all of the natural open space on-site and stated that there is an area in the northwest corner and a 50-foot natural buffer all along the Cortaro Farms frontage except for the Camino de Oeste street improvement, the proposed driveways and adjacent to the commercial site for visibility purposes. He discussed the proposed access points and that no builder has been identified. He pictorially demonstrated the planned architectural features containing a variety of designs and continued that each project is unique with its own circumstances and constraints and this project has planned for 25% natural area set-aside in addition to doing some significant perimeter improvements including buffering and setbacks along the perimeter of the project protecting the neighbors. The bufferyard was designed to be habitat friendly working with the Coalition to establish natural looking bufferyards. Substantial 20-foot wide setbacks will exist with drainage channels and bufferyards. The intent is to add plantings within the drainage channels, as allowed Flood Control. He discussed the timeframes in which he actively engaged conversation with the Coalition and the revisions that were completed as a result of those conversations. Friday, five days prior to public hearing, a letter from the Coalition was received stating that this plan falls short. His opinion is that this is the best that can be done and feels very good about what has been achieved. He closed by stating that this is a good program that balances all of the variables and would request that the Commission look at it from the big picture viewpoint and not get focused on one issue.

A commissioner questioned the transportation issues related to Quail Run Elementary and whether there would be a road crossing to the school. The applicant responded that this has not been determined yet. There is a complete traffic study in the specific plan and a HAWK crossing may be installed if required at the subdivision plat stage. Safe streets to schools will be assessed during platting. The commissioner asked about the traffic patterns in the area and stated that the Camino de Oeste extension will open up the street to through traffic to connect to Ina Road and 1-10. The applicant responded that the Camino de Oeste extension will be built as part of the Major Streets and Routes plans. The revised traffic study will demonstrate all of the revised counts.

The hearing was opened to the public.

Speaker #1 stated that she is adjacent to the proposed development to the west and has been part of the conversation regarding the development from the beginning and that Jim Portner was very willing to discuss the proposed development. This has been a very positive experience working with Mr. Portner and the planned easements are satisfactory.

Speaker #2 discussed that she is adjacent to the development and she is concerned that there is a discussion regarding luxury rentals and the plan is demonstrating high-density rental units. She is also concerned about the additional traffic added to Cortaro Farms Road and stated that Camino de Oeste does not have sidewalk connectivity and a very small shoulder, where the neighborhood walks. She requested additional information about the potential for the rental units and stated that the plan doesn't demonstrate luxury rentals.

Speaker #3 stated that there is no need for additional commercial property. Commercial properties in the area at Thornydale/Cortaro are 45% vacant, Hardy/Thornydale with 40% vacancy and Overton/Thornydale with 95% vacancy which has been for the past 8 years. The area is overrun with vacant commercial properties that need to be cared for by fire and police and

added problems associated with homelessness. The additional traffic and school capacity is concerning as his two children attend Quail Ridge School. Adding 140 units with approximately 2 children per dwelling unit will cause school overcrowding, taxing everyone. He also shared concerns about the water table. The biological value of the property is important. He has witnessed bobcats, coyotes and javelina which I've net seen a lot, but it will hurt our neighborhood. The other stated that the plan gives the developer "carte blanch" authority to do whatever they want, even though their intentions may be good, there is nothing in writing that shows what they will develop. There good intentions that are discussed may not be what is built. They may build up to 100 units per acre or whatever the plan allows (I realize this was an exaggeration) but they will have the ability to maximize density even though they state their intentions are different. The bufferyards attract homeless encampments and is uncertain who will maintain those. He requests a revised plan that addresses these issues.

Speaker #4 has combined his time with his wife's. They object and protest the specific plan as presently defined. When they purchased the property, Cortaro Farms Road was a dirt road. Instead of celebrating this character, greedy and self-serving individuals are committed to destroying it all turning us into Phoenix with endless slab of concrete asphalt and an ocean of orange clay roots. The speaker questioned, what about the neighbors who have honored the zoning rules of the property since the time of purchase who didn't join in the game and attempt to change the rules after the fact. Out of respect for their neighbors, they have honored the rules. The speaker expects that some of the rural nature of the County would succumb to construction and if Cortaro 57 were about building a few houses, the Commission would not be hearing from the speaker and stated that there is no shortage of retail properties in the area. The addition of the so called "coffee shop" provide the justification for subsequent conversion of residential to commercial uses. Thanks to the selfishness of so called investors and their shields and the empowerment of the County, my retirement may be spent next to a gas station or smelling McDonald's burgers grilling 18 hours a day. He hopes that the County will reflect on how the proposal will affect the neighbors, their property values and quality of their lives. He also requests that the County employees reflect on who pay their paycheck, which is not the lobbyists but rather paid by John lunch bucket and Mary worker moms, the people who buy houses and raise families and retire in those houses, not the wheelers and dealers and schemers of the community.

Speaker #5 has lived in the area for 24 years and objects to the commercial/retail and rental units. She states that this is a residential area that does not need the noise and traffic from commercial or retail uses. If the zoning is allowed now, it will affect her property if the property behind her is sold and rezoned for commercial uses. She is connected to the Maeveen Marie Behan Conservation Lands System and there are two streets in her neighborhood that keep the ironwoods, mesquite, palo verde's and mature saguaros so that wildlife can continue to live in their natural habitat. The staff report discusses off-site mitigation, but it is not just the owls and bats, it is the javelina, bobcat, foxes and other animals that go through the wildlife sanctuary through the installed animal crossing under Cortaro Farms Road. These animals may not be mitigated for off-site. Included in her written comments are pictures of the property and the crossings because it was not demonstrated by the specific plan. She closed stating that there is a wash going through the property and is concerned about the change of the water flow.

Speaker #6 has lived in Tucson over 50 years and thanked the commissioners for their service without compensation, and is opposed to the specific plan because the high-density zoning, the attached rentals, the commercial uses, and the off-site mitigation, the amount of grading. The Cortaro Farms Road scenic quality will be impacted, the bufferyards and not left natural and are inadequate. The densities and intensities proposed are incompatible and negatively impact the conservation efforts in the area. The habitat protection plan has been in the works for 20 years and species are in decline. The remedy for this is not more intensive development. He has lived

in his home for over 38 years and own most of the vacant lands in their neighborhood. As an owner of almost 50 acres, he has a stake in the proposal and has served for many activism boards to assist in preservation. The property is near Arthur Pac Regional Park and the Mason Audubon facility. This neighborhood is not compatible with a planned 10 acre residence per acre. He hopes the commission denies this request.

Speaker #7 lives directly east of the proposal. He is concerned about Planning Area "D" that is planned for the highest density within the Special Species Management Area. He stated that the vegetation is quite remarkable and he would love to see that preserved. Two-story homes or apartment buildings will impact the views that he currently has. The biodiversity of the land will be impacted greatly and he pointed out that the retail and office space will be an island and there does not seem to be a need for that in this area.

Speaker #8 borders the proposed development to the east and has lived there for 23 years. He is concerned about the same concerns that have been previously voiced and he agrees with the Sonoran Desert Coalition assessment. To say that the property is quite remarkable is an understatement. He has observed bobcats that frequent the back yard and on one occasion a mountain lion and looking at the density is concerned that the habitat will no longer exist. He states that the saguaros over 25 feet tall have a high mortality rate if moved. Once this parcel is cleared, it is gone forever. You may say that swapping this property for another is acceptable, but there are few areas like this with the exception of the Saguaro National Monument. This is a phenomenal piece of property and the idea of clearing the ironwood forest makes him feel sick to his stomach to think of the destruction for someone to make money to put in homes. Even if a small corridor is left for wildlife, we know that most of the wildlife will leave the area. He is opposed to the planned development. He is not opposed to development but would like to see something done that preserves the natural beauty of the desert and is why he resides on the northwest side.

Speaker #9 represents the Coalition for Sonoran Desert Protection and cannot support this proposal. She discussed the written letter that was submitted by the Coalition that lays out the reasons why the request cannot be supported and requests that 80% of the property be preserved. She continued stating that the staff report details this, as does the US Fish and Wildlife report. The Coalition has consistently supported off-site mitigation for the implementation of the Conservation Lands System, as a supplement, however, the opposite is proposed. In many cases this is appropriate, but not here at this location. This site is wholly designated as high priority for acquisition for protected open space. This category refers to the most biologically important lands that should be preserved. The lands immediately adjacent to the southwest have been acquired by Pima County as conservation lands. Low-density vacant lands immediately to the northeast were also similarly designated as biologically important lands to preserve which allows for wildlife movement from the Hardy Wash to the Maeveen Marie Behan Desert Sanctuary. All these lands taken together provide for suitable size of biologically rich habitat that provides for wildlife movement for many species, so much so, that the County installed wildlife crossings and fencings under the Cortaro Farms Road which is seldom done in the County. Staff discussed the remarkable vegetative qualities of the site and the overarching concerns of preservation, grading limits and bufferyards as proposed. The old growth ironwood and saguaro habitat is disappearing at an alarming rate. These biologically diverse properties have been converted into commercial and housing developments, but there is still time to preserve this important habitat and rejecting this proposal would be a big step in the right direction. She asked the Commission to please consider the significant concerns addressed in staff's planning and environmental reports and the U.S. Fish and Wildlife comments. She closed with reading the recommendation from her submitted letter requesting that these properties remain as Suburban Ranch zoning.

Speaker #10 discussed how she does not agree with rentals and pays a lot of money to live

nearby. She is a landlord and knows the problems that come with rental units and she believes that there is no necessity for commercial uses and requested consideration for maintaining the biological value and wildlife that exist in the area. She requested that the Commission please consider the neighbors and the wildlife.

Speaker #11 is adamantly opposed to the proposal. He believes that it is important to see the property to understand its beauty and why it should be preserved. He has lived in this area for 20 years and have been pained by all of the housing developments. There is no need for rental homes. There are many just down the street. One development destroyed acres and acres of beautiful land and destroyed the property. This unneeded and unwanted expansion to infrastructure continues to rob our native plants and wildlife of their homes and drives them to extinction. If passed this would realty add to the traffic congestion and pollution in this area. There is also a water shortage in the Tucson area which is predicted to get worse. The speaker requested that the Commission give careful consideration and deny this request. He closed in stating, once this area is gone it is gone forever.

Speaker #12 is across the street to the east. She objects to the proposal and discussed that in addition to the concerns outlined in her submitted letter, she is concerned about the water in Tucson. The specific plan does not address what may happen to the water table in the area. The plan addresses a preliminary water integrated management plan that is not finalized and is concerned that comments should not be provided without an approved plan. Many residents in the area are dependent upon well water and if these are approved, additional well drilling may deplete the water tables rendering other wells without access to water. She discussed in depth that there is no planning for the recharging of the aqua fur and stated that the County should follow the existing comprehensive plan which would prevent the depletion of water tables and respectfully requests denial of the plan.

The representative reiterated the same information presented previously and demonstrated pictorially the denution of the site and requested the full consideration of the Commission.

The public hearing was closed.

Commissioner Gungle made a motion to recommend **DENIAL**, Commissioner Matter gave second.

A commissioner discussed that core principal is that we should do what is right for the community and not the developer. Mr. Portner pointed out that to meet the economic return that the investors of the property require necessitates this plan, but that is not a goal of the commission, our job is to do what is best for the community, that's why it is called land speculation and the commission needs to consider that. He discussed the quality of the habitat and the lifecycle of saguaros. The dumping and homeless camps are superficial and may be cleaned up, but don't affect the quality of habitat. This property will most likely be developed, however, the important issue is that this should have a larger vision for the future and not the economic return and recommends a revised plan that addresses the concerns that the County has addressed along with retaining the important biological value of the site.

A commissioner commented that the County has allowed wide spectrum of projects where a major part of the land may be used or development and on the extreme, there are many conservation developments that benefit those residents privileged to live there where there is compact development and much of the land is conserved. This development doesn't meet the second part of that spectrum and sounds like maybe it could. He also noticed that the proposed densities are similar to the proposed which were built in the 1980's so the surrounding density may not be a

good indicator as to what should be approved now.

A commissioner commented that he is voting against the motion because the surrounding area is built out and if the neighborhood doesn't want to see a change in the property around them, then they may form a coalition and purchase the property.

The commission voted to recommend **DENIAL** of the rezoning 5 – 4, (Commissioners Hook, Becker, Maece and Membrila voted NAY, Commissioner Cook was absent).

IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply. The specific plan does not regulate Building Codes.
3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations. The design guidelines of the specific plan shall be implemented at the time of development.
4. Transportation conditions:
   A. A Master Traffic Impact Study shall be provided with the block plat submittal and shall be updated with each subsequent individual block development. The Master Traffic Impact Study and subsequent updates shall evaluate traffic conditions at that time including those of previous block plat submittals, projected site traffic impacts, and provide necessary mitigation. The TIS shall include a signal warrant analysis assuming a 4-way intersection as well as a pedestrian crossing (HAWK analysis) for a 3-way intersection as proposed. Offsite improvements determined necessary as a result of the Master Traffic Impact Study and subsequent updates shall be provided by the property owner(s).
   B. A construction phasing and sequencing plan for both on-site and off-site improvements shall be provided with the submittal of the block plat and any subsequent final plat or development plan submittals.
   C. Written proof of coordination with the Town of Marana shall be provided to Pima County Development Services prior to approval of the block plat.
   D. The property owner(s) shall dedicate 80 feet of right-of-way for Camino de Oeste and the corner spandrel right-of-way dedication at the Cortaro Farms Road and Camino de Oeste intersection with the block plat.
5. Flood Control District conditions:
   A. Existing regulatory floodplains shall be located within the Natural Set-Aside Area as shown on the PDP and designated in common area. Development in the existing floodplain is prohibited.
   B. Structures are not allowed within the existing erosion hazard setback (EHS).
   C. First flush retention shall be provided in LID practices distributed throughout the site.
   D. A Facilities Impact Permit is required for any modifications to the existing public drainageway.

E. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.

6. Regional Wastewater Reclamation conditions:
   A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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.

7. Environmental Planning conditions:
   A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines by providing a total of 158.48 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the Specific Plan, the property owner shall provide a minimum of four (4) acres of natural open space for every acre developed in order to achieve full compliance with the CLS Conservation Guidelines. No less than 13.28 acres of NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Specific Plan. The difference between the total acres of NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies found in Pima Prospers, Pima County's 2015 Comprehensive Land Use Plan (Section 3.4 Environmental Element, Policy 11: "Conservation Lands System Mitigation Lands) and must comply with all of the following:
      - Off-site NOS is acceptable to the Pima County Planning Official or their designee; and

- Prior to the approval of the tentative plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee."

B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

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

8. 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.
9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
11. The maximum height of single family residential is limited to 2-stories and 30 feet. All

perimeter lots are limited to one-story adjacent to existing residential uses.

12. In the event the subject property is annexed, the property owner shall adhere to all applicable 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.
13. The property owner shall execute the following disclaimer regarding the Arizona 2006 Private Property Rights Protection Act: ~~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., Jim Portner, Principal, 10836 E. Armada Lane, Tucson, AZ 85749-9460

150 0 150 300

N

Expanded Natural Area Set-Asides:

Residential areas and lot yield to be modified and reduced accordingly at time of future subdivision platting, commercial area to be similarly reduced in size.

Conceptual Build-out Schematic

All Single-Family Residential Lots

150 0 150 300

Expanded Natural Area Set-Asides:

Residential areas and lot yield to be modified and reduced accordingly at time of future subdivision platting, commercial area to be similarly reduced in size.

Conceptual Build-out Schematic

Single-Family Residential West of Camino de Oeste

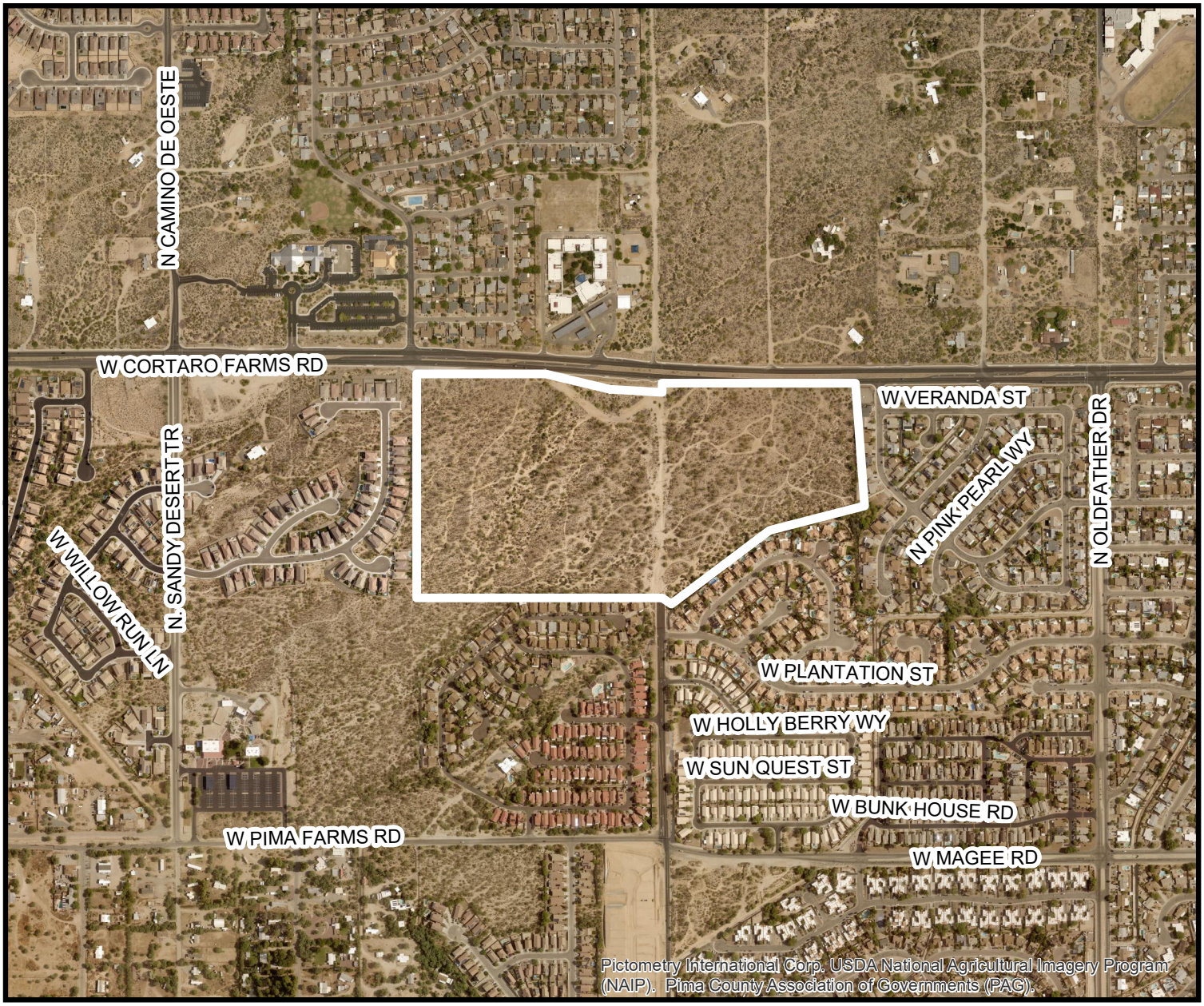
Multi-Family Rental Homes East of Camino de Oeste

Case #: P21SP00001

Case Name: CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENISIVE PLAN AMENDMENT

Tax Code(s): 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R

Aerial Exhibit



0 355 710 1,420 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

Map Scale: 1:10,000 | **Map Date: 9/7/2021 - ds**

N W E S

SPECIFIC PLAN
PLANNING AND ZONING COMMISSION
STAFF REPORT

HEARING DATE	September 29, 2021
CASE	P21SP00001 Cortaro 57 Specific Plan and Comprehensive Plan Amendment
SUBREGION	Tortolita
DISTRICT	1
LOCATION	The property is located on the south side of W. Cortaro Farms Road, approximately one-quarter mile east of N. Sandy Desert Trail
ACREAGE	57.6 (+/-) acres
REQUEST	Specific Plan and Comprehensive Plan amendment for detached single-family, attached single-family and multi-family residential and neighborhood commercial retail goods and services.
OWNER	Cortaro Farms 15, LLC, et al.
AGENT	Projects International, Inc. Jim Portner

APPLICANT'S PROPOSED USE

The applicant proposes a comprehensive plan amendment and specific plan rezoning for an approximate 57.6-acre site comprised of four parcels of land for mixed, high density single-family detached residential, single-family attached residential uses in the form of detached or attached luxury rental homes in a clustered or auto-court arrangement, multi-family residential, and neighborhood commercial goods and services. The maximum height of the single-family attached or detached residential and commercial buildings are planned for two-stories and 30 feet, multi-family is planned for two-stories with a maximum height of 34 feet. Both on-site preservation and off-site natural open space preservation and mitigation is planned to meet the Maeveen Marie Behan Conservation Land Systems (CLS) policies.

APPLICANT'S STATED REASON

"From a land use perspective, the subject property is located within the established and expanding urban context that is the Cortaro Farms Road corridor. The project represents infill development in every way, in that it is a veritable "hole in the donut" on the south side of Cortaro Farms Road that is bounded by existing residential subdivisions zoned CR-4 and CR-5 to the north, south and southeast. An existing subdivision within the Town of Marana (zoned R-6) adjoins the site to the immediate west.

While lower-density, unsubdivided legacy parcels still remain to the northeast and to the southwest, it is clear that Cortaro Farms Road now represents a major east-west corridor within the larger metropolitan urban matrix, making an increased density of development not only acceptable, but also appropriate for reasons including infrastructural efficiency and the furthering of our community's multi-modal and transit goals."

STAFF REPORT SUMMARY

Staff recommends **APPROVAL** of the Cortaro 57 Specific Plan rezoning and the plan amendment to Planned Development Community (PDC). The specific plan supports the goals of Pima Prospers Regional Plan Policies by promoting a balance of housing, employment, shopping, while maintaining walkable and bikeable communities that plan for efficient use of existing infrastructure. The policies of the Maeveen Marie Behan Conservation Lands System (CLS) will be met with 25.10% (13.28 acres) of on-site preservation and 145.2 acres of off-site mitigation. Conservation calculations are based on the total acreage within the CLS after a 2.1 acre right-of-way dedication for the N. Camino de Oeste extension. Although a recommendation of approval has been given due to the overarching comprehensive plan policies, there is concern regarding the amount of on-site preservation, grading limits, and bufferyards as proposed.

PUBLIC COMMENT

Staff has received two public comments in protest of the rezoning citing concerns related to preservation of the mature vegetation for wildlife habitat and the commercial and rental home components of the plan.

Published and mailed notice of the proposal along with the website posting of staff's report will occur a minimum of fifteen days prior to public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors.

COMPREHENSIVE PLAN AND REGIONAL PLAN POLICIES

The land use designation of the subject site is Low Intensity Urban 0.3 (LIU-0.3) for the two westernmost parcels of land and the parcel of land east of the future Camino de Oeste right-of-way. The easternmost parcel of land is designated as Medium Intensity Urban (MIU) and Rezoning Policy 120 applies to this parcel only. No other special area or rezoning policies apply to the site.

The current land use designation of LIU 0.3 plans for low density residential and other compatible uses and incentivizes residential conservation subdivisions to provide more natural open space through density bonuses in exchange for natural or functional open space. LIU-0.3 has a maximum of .3 residences per acre (RAC) or .7 RAC with 50% open space, or 1.2 RAC with 65% open space. Under the current designation, the subject properties LIU-0.3 designation would allow a range of 13 dwelling units with no natural open space provision up to 50 residential units utilizing the highest density bonus.

The existing MIU land use designation plans for area with a mix of medium density single-family and lower density attached dwelling units to provide opportunities for a mix of housing types throughout the region. MIU has a minimum 2.5 RAC and a maximum of 5 RAC. Under the current designation for the easternmost 17 acres, a range of 42 dwelling units up to 85 dwelling units would be allowed. MIU also plans for compatible, lower intensity commercial uses. Special attention should be given in site design to assure residential and commercial compatibility.

The Specific Plan permits a range of densities and residential products. Single-family detached units are planned from 3.5 RAC to 8 RAC. The attached single-family "motor court" plans for a range of 3.0 RAC to 10 RAC and multi-family units range from a 3.5 RAC up to 12 RAC. The on-site natural open space is planned for 13.28 acres or 25.10% of the site. In addition to the residential component, a 1.3-acre commercial component is planned. The planned land use

designation of Planned Development Community (PDC) will bring the site into conformance with the comprehensive plan. PDC designates areas where specific plans are approved. Specific Plans comprise detailed information on the intent of the planned community and establish planning and zoning districts within, and unique to, the specific plan area.

Previous Comprehensive Plan Amendments:
A comprehensive plan amendment was applied for by an individual property owner on the two westernmost parcels by case Co7-13-010 in 2013 to amend the LIU-0.3 designation to Neighborhood Activity Center (NAC) under the larger comprehensive plan update, Pima Prospers. The Commission recommended denial of this and other similar Pima Prospers requests in the northwest region due to the CLS concerns.

A comprehensive plan amendment (Co7-08-08) for the easternmost parcel of land to amend the LIU-0.3 land use designation to Multifunctional Corridor (MFC) was requested in 2008. On September 15, 2009, the Board of Supervisors approved a modified amendment to the land use designation from LIU-0.3 to MIU subject to Rezoning Policy 120 – W. Cortaro Farms Road/N. Camino de Oeste Alignment as follows: *(The proposed application of the policies follow each policy number and are italicized. These are an excerpt from the specific plan with applicant and staff responses following each policy).*

1. "A letter of intent to serve from a water service provider shall be submitted as part of any subsequent rezoning application. If the letter of intent to serve is from a service provider other than Tucson Water, the applicant will provide documentation as to why Tucson Water is unable to provide service."

   Applicant Response: The site will be serviced by Tucson Water.

   Staff Response: Staff agrees.

2. "Compliance with the Conservation Lands System (CLS) will be achieved to the greatest extent possible. On-site mitigation may occur anywhere on the site and will include open space on the north, east, and south portions of the property, with a minimum width of 125' of open space on the east and the south."

   Applicant Response: The Specific Plan will fully comply with the CLS through a combination of on-site natural area set asides and off-site mitigation lands. The 125-foot setback will not be maintained within the SP. This setback dimension was promulgated under an originally proposed non-residential use. The SP proposes residential uses on these same lands, together with sufficient setbacks and buffering of the adjacent/existing residential neighborhoods.

   Staff Response: Compliance with the CLS for the eastern 17 acres within the Specific Plan was designed by policy for on-site mitigation "to the greatest extent possible" and planned preservation of some of the highest resource values of the property. The 125-foot planned open space along the east and south boundaries was designed to ameliorate the impact of development, not only to the adjacent properties, but also for the environmental and biodiversity value of the property. The proposed combination on-site and off-site preservation across the specific plan site meet the allowances in the zoning code and the guiding policies of the CLS.

3. "Future rezoning will be restricted to TR (Transitional Zone)."

   Applicant Response: The above policies affect only the eastern 17 acres of the overall Specific Plan (SP) property. Yet, for all intents and purposes, the bulk of their purpose will be realized over the entire fifty-seven acres of this development. The new zoning designation will be SP, not TR. The TR zone restriction was therefore applied so as to limit these non-residential uses to only those lesser intensive ones permitted under the TR zoning category. The proposed Specific Plan intends uses that are less intensive than those permitted in TR.

   Staff Response: While the Specific Plans contains a mixed-use development, the planned commercial component is located west of the future Camino de Oeste alignment and not adjacent to the eastern portion of the site; however, the impact to the adjacent property owners should be considered, even though the residential use is less intense.

Conformance to the Comprehensive Plan:
The use is supported by many of the Pima Prospers Regional Plan Policies referenced within the specific plan, a few are listed below:

- Support a balance of housing, employment, shopping, recreation and civic uses.
- Support land uses, densities and intensities appropriate for the urban, suburban and rural areas of the County.
- Include regulatory floodplains and regulated riparian habitat areas as open space priorities to maintain hydrologic integrity, wildlife corridor connectivity and contiguous open space corridors.
- Promote a compact form of development in urban and suburban areas where infrastructure is planned or already in place and the market is receptive.
- Manage traffic congestion and demand through capacity improvements, land use decision, and transit.
- Promote the integrated and efficient use of infrastructure and services.
- Require all mixed-use developments to incorporate design elements for walkability, bikeability and access to work, school, services, infrastructure, and healthy foods.

The proposed specific plan conforms and furthers the intent of the comprehensive plan policies by supporting a balance of housing, employment and recreational uses, the densities planned are equivalent to most of the surrounding neighborhoods. The floodplain is being retained as natural open space and the proposal plans for compact development which is an efficient use of existing infrastructure. The development will improve street capacity through the installation of the Camino de Oeste right-of-way connecting the remaining segment of the street to Cortaro Farms Road with multi-modal connectivity. The specific plan has incorporated design elements connecting internal streets with sidewalks along with access to the Cortaro Farms Trail to encouraging walking and biking along with safe access to work, school, and services.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-4/SR	High density residential subdivision/Quail Run Elementary School/Unsubdivided SR parcels
South:	CR-4/CR-5	High density residential subdivision
East:	CR-5	High density residential subdivision
West:	Marana	High density residential subdivision

The general area is characterized by a mix of medium to higher density residential subdivisions and larger SR (Suburban Ranch) 3.3-acre legacy parcels. There is an elementary school and church across the street, a middle school, a second elementary school and a K – 8 Charter school

within one-mile of the site. A high school is approximately one and one-half miles to the north. There is postal office, grocery, banking and commercial services approximately three-fourths of a mile to the east. Recreational opportunities exist along the Cortaro Farms Road Single-Track Trail adjacent to the site and the Arthur Pack Regional Park located approximately one-half of a mile to the northeast. The regional park contains a golf course, ball fields, batting cages, basketball courts, playground, soccer fields, and hiking trails within the Maeveen Marie Behan Desert Sanctuary Trails.

PREVIOUS REZONING CASES ON PROPERTY

There have been no previous rezoning cases on the subject site.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Rezoning case P15RZ00001 – N. Thornydale Road for SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) (5 acres) and CR-5 (Multiple Residence Zone) (13.01 acres) located approximately two-miles northeast of the subject property. The 18.01-acre rezoning was approved January 19, 2016 for a 36-lot single family residential infill development with 42% on-site and off-site open space conservation.

Rezoning case P15RZ00003 – W. Hardy Road for SR to CR-5 located on the south side of Hardy Road approximately one-mile northeast of the subject property. The 30-acre rezoning was approved January 19, 2016 for an 84-lot single family residential infill development with 31% on-site and off-site open space conservation.

Rezoning case P15RZ00004 – N. Thornydale Road for SR to CR-5 located at the northwest corner of N. Thornydale Road and W. Magee Road approximately one half of a mile to the east of the subject property. The 17.77-acre rezoning was approved January 19, 2016 for a 28-lot single family residential infill development with 37% on-site and off-site open space conservation.

Rezoning case P15RZ00005 – N. Thornydale Road Rezoning located approximately one-half mile east of the subject rezoning for a 55-acre rezoning from SR to the CB-1 (Local Business) zone for an 8.18 acre portion of the subject site for commercial retail and services. The remaining 46.7 acres of the site was rezoned from SR to SR® (Suburban Ranch – Restricted) for CLS natural open space dedicated to Pima County.

Rezoning case P16RZ00005 - W. Hardy Road for SR to CR-5 on 19.81 acres located approximately one-half mile north east of the subject site for a 55-lot single family residential infill development with 35% on-site and off-site open space conservation was approved by the Board of Supervisors on September 6, 2016.

Rezoning case P16RZ00012 - N. Shannon Road for SR to CR-2 (CL) (Single Residence-Cluster) on 78.6 acres located approximately two miles northeast of the subject site for a 94-lot single family cluster residential subdivision with 66% on-site and off-site open space conservation was approved by the Board of Supervisors on November 7, 2017.

Rezoning case P17RZ00006 – W. Sumter Drive for SR to CR-4 on 77.95 acres located approximately located approximately one and one-half mile northeast of the subject site for a 200-lot single-family residential subdivision with 35% on-site and off-site open space conservation was approved by the Board of Supervisors on January 2, 2018.

Rezoning case P18RZ00001 – N. Thornydale Road for SR to CB-1 (3 acres) and CR-5 (15.3 acres) located approximately one and one-half mile northeast of the subject site for a 52-lot single family residential subdivision and an 18,000 square foot single-tenant commercial use with 18% on-site and off-site open space conservation was approved by the Board of Supervisors on May 1, 2018.

Past activity:
Most of the properties to the east and far east have been rezoned to higher density CR-4 (Mixed-Dwelling Type) and CR-5 (Multiple Residence) zones and a few of the properties to the north were rezoned to CR-4 from the original SR zoning in the early '70's thru the early 80's, all of which resulted in developed subdivisions. Further west of the subject site, the one-acre or greater lots were rezoned in the early 70's to CR-3 (Single Residence) and annexed into the Town of Marana in 2010. Adjacent to the site is higher density residential within the Town of Marana. Some of the 1970's rezonings occurring at the major intersections were for CB-1 (Local Business) uses resulting in developments that provide commercial goods and services to the area.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS)
Most of the 57.6 acre subject site is located within the CLS classified as Multi-Use Management Area (MUMA) (46 acres) and Special Species Management Area (SSMA) (55 acres). The CLS guidelines for the MUMA designation require two acres of natural open space to be conserved for every acre of disturbance and the guidelines for the SSMA designation require a minimum of four acres of natural open space to be conserved for every acre of disturbance. The more restrictive SSMA designation applies to this project. The applicant is proposing approximately 13.28-acres of on-site preservation and approximately 145.2 acres of off-site mitigation to meet the policies of the CLS which do not have a minimum on-site preservation requirement. Environmental Planning discusses the application of, and potential impacts to the CLS in greater detail, later in this report.

PLANNING ANALYSIS
The Pima County Zoning Code, Section 18.90.010 defines the purpose of a specific plan as follows:

A. Purpose: The purpose of this chapter is to implement A.R.S. Section 11-825 by establishing uniform criteria and procedures for the review, adoption and implementation of specific plans within the unincorporated area of Pima County, in order to:
   1. Provide a bridge between the county's comprehensive plan and individual development projects;
   2. Establish, in an atmosphere of mutual consent, versatile, orderly, cost effective and environmentally sound land development regulations for designated areas;
   3. Be used as the preferred planning tool for the development of land within the buffer overlay zone, Chapter 18.67.

The specific plan as proposed provides a bridge between the county's comprehensive plan and this project; however staff has concerns with how the specific plan addresses environmentally sound land development regulations, specifically in the following areas:

1) The amount of on-site preservation for both the CLS and native plant preservation. The native plant preservation ordinance requiring 30% set-aside of natural open space is *preferably* met on-site. While preferred, staff acknowledges that several sites contained a broad range of 18% to 66% on-site preservation located within the Tortolita Planning Area.

   Sites with similar biological resource values were rezoned in 2016 and 2017 containing 66% and 35%, respectively, of natural on-site open space meeting the native plant ordinance on-site with provision of the remaining balance of CLS compliance off-site. These sites contained similar biological resource values; however, the 2016, 78.6-acre rezoning preserved 65% of the saguaros and 71% of the ironwoods on-site. The property was developed under CR-2 (CL) (Single Residence – Cluster). The 2017, 77.95-acre rezoning preserved 35% of the saguaros and 42% of the ironwoods on-site and was developed under CR-4 (Mixed-Dwelling Type) zoning. Both sites contained limited landscape connectivity with no giant saguaros identified on the sites. Neither site was identified as a wildlife corridor, both sites were identified as high priority for acquisition under the 2004 Open Space Conservation Bond

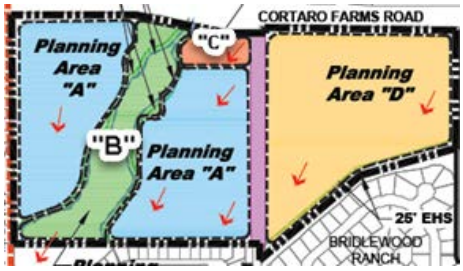
Program and located within one-mile of Arthur Pac Regional Park and a 20-acre mitigation property.

Also located within the Tortolita Planning Area, an 18.3-acre rezoning in 2018, across the street from Arthur Pac Regional Park that contained similar biological resources and was not identified for acquisition under the County's Open Space Bond Program. The site was developed under CR-5 (Multiple Residence) and CB-1 (Local Business) zoning. The site preserved 18% of on-site natural open space accounting for 13% of the saguaros and 32% of the ironwoods. The site contained limited landscape connectivity with no giant saguaros identified on the site, nor was it identified as a wildlife corridor.

This project proposes to preserve 19% and salvage 5% of the giant saguaros on the site. No other preservation numbers were demonstrated within the plan. It has also been identified as containing pygmy owl, lesser long nosed bat and facilitates local wildlife movement. It has been identified as a high priority for acquisition under the 2004 Open Space Conservation Bond Program. In the area, a range of on-site preservation has been approved based upon different biologically diverse properties.

2) The amount of perimeter grading and the request to grade Planning area "A" over and above what the code will allow. The perimeter of the site is an opportunity to provide additional on-site mitigation instead of the typical mass grading of the site. The conceptual plans do not clearly demonstrate the amount of proposed grading as the layout has not been clearly defined and the natural areas may be in conflict with the underlying proposed built environment. The grading in Planning area "A" *may be* within the allowable 70% grading allowance for the disturbance of the Hillside Development Zone, however, it has not been clearly demonstrated. The specific plan allows for 100% grading of the Planning Area "A" without seeking relief from the Design Review Committee. The remainder of the site has no grading limitation.
3) The proposed bufferyards contain about one-half of the required vegetation of a typical 20-foot wide prescriptive bufferyard "A" adjacent to the street of 6 trees, 6 shrubs, and 9 accents per 100 linear feet vs. 1 tree and 10 shrubs/accent per 40 linear feet as planned. The plan proposes, bufferyards with drainageways along perimeters of the site instead of preservation of natural areas acting as buffers, except for, most of the northern boundary adjacent to Cortaro Farms Road. On-site salvaged vegetation, mainly the ironwood trees and saguaros warrant the highest priority for transplanting throughout the development irrespective of the associated cost and ease of utilizing 15 gallon nursery stock as tree replacement.

PLANNING REPORT



The specific plan designates four planning areas "A" through "D". Planning Area "A" is comprised of approximately 23.7 acres and plans primarily for single-family detached residential homes and may contain attached single-family residential uses. Planning Area "B" is approximately 10.3 acres of natural open space. Planning Area "C" is approximately 1.3 acres, planned for neighborhood level commercial services or general office uses. Planning Area "D" is approximately 20.0 acres and plans primarily for single-family detached and may contain attached single-family and/or multi-family rental homes.

There are development standards for the three types of possible residential uses within Planning areas "A" and "D" as follows:

1) Single-family detached residential uses will contain a maximum of 8 RAC with a minimum lot size of 4,000 square feet and maximum building height of two-stories and 30 feet. The first tier of residential lots abutting adjacent subdivisions are limited to one-story. One detached guest house will be allowed within this designation subject to the development standards for accessory structures in the specific plan.
2) Single-family attached dwelling units which include clustered or auto-court products will contain a maximum of 10 RAC with a minimum lot size of 1,500 square feet and a maximum building height of two-stories and 30 feet.
3) Multi-family plans for a maximum density of 12 RAC and a maximum building height of two-stories and 34 feet.

Commercial Planning area "C" will have no minimum lot area or width. Maximum building heights are planned for 2 stories and 30 feet.

Additional development standards are contained within the specific plan.

The specific plan will include a variety of products and architectural styles creating a mix of housing options, planned for the utmost in development flexibility dependent upon consumer trends or needs. Any combination of the plans or similar iterations will be allowed under the administration of the plan. Design guidelines are discussed within the specific plan to create an aesthetically pleasing development and will be implemented at the time of subdivision platting (Rezoning condition # 3).

Signage for the subject site will meet the Pima County Zoning Code subdivision entry sign standards except for the number of subdivision entry monument signs planned for one at each entryway. Wayfinding signage through-out all planning areas are proposed. A single free-standing identification sign for the commercial site will meet the zoning code allowances except for an increase in copy area to 75 square feet.

The subject rezoning is located adjacent to the major east/west Cortaro Farms Road thoroughfare, will be an efficient use of existing infrastructure and will add additional infrastructure by connecting the Camino de Oeste street section to Cortaro Farms Road. Phased development is planned beginning in Planning Area "D" moving west to Planning Area "A", with the Planning Area "C" commercial corner being proposed as the last phase of development. Each phase of the development or block platting require a traffic impact study to identify when improvements may be warranted (Rezoning condition #2.A). The analysis will include a signal warrant analysis and HAWK analysis for pedestrian crossing and may identify additional improvements. The planned improvement to Camino de Oeste requires an approximate 2.1 acre right-of-way dedication (Rezoning condition #2.D) which will reduce the amount of CLS preservation. Multi-modal forms of transportation and safe streets to school will be provided with the proposed development. Sidewalk connectivity along internal streets connecting the future Camino de Oeste right-of-way and the Cortaro Farms Road Single-Track Trail and right-of-way is planned.

The property slopes from its north to south boundaries and contains a few small pockets of Hillside Development Zone (HDZ) in Planning Area "A" that will be graded or left within natural areas. HDZ is defined as any slope that rises greater than 15% within 50-feet of distance. Any disturbance of an HDZ area limits the amount of allowable grading by the zoning code; however, with grading increases for every portion of the lot that is not on a 15% or greater slope, the code allows a maximum grading allowance of 70%. The specific plan demonstrates 100% mass grading and development as intended without the need for a modification approval from the Design Review Committee if the grading exceeds 70% of Planning Area "A".

The property's vegetative qualities are overall quite remarkable. There are large quantities of older specimen (giant) saguaros, saguaros, and ironwood trees. The plant communities have been inventoried and found in overall good health. There are also areas of disturbance, mainly off-roading/walking paths containing no or little vegetation, especially on the westernmost properties. The center of the property where the Camino de Oeste extension will be built is relatively denuded. The Native Plant Preservation Ordinance (NPPO) will be met through the combination of on-site and off-site preservation. NPPO requires a minimum of 30% natural open space to be set aside and the preferred method is on-site preservation. The 25.10% natural open space set aside for on-site CLS mitigation counts towards the native plant requirement. The NPPO will be met with approximately 12 acres of off-site preservation at the time of subdivision platting with an equivalent or higher biological resource value than that of the site. The applicant has committed to additional mitigation lands "over and above" the County standards for the removal of viable vegetation.

The specific plan includes a site specific, unique, landscape plan design. Bufferyards are planned at a minimum width of 20-feet around the perimeter of the site and adjacent to the streets for the residential uses. Two of the perimeter bufferyards will be located interior to the varying width, channelized drainageways lined with hand placed rock adjacent to the existing residential uses along the sites southern boundaries. Along the eastern boundary, adjacent to the existing residential use, the drainageway will be located interior to the bufferyard. A 15-foot wide bufferyard is planned for the perimeter of the commercial Planning area "C" where it abuts any neighborhood street. The landscape buffer cross-sectional detail provided within the site analysis demonstrates 1 transplanted ironwood tree and 2 transplanted saguaros with mid-story desert shrubs and grass. Most of the planned bufferyards adjacent to Cortaro Farms Road are demonstrated as natural open space for CLS and native plant preservation. Bufferyards for the site are designed at densities of 1 tree and 10 shrubs and/or accents for every 40 linear feet which is about half the amount of vegetation typically required for a standard 20-foot wide bufferyard. A tree and shrub substitution ratio of 1 tree or saguaro cactus is equivalent to 10 shrubs and/or accent plants has been built into the plan. Given the amount of on-site resources available for salvage, there is opportunity to enhance the proposed bufferyards without overcrowding. The specific plan has incorporated the use of on-site salvaged and/or nursery stock for the development's bufferyards, and for the enhancement of front yards with "*preferably* one salvaged saguaro or tree" with one additional planting for corner lots.

Staff supports the rezoning request because it conforms to the guiding policies of Pima Prospers, the county's comprehensive plan. Staff does question the proposed amount of preservation of on-site natural open space as supported by the 2008 modified comprehensive plan approval and rezoning policies for the eastern 17-acre parcel and the previously denied 2013 comprehensive plan amendment for the westernmost properties due to the CLS. Primary concerns are due to the sheer quantity and quality of the mature ironwood, giant saguaros and saguaro species on the site. Higher on-site preservation would reduce potential impacts to the lesser long-nosed bat and pygmy owl, which are referenced in comments by the U.S. Fish and Wildlife Service. In addition to the avoidance and set-aside of the flood control resource area, the on-site preservation is typically the highest resource values of the site. Perimeter preservation would provide additional shielding to adjacent property owners while maintaining wildlife movement through the site.

Arizona Growing Smarter Acts is implemented on the site through public and private cooperation to efficiently develop and encourage the use of community infrastructure; and by providing a range of housing, employment and other essential services with safe environments to enjoy.

Concurrency of Infrastructure:
Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
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
ENVIRONMENTAL QUALITY	Yes	No objection
SCHOOLS	Yes	No objection
WATER	Yes	No objection, a will-serve letter is contained in the Specific Plan

TRANSPORTATION
Cortaro Farms Road between Sandy Desert Trail and Thornydale Road was improved in 2019 and it is under an active pavement moratorium until April of 2024. Cortaro Farms Road is a paved four-lane curbed divided roadway with raised medians, sidewalk and multi-use lanes on both side of the road. Cortaro Farms Road adjacent to the project boundary is under the jurisdiction of the County, and to the west Cortaro Farms Road is under the jurisdiction of the Town of Marana. Cortaro Farms Road has a posted speed limit of 40 miles per hour (mph) and is a Major, Scenic Route with a roadway classification identified as an Urban Minor Arterial per the Arizona Department of Transportation's (ADOT) Statewide Federal Functional System Map. The Major Streets Plan (MSR) requires 150 feet right-of-way width for Cortaro Farms Road. The recent construction of Cortaro Farms Road resulted Pima County acquiring the necessary right-of-way width to accommodate a 4 lane divided roadway. The right-of-way varies across the project frontage but maintains a minimum of 150 feet; therefore, no additional right-of-way will be required along Cortaro Farms Road. The 2020 traffic counts for Cortaro Farms Road adjacent to the site is 17,173 average daily trips (ADT), and the capacity is approximately 35,820 ADT.

Camino de Oeste extends approximately 1,300 feet north from its intersection with Pima Farms Road and dead-ends at the site's south property boundary. The segment of Camino de Oeste between Pima Farms Road and Ivory Rose Road is under active pavement moratorium until October of 2025. Camino de Oeste north of Pima Farms Road is a two-lane curbed roadway with a two-way left-turn lane and paved shoulders. Camino de Oeste posted speed limit is 35 mph. Camino de Oeste is classified as an Urban Major Collector per the ADOT's Statewide Federal Functional System Map. The Major Streets Plan indicates a planned right-of-way width of 80 feet

for Camino de Oeste northward of its dead-end through the site. Camino de Oeste has an approximate roadway capacity of 14,060 ADT. There are no available traffic counts for Camino de Oeste north of Pima Farms Road but the 2020 traffic counts south of Pima Farms Road is 3,748 ADT.

A preliminary Traffic Impact Study (TIS) submitted with the specific plan indicates that the site could generate approximately 4,722 ADT. If the project is developed at the highest density per acre within the specific plan, a greater ADT shall be expected. Based on available traffic counts and roadway capacity, there are no concurrency concerns with this request. With the understanding that the specific plan will be built in phases, a TIS shall be required with the submittal of the Master Block Plat and updated with each phase of the development. The peak hour trips in the preliminary TIS indicates that a category two (2) TIS is required.

The Specific Plan will require right-of-way dedication and construction of Camino de Oeste from its dead-end at the southern property boundary to the intersection with Cortaro Farms Road. The required street cross section will be determined at the time of permitting process. Access to the specific plan site is proposed via Cortaro Farms Road and the new extension of Camino de Oeste through the property. Subdivision streets will be public. Multi-family and other non-residential uses that will utilize a system of Parking Area Access Lanes (PAALs) will be private. The proposed development shall meet the requirement of the Subdivision and Development Street Standards.

The extension of Camino de Oeste will promote a complete street system, and the intersection with Cortaro Farms Road is proposed to be constructed as a “T” shaped intersection, with right-in and right-out eastbound movements. Due to the combination of residential and commercial development proposed within the specific plan area and the nearby Quail Run Elementary School immediately north, across Cortaro Farms Road, the TIS shall include a signal warrant analysis assuming a 4-way intersection as well as a pedestrian crossing (hawk analysis) for a 3-way intersection as proposed.

Pima County Department of Transportation has no objection to this proposed specific plan and recommends approval subject to rezoning conditions #4A-D.

FLOOD CONTROL

District staff has reviewed the Specific Plan, conducted a Water Resources Analysis, and offers the following information:

1. The site is impacted by two existing regulatory floodplains as shown on Exhibit II.1, the Framework plan. Both floodplains have an associated 25’ erosion hazard setback (EHS). The District requested display of the limits of the regulatory floodplain and EHS on the Conceptual Build-out Schematics in effort to assess development impacts, however this was not provided. A District condition is recommended below to ensure the development associated with the Specific Plan will not impact and encroach into the regulatory floodplains and that structures are not placed within the EHS.
2. This site has an assured water supply by Tucson Water.
3. A condition is provided below to ensure compliance with the Water Policy of the Comprehensive Plan.

Regional Flood Control District has no objection subject to rezoning conditions #5A-E.

WASTEWATER RECLAMATION

The rezoning area is within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area and is tributary to the Tres Rios Water Reclamation Facility via the

Canada del Oro Interceptor. Capacity for the proposed development is currently available in the 12" public sewer G-81-017, downstream from manhole 2459-03 (Type I 2018-15, dated January 26, 2018).

PCRWRD has no objection to the proposed rezoning request subject to the addition of rezoning conditions #5A-F.

ENVIRONMENTAL PLANNING

Site Conservation Values

- The vast majority of the approx. 57-acre project site lies within the Maeveen Marie Conservation Lands System (CLS). Approximately 46 acres is within the Multi-Use Management Area designation; approx. 55 acres is designated as a Special Species Management Area (SSMA). Per the Specific Plan, the applicant intends to fully comply with the CLS Conservation Guidelines for the SSMA designation, which call for four (4) acres of natural open space (NOS) to be set aside for every acre of disturbance.
- A total of 1,320 ironwoods and 827 saguaros have been documented on the project site. Of the 827 saguaros, 142 are less than six feet tall and 685 are six feet or taller, including 141 giant saguaros measuring 18' or taller. Approximately 50% of the 141 giant saguaros are more than 25' tall. According to the Specific Plan, 102 of the 141 giant saguaros measuring 18' or taller are viable specimens; only 39 were found to be non-viable. As noted by the U.S. Fish and Wildlife Service (USFWS), "These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl but is also a sensitive and valuable vegetation community." Impacts to saguaros, ironwoods and other native vegetation must be addressed via compliance with the *Native Plant Preservation Ordinance* (NPPO; Pima County Code 18.72).
- The site is within the Priority Conservation Area (PCA) for the Cactus ferruginous pygmy owl; it is outside the PCAs for the Western burrowing owl, Pima pineapple cactus, and Needle-spined pineapple cactus.
- The site was identified for acquisition as "Highest Priority Private" under the 2004 Open Space Bond Program.

Landscape Context

The project site is located on Cortaro Farms Road, approximately one mile west of Thornydale Road. It is in an area of Northwest Tucson that is largely urbanized, with medium-intensity residential development located to the south, east, west, and northwest. A block of low-intensity residential development is located to the northeast. The Town of Marana's boundary is adjacent to the west boundary of the project site.

The site is located directly northeast of and adjacent to a County-owned Preserve and is approximately one-half of a mile southwest of Arthur Pack Regional Park. It is not within any identified wildlife movement area or critical landscape connection and because of the largely urbanized setting it is unlikely the project site provides a significant contribution to landscape connectivity at a regional level. However, the project site, in conjunction with the block of low-density development to the northeast, does provide a linkage between the adjacent Preserve and Arthur Pack Regional Park and it likely facilitates local wildlife movement between these two habitat blocks. Per the USFWS, this localized linkage "provides a habitat corridor important for movements of wildlife in general, and the lesser long-nosed bat and pygmy-owl specifically," both of which are species covered under the County's Multi-Species Conservation Plan.

Per the Specific Plan, the applicant intends to set aside a block of NOS in a floodplain corridor with a north-south orientation located on the west side of the site, which could potentially maintain

local connectivity by providing an undisturbed wildlife movement corridor through the proposed development.

Potential Impacts to Biological Resources
Approximately 55 acres of the 57-acre project site is within the SSMA designation of the CLS. Approximately 2.1 acres within the SSMA designation will be dedicated to accommodate the required 80' public right-of-way for the Camino de Oeste extension, which reduces the acreage subject to the CLS Conservation Guidelines to 52.9 acres total.

According to the Specific Plan, 13.28 acres will be set aside on-site and protected as NOS, leaving a disturbance area of approximately 39.62 acres. In keeping with the applicant's stated intent to fully comply with the CLS Conservation Guidelines for the SSMA designation, a total of 158.48 acres of NOS will be provided using a combination of both on-site and off-site NOS. With 13.28 acres of NOS set aside on-site, the balance of 145.2 acres of NOS will be provided off-site.

Given the site's landscape context, the applicant's obligation to mitigate impacts to the on-site biological resources via compliance with the NPPO, and the applicant's stated intent to fully comply with the CLS Conservation Guidelines, this project is not expected to significantly alter the integrity or viability of the CLS.

Environmental Planning requests the addition of rezoning conditions #7 A-B.

CULTURAL RESOURCES
Cultural Resources has no objection to the rezoning subject to the addition of conditions #8.

NATURAL RESOURCES, PARKS AND RECREATION
Natural Resources, Parks and Recreation has no objection to the rezoning request.

UNITED STATES FISH AND WILDLIFE SERVICE
US Fish and Wildlife Service have concerns related to habitat loss and fragmentation from development in an area designated as a Special Species Management Area within the Pima County Comp Plan and the Maeveen Marie Behan Conservation Lands System (CLS). We understand and support the use of on-site and off-site mitigation, but we strongly urge that such mitigation sites provide the same level of conservation values as the specific plan area currently supports. These values, along with on-site recommendations, are described below. Ultimately, the proposed comp plan amendment and proposed specific plan, along with proposed mitigation, should maintain the regional conservation values as outlined in Pima County's Multi-Species Conservation Plan (MSCP). Of particular concern is the loss of habitat connectivity. Pima County currently owns two conservation parcels to the SW of the proposed specific plan area. These parcels, in conjunction with the specific plan area, unsubdivided open space and low-density development, and Arthur Pack Park all provide a habitat corridor important for movements of wildlife in general, and the lesser long-nosed bat and pygmy-owl specifically.

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

With regard to the pygmy-owl, this parcel occurs in the general area historically occupied by pygmy-owls and where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Even with the proposed on-site and off-site mitigation set asides as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a special species management area for the pygmy-owl and strongly recommend that the off-site mitigation lands appropriately offset the losses of high quality pygmy-owl habitat. If such off-site mitigation lands are not available or feasible, the guidelines outlined within the CLS should be applied to this specific plan if this comp plan amendment application is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. Fish and Wildlife support a mitigation approach that complies with the CLS guidelines for the special species management designation through both on-site or off-site natural open space set asides.

WATER DISTRICT
Tucson City Water has no comment.

SCHOOL DISTRICT
Marana Unified School District (MUSD) has capacity to service this development. The developer will participate in MUSD's voluntary roof-top contribution program with the sale of each individual lot.

FIRE DISTRICT
Northwest Fire District has no comment.

IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply. The specific plan does not regulate Building Codes.
3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations. The design guidelines of the specific plan shall be implemented at the time of development.
4. Transportation conditions:
   A. A Master Traffic Impact Study shall be provided with the block plat submittal and shall be updated with each subsequent individual block development. The Master Traffic Impact Study and subsequent updates shall evaluate traffic conditions at that time including those of previous block plat submittals, projected site traffic impacts, and provide necessary mitigation. The TIS shall include a signal warrant analysis assuming

a 4-way intersection as well as a pedestrian crossing (HAWK analysis) for a 3-way intersection as proposed. Offsite improvements determined necessary as a result of the Master Traffic Impact Study and subsequent updates shall be provided by the property owner(s).

B. A construction phasing and sequencing plan for both on-site and off-site improvements shall be provided with the submittal of the block plat and any subsequent final plat or development plan submittals.

C. Written proof of coordination with the Town of Marana shall be provided to Pima County Development Services prior to approval of the block plat.

D. The property owner(s) shall dedicate 80 feet of right-of-way for Camino de Oeste and the corner spandrel right-of-way dedication at the Cortaro Farms Road and Camino de Oeste intersection with the block plat.

5. Flood Control District conditions:

A. Existing regulatory floodplains shall be located within the Natural Set-Aside Area as shown on the PDP and designated in common area. Development in the existing floodplain is prohibited.

B. Structures are not allowed within the existing erosion hazard setback (EHS).

C. First flush retention shall be provided in LID practices distributed throughout the site.

D. A Facilities Impact Permit is required for any modifications to the existing public drainageway.

E. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.

6. Regional Wastewater Reclamation conditions:

A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve 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.

7. Environmental Planning conditions:

A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines by providing a total of 158.48 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the Specific Plan, the property owner shall provide a minimum of four (4) acres of natural open space for every acre developed in order to achieve full compliance with the CLS Conservation Guidelines. No less than 13.28 acres of NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Specific Plan. The difference between the total acres of NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies found in Pima Prospers, Pima County's 2015 Comprehensive Land Use Plan (Section 3.4 Environmental Element, Policy 11: "Conservation Lands System Mitigation Lands) and must comply with all of the following:

- Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
- Prior to the approval of the tentative plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee."

B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

<u>Invasive Non-Native Plant Species Subject to Control</u>

Ailanthus altissima	Tree of Heaven
Alhagi pseudalhagi	Camelthorn
Arundo donax	Giant reed
Brassica tournefortii	Sahara mustard
Bromus rubens	Red brome
Bromus tectorum	Cheatgrass
Centaurea melitensis	Malta starthistle
Centaurea solstitalis	Yellow starthistle
Cortaderia spp.	Pampas grass
Cynodon dactylon	Bermuda grass (excluding sod hybrid)
Digitaria spp.	Crabgrass
Elaeagnus angustifolia	Russian olive
Eragrostis spp.	Lovegrass (excluding *E. intermedia*, plains lovegrass)
Melinis repens	Natal grass
Mesembryanthemum spp.	Iceplant
Oncosiphon piluliferum	Stinknet
Peganum harmala	African rue
Pennisetum ciliare	Buffelgrass
Pennisetum setaceum	Fountain grass
Rhus lancea	African sumac
Salsola spp.	Russian thistle
Schinus spp.	Pepper tree

Schismus arabicus	Arabian grass
Schismus barbatus	Mediterranean grass
Sorghum halepense	Johnson grass
Tamarix spp.	Tamarisk

8. 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.
9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
11. The maximum height of single family residential is limited to 2-stories and 30 feet. All perimeter lots are limited to one-story adjacent to existing residential uses.
12. In the event the subject property is annexed, the property owner shall adhere to all applicable 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.
13. 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 L. Tillman, AICP
Principal Planner

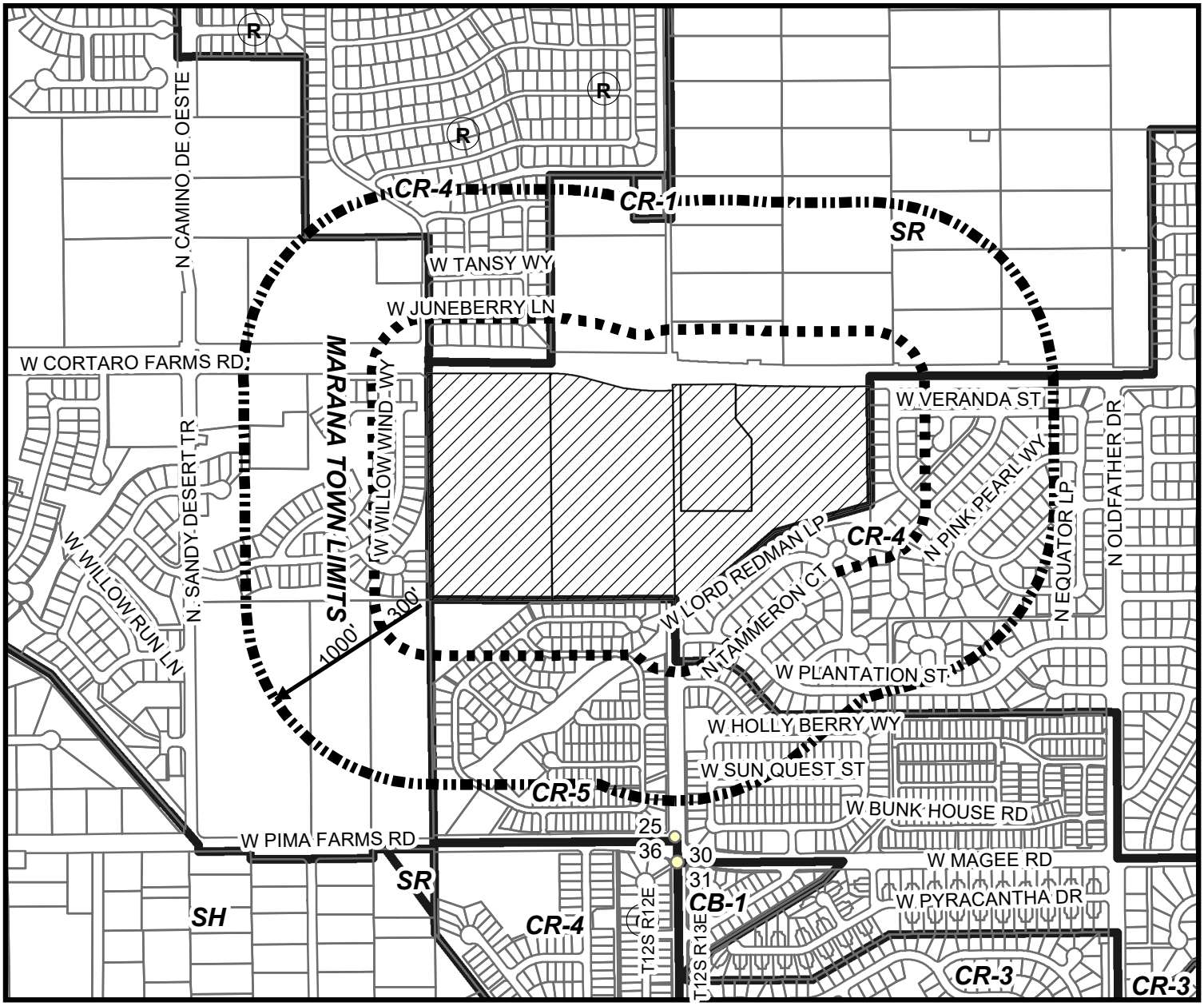
c: Projects International, Inc., Jim Portner, Principal, 10836 E. Armada Lane, Tucson, AZ 85749-9460

Case #: P21SP00001

Case Name: CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENISIVE PLAN AMENDMENT

Tax Code(s): 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R

Subject Property | 300 Notification Area | 1000' Notification Area | Zoning Boundary



0 355 710 1,420 Feet

Area of proposed rezoning from SR to SP

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 9/29/21 (scheduled)	**Board of Supervisors Hearing: TBD**

Base Map(s): 114	**Map Scale: 1:10,000**	**Map Date: 8/26/2021 - ds**

N W E S

Planned Development Community (PDC)

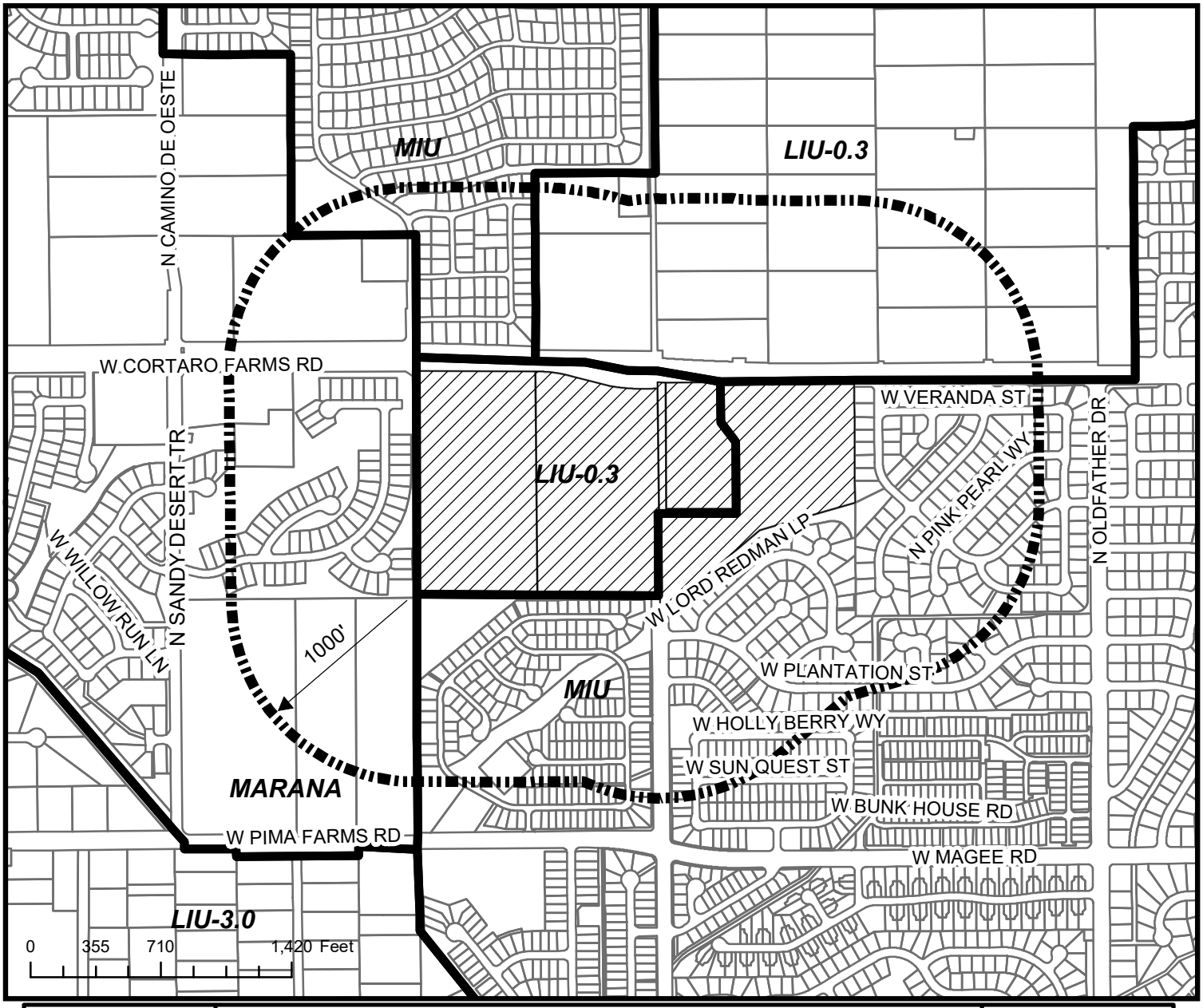
Objective: To designate existing approved specific plans. Specific plans comprise a unique zoning regimen within a planned community. Specific plan documents include detailed information on the intent for the community as a whole, as well as the individual planning and zoning districts within the specific plan area. Applications for amendments to individual specific plans shall be done in accordance with Section 18.90 (Specific Plans) of the Pima County Zoning Code.

Exception: State Trust land in the proposed Sahuarita East Conceptual Plan is designated a PDC under Special Area Policy S-36 in Chapter 9.

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use

Subject Property
1000' Notification Area



Taxcodes:
221-16-029D,
221-16-029E,
225-33-059M &
225-33-059R

P21SP00001 CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD PLAN AMENDMENT

Request: Low Intensity Urban 0.3 (LIU-0.3) and Medium Intensity Urban (MIU) to Planned Development Community (PDC)

Districts 1
Location:
South side of W. Cortaro Road, approx. 1/4 mile east of N. Sandy Desert Trail

Tortolita Planning Area under Pima Prospers
Section 25, Township 12 South, Range 12 East &
Section 30, Township 12 South, Range 13 East.

Planning and Zoning Commission Hearing: September 29, 2021

Map Scale: 1:10,000

Board of Supervisors Hearing: TBA

Map Date: September 7, 2021 / dms

North

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

FROM: Jim Portner, Projects International, Inc.
DATE: April 29, 2021
RE: **Invitation to Attend an Online Neighborhood Meeting Regarding a Proposed Project 57 Acres on the South Side of Cortaro Farms Road at the Alignment of Camino de Oeste Pima County Specific Plan Case No. P21SP00001**

I'm sending you this information because you own property, or are a representative of a nearby homeowners association, within 1000' of a request we have filed with Pima County for approval of a Specific Plan for fifty-seven (57) acres of land on the south side of Cortaro Farms Road. The property sits on both sides of the alignment of (unfinished) Camino de Oeste. Our Project will construct the final segment of Camino de Oeste and connect it to Cortaro Farms Road.

This property is currently vacant desert. There has also been significant disturbance, including grading and clearing for public sewer and water lines, wildcat dumping, native plant theft, and homeless encampments.

I am the project manager for the Specific Plan effort, which primarily proposes single-family residential neighborhoods that are similar in type and character to those existing subdivisions already abutting it. The Project will also feature a small commercial site for neighborhood-appropriate retail goods and services, which will be located at the new intersection of Cortaro Farms Road and Camino de Oeste. Potential secondary uses within the Specific Plan include garden or medical offices (within the commercial site) and luxury rental homes.

A Specific Plan ensures that the entire property will be planned and developed under a unified vision and image with consistent aesthetics and landscaping throughout, and with due attention and comprehensive analysis being given to important issues such as traffic and downstream drainage.

We have already completed a full Traffic Study (TS), which has been included in the Specific Plan document. The TS shows that the surrounding transportation system can readily absorb the project's additional traffic. Please note that no access will be take from or through any existing adjacent neighborhood; we will take our access from Cortaro Farms Road and Camino de Oeste only.

In terms of drainage, we are located within a designated "critical basin". Our post-development flows leaving the site will actually be <u>less than</u> those in the present condition. This will be accomplished through a series of retention/detention basins that will capture storm run-off, hold it, and then meter it out at reduced volumes.

I am inviting you to attend a neighborhood meeting that we've organized to provide the opportunity for you to learn more about the Project and to be a forum for your comments and 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:

Thursday, May 13, 2021
6:15 PM to 8:15 PM

To participate, go to this website:

www.cortaro57.com

This is a very simple website we've created to provide an easy link to the neighborhood meeting and to provide a download link for the entire *Cortaro 57 Specific Plan (SP)* document if you'd like to read it. It goes into great detail. Included in this mailing is the basic *Framework Plan* for the project, which is taken from the *SP* document. On the website, you can also submit questions in advance of our meeting.

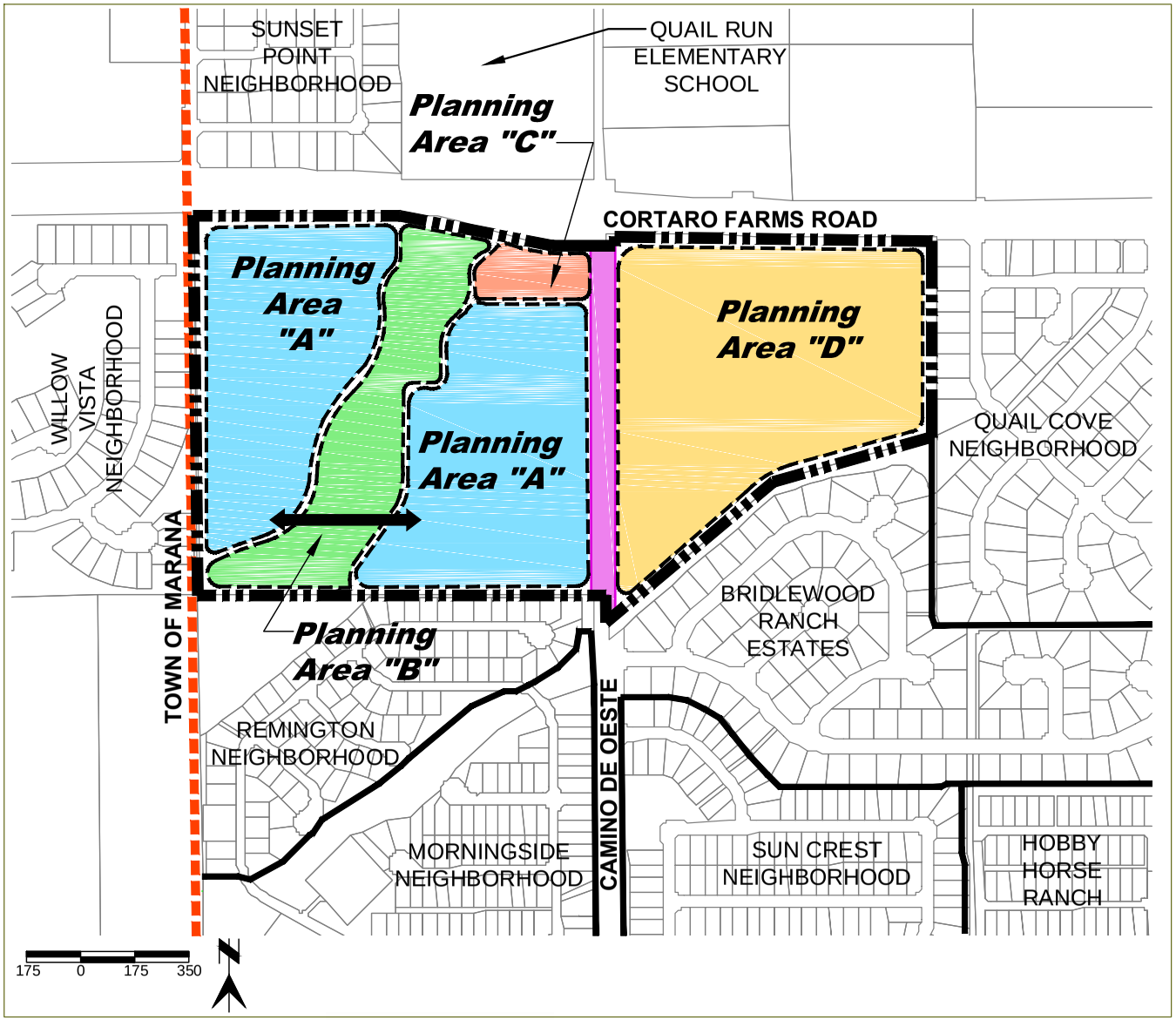
After our neighborhood meeting, a public hearing on this item will take place before the Pima County Planning & Zoning Commission. This will be scheduled by the County and will occur on either May 26, 2021 or June 30, 2021. After that, a second public hearing will be scheduled before the Board of Supervisors, who will make the ultimate decision on this Specific Plan 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

Cortaro 57 Specific Plan
South Side of Cortaro Farms Road @ the Camino de Oeste Alignment
Pima County Case No. P21SP00001

- **Property Location:** the remaining vacant property on the south side of Cortaro Farms Road, and on both sides of the Camino de Oeste roadway alignment (its unfinished segment).
- **Property Size:** Approximately 57 acres, prior to the 80' right-of-way we will dedicate for Camino de Oeste. This development will also construct the final section of Camino de Oeste and connect it to Cortaro Farms Road.
- **Existing Comprehensive Plan Designation:** Pima Prospers designates the property as a combination of *Medium Intensity Urban (MIU)* and *Low Intensity Urban (LIU 0.3).* If the Specific Plan is approved, the property will be designated *PDC (Planned Development Community).* The surrounding residential neighborhoods within Pima County are designated *MIU.* The existing neighborhood within the Town of Marana has *R-6* Town zoning.
- **Existing Use of the Property:** the property is vacant desert. There has also been significant disturbance, including grading and clearing for public sewer and water lines, wildcat dumping, native plant theft, and homeless encampments.
- **Proposed Use of the Property:** primarily single-family residential neighborhoods generally similar in character to those existing subdivisions to the northwest, west, south, and east. The Specific Plan also incorporates a small commercial site for neighborhood-appropriate goods and services at the new intersection of Cortaro Farms Road and Camino de Oeste. Luxury rental homes are also an option for the lands east of Camino de Oeste. We are preserving the existing wash and its floodplain through the property as an 8-acre natural drainage corridor.
- **Existing/Proposed Zoning:** Existing zoning is SR (Suburban Ranch). The proposed zoning is SP (Specific Plan). The SP zoning allows the entire property to be developed under a unified, masterplanned program that ensures a consistent theme, landscaping and identity throughout.
- **Surrounding/Adjacent Properties:** Most of the site is adjoined by existing single-family subdivisions. To the northeast, however, are large unsubdivided properties, some of which contain single-family residences and some of which are vacant. These occur on the north side of Cortaro Farms Road and are well separated from the proposed project.
- **Traffic Impacts:** The Specific Plan includes a full *Traffic Study (TS)* that analyzes all existing conditions in the area and provides a worst-case projection of the project's impacts on existing roadways. The *TS* demonstrates that the area can readily absorb the project's additional traffic. In addition to completing the final segment of Camino de Oeste, the project may need to also provide a right-turn deceleration lane (on Cortaro Farms Road) at this new intersection. All of the above is subject to the review and approval by the Pima County Department of Transportation. **No project access will be through, from, or into existing neighborhoods.**
- **Impact on Drainage:** This entire property lies within a designated "critical basin". Post-development flows leaving the site will actually be <u>reduced</u> over those in the undeveloped condition. This is accomplished through a series of retention/detention basins that will capture run-off, hold it, and then meter it out a reduced volumes and velocities. We are also preserving the floodplain corridor of the site's major wash as a natural area.
- **Public Process:** A public hearing will be held on this project before the Planning & Zoning (P&Z) Commission (subject to scheduling by Pima County) on either May 26, 2021 or June 30, 2021. A Board of Supervisors (BOS) meeting will be scheduled following the P&Z hearing; the BOS will make the final decision on this Specific Plan request. You will receive separate notices for these hearings by regular mail directly from Pima County.



LEGEND

- Boundary of Subject Specific Plan
- Planning Area Boundaries
- 80' Right-of-Way Dedication by this project for extension of Camino de Oeste
- Town of Marana Boundary
- Planning Area "A": Primary Use is Residential (Single-Family, Detached Homes)
- Planning Area "B": Primary Use is Natural Open Space
- Planning Area "C": Primary Use is Neighborhood-Level Commercial / Retail Goods & Services
- Planning Area "D": Primary Use is Residential (Single-Family Detached Homes or Luxury Rental Homes)
- Street Crossing of Natural Area; no more than one (1) allowed

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

GRS LANDSCAPE ARCHITECTS, LLC

Baker & Associates Engineering, Inc.

Cortaro 57 *SPECIFIC PLAN*

FRAMEWORK PLAN

Exhibit II.1

Neighborhood Meeting Summary

Specific Plan Case No. P21SP00001
Cortaro 15, LLC et. al. – Cortaro 57 Specific Plan

This meeting summary was prepared by Jim Portner of Projects International, Inc. It is intended to 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: Thursday, May 13, 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 in logging onto this virtual/online meeting.

Location: The mailed meeting invitation directed invitees to the ***cortaro57.com*** website that was set up specifically for this project. There, they found a simple one-button link to join the online meeting employing the Zoom virtual platform. This method was chosen due to the prevailing Covid-19 pandemic. The website also allowed individuals to download the entire *Specific Plan* document should they wish to gain more detailed information.

Meeting Invitation & Mailing: All properties within 1,100' of the site (609 in number) were mailed the following: 1) an invitation & explanatory cover letter; 2) a *Fact Sheet* that further detailed the proposal; and 3) a color exhibit of the proposed *Framework Plan* contained in the project's *Specific Plan* document.

Attendance: Twenty-six (26) individuals signed in to the meeting, accounting for 4.3% of the 609 properties that were noticed. Due to the online format, there was no traditional sign-in sheet. A list of the attendees (by the screen name they provided at sign-in) is attached. None (0) of the attendees activated their video, so only their screen names appeared.

Synopsis: Jim Portner, as applicant and representative of the property owner, welcomed the attendees, gave instructions as to the format and structure of the meeting, and then made a presentation of the *Specific Plan* using numerous exhibits from the document. Due to the number of attendees, all participants were told up-front that they were being "muted" and that they could submit their questions and comments through the meeting's chat function.

Once Portner completed his presentation, he went through all of the comments and questions sent through the chat function (36 in total, several of which were duplicates), reading each to the entire group and then answering each verbally. Of the twenty-six (26) attendees, ten (10) submitted items to the chat. One (1) individual alone accounted for twelve (12) items. The majority of the meeting attendees (16 of the 26) submitted no (0) items.

Specific Comments and Concerns: The following specific items constitute the content, discussion and questions raised within the chat session:

- *Views and Number of Stories.* This was not the first issue brought up, but it was the most frequently mentioned one (by five individuals) and so is listed here first. There was general concern with the impacts upon neighbors' views that would result from two-story homes. Jim Portner explained that the intent here was to offer both one and two-story options to buyers and that existing views across his client's property were a privilege and not a permanent right, but at the same time said that this concern comes up with almost every infill project and that he and his client will look at some potential height concessions in consideration of the existing homes that directly abut the Specific Plan property.

- *Do the neighbors have a say in what happens if they don't want this project and the existing desert destroyed?* Portner explained that, yes, anyone in opposition has the opportunity to speak at public hearings and to send in their comments to the Pima County Development Services Department, the Planning & Zoning Commission, and the Board of Supervisors. They would receive instructions on how to do this in the public-hearing notices they'd be receiving in their regular mail directly from Pima County.
- *Would the proposed landscape buffer along Cortaro Farms Road be impacted if an eastbound to southbound right-turn lane is required at Camino de Oeste?* The turn lane would be located wholly within the public right-of-way. Existing landscaping therein may be impacted. The 20' wide private landscape buffer within our project would not be affected.
- *What are the sizes of the homes, lot sizes, number of bedrooms, separation between units?* Portner referred attendees to the full *Specific Plan* document for detail on these matters (downloadable from the website), but mentioned that lots sizes could range from as small as 4,000 SF, to 6,000 SF or more depending upon the house product, that the homes themselves would range from 2,000 SF to more than 3,000 SF, that most would have 3 or 4 bedrooms and some with dedicated offices, and that separation would be determined by the specific house products and local building codes requirements.
- *Why is the buffer along the Willow Vista neighborhood only 20', while the buffers along Quail Cove, Briarwood Ranch and Remington/Morningside are much wider?* Portner explained that all of the neighborhoods were adjoined by a proposed 20' wide landscape buffer, and that this was greater than the buffers which had been provided by any of the adjoining subdivisions. The separation was greater along Quail Cove, Briarwood, and Remington/ Morningside because perimeter drainage channels were also necessary along these boundaries to convey post-development stormwater flows. It was hoped that these channels could be landscaped somewhat (to the extent allowed by the County Regional Flood Control District), so that the overall effect was that of a greater buffer in these areas, due only to the drainage realities.
- *Are there commercial tenants already lined up for Planning Area "C"?* Portner explained that there was a good deal of interest from potential occupants, but that these have been discussions only and no actual agreements have been signed. He further explained that these discussions were confidential and so it would be inappropriate at this point to reveal any interested parties.
- *Will there be downstream drainage impacts that require any neighboring properties to now buy FEMA Floodplain insurance?* No, downstream flows out of the subject property will all be reduced in accordance with the Floodplain District's critical-basin requirements. No neighboring properties not currently within a regulatory floodplain will be put into one by this project.
- *Are you willing to meet with HOA Presidents and their Boards?* Yes. Portner explained that, in fact, he had sent advanced notice to all of the surrounding HOA's before the full-notice mailing went out for the neighborhood meeting. In that advanced notice, he had already offered to meet with any HOA and their boards and reiterated his willingness to still do so.
- *Plantation Street (south of the subject property) is currently a "cut-through" route from Camino de Oeste to Thornydale Road. Will this project make that worse?* Portner explained that this was an existing issue that was off-site to the proposed Specific Plan. He was willing to bring the matter to the attention of the Department of Transportation, but noted that he believed the influence of the *Specific Plan* on this issue was minimal. He referred attendees to the full traffic study that had been completed for the project and which was one of the appendices in the full document.

- *What ensures that the ultimate homebuilders will follow the rules of the Specific Plan?* Portner explained that the *Plan* would have the same force and effect of the zoning code, and that a homebuilder's submittals for subdivision plats and building permits would be reviewed by the County for compliance with all *Specific Plan* parameters before approvals for construction were granted.
- *Will westbound traffic on Cortaro Farms Road be able to turn left at the new Camino de Oeste intersection?* No. There will be no median opening at the intersection. Westbound travelers will need to proceed further west and make a u-turn at the first available left-turn bay at Stargrass Drive.
- *Please describe the "luxury rentals" that are a possible use in Planning Area "D"; can these be apartments?* No, these are not multi-story apartments. They are detached or attached rental homes, either in a clustered or free-standing arrangement. They can be both one-story and two-story. The primary market appeal for these types of homes has proven to be young professional singles or couples, or elderly empty-nesters. Given this, these types of communities tend to produce households with very few children. The units are for people who want a nice home with all the current conveniences, but who do not want the hassle of homeownership and maintenance.
- *There is a "funky" intersection to the south where Pima Farms Road, Camino de Oeste, and Magee Road intersect. Will this project do anything to correct it?* No. That situation has been a long-standing one that is beyond the scope or responsibility of this project. That being said, Portner explained that this *Specific Plan* will pay nearly $1M in impact fees over the course of its build-out. Pima County is responsible for using those funds for whatever identified street improvement projects are most pressing.
- *What is the timing for development of this project?* Portner guesstimated that, if the *Specific Plan* is ultimately approved, it would be nearly a year from now before all subdivision platting and engineering was completed and site grading would commence. After that, it'd be another 9 months to a year before the first finished homes were occupied.
- *Has there been a water usage study for this project?* Portner explained that, as part of all rezoning and specific plan reviews by Pima County staff, a potable water assessment was completed and any supply or service issues are identified. He expected that, since Tucson Water was the servicing water company, no problematic issues would be identified.
- *Can the homebuilders change the lot sizes after the project is approved?* Portner explained that, as long as a builder kept within the parameters of the approved *Specific Plan*, they were fine. If they chose to build lot sizes outside of those parameters, they would have to apply for a formal modification of the *Specific Plan*, which would then have to proceed through the appropriate administrative or public approval process.
- *Who are the homebuilders?* Portner stated that most of the national homebuilders have expressed interest in the project, but that these were exploratory discussions and no formal agreements had yet been struck. He also stressed that this was a very competitive industry and it would be inappropriate and unfair to the interested parties to publicly disclose them.
- *What are your plans for street lights?* No street lights will be used on the new neighborhood subdivision streets. The Outdoor Lighting Code (OLC) will not allow them. It will, however, allow minimal residential lighting using down-lit fixtures, etc. as permitted per the OLC.
- *Will the extension/completion of Camino de Oeste require a pedestrian crossing of Cortaro Farms Road?* Possibly. This is an issue that must be discussed between Pima County, the Marana Unified School District (MUSD), and us as the developer. Portner stressed that the CDO extension and new intersection it creates are mandated elements of the County's adopted *Major Streets and Routes Plan*. As such, he stressed that any future pedestrian crossing, if needed, could not be solely assigned as an obligation of this *Specific Plan.*

- *Camino de Oeste will now provide a direct link to Ina Road & Interstate 10; traffic will increase markedly as drivers discover this link. Have you studied this?* Portner again directed the attendees to the full traffic study contained within the *Specific Plan* document. He said the study addresses the entire transportation system in and around the project site and so considered the post-development volumes and roadway capacities of all the surrounding streets, including the newly-extended Camino de Oeste.
- *We just saw a family of javelinas walk by our home. Where will all the wildlife go after our destruction of the desert?* Portner recognized these impacts, but reminded all that the existing residential neighborhoods surrounding the *Specific Plan* were also once untouched desert. He distinguished this project from those by explaining that it was proceeding under the prescriptions of the Conservation Lands System (CLS). As such, it was providing on-site habitat set-asides in the form of the 8-acre floodplain corridor being preserved as a natural area, as well as furnishing significant off-site habitat mitigation lands to compensate for its on-site habitat impacts. These lands will be dedicated to the public in perpetuity.
- *What are the price points of the proposed homes?* Portner indicated that it was difficult to guesstimate these, given that it would be well over a year in a volatile market before the specific sales prices would be determined. He said that he felt that $300K would be the absolute base price, with the larger homes featuring more upgrades going upwards from there to over the $400K mark.
- *Please explain the special mitigation provisions in the Specific Plan for the 84 large saguaros that cannot be physically relocated.* Portner explained that, in consideration of the impact upon this resource, the Specific Plan proposed furnishing special/supplemental off-site mitigation lands (in addition to those otherwise required for the CLS) that would ultimately (and permanently) preserve similar saguaro specimens at an approximate ratio of more than 3:1 for each specimen removed on-site.
- *Will the new section of Camino de Oeste have sidewalks?* Portner explained that it would be built in accordance with Department of Transportation (DOT) standards at developer expense. Per the standards, either sidewalks or a some sort of meandering pedestrian path (asphalt or hardened surface) would be provided on both sides of the street.
- *What is District 1 Supervisor Rex Scott's position on this project?* Portner said he would never presume to represent Supervisor Scott's thinking. He stressed that he has been in (and would remain in) contact with Supervisor Scott, providing him with information and updates on his interactions with the neighbors and any emerging issues, but beyond that would leave the Supervisor to develop his own stance on the matter.
- *Upcoming Planning & Zoning Commission Public Hearing and Public Process*. Portner explained that this Specific Plan proposal would likely go to the 30 June, 2021 Planning & Zoning Commission public hearing and that they (the surrounding property owners) would receive a notice for same in the mail from Pima County. 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 August, 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 8:00 PM.

List of Attendees to Follow

List of Attendees
(Sign-In Sheet)

The following screen names were used by the twenty-six (26) individuals who attended the meeting by signing in through the *cortaro57.com* website. They are listed in the order in which they signed in:

Dan
Ben Becker
Iphone
Maslowski (2)
John P
Kristina Allen (1)
Kelsey Albert
Dawn Dargan (4)
John Maxey
Lora J
Rex Scott
Adam Becker
Paul
Chris King (3)
Dan
CJ Graziano Smith
Shelby Hawkins
Nicholas Jennings
Ryan Smith (12)
Debbie Grudinschi (1)
Nicholas
Jeff Belokin
Craig T Whaley (5)
Maggie (3)
Belokin (3)
Ramirez (2)

The number of questions and/or comments submitted to the meeting's chat session are provided in parentheses next to each individual's name.

From:	DSD Application for Rezoning or Specific Plan
To:	DSD Planning
Subject:	Application for Rezoning / Specific Plan Submission
Date:	Sunday, April 11, 2021 7:18:11 PM
Attachments:	Letter of Authorization Document - Cortaro 15 Authorization.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
Cortaro Farms 15, LLC et. al. c/o Alan Murdock

Owner address
4007 E. Paradise Falls Drive

Owner city
Tucson

Owner state
AZ

Owner zipcode
85712

Owner phone
5209069202

Email
acmventures@gmail.com

Applicant name
Jim Portner, Principal, Projects International, Inc.

Applicant address
10836 E. Armada Lane

Applicant city
Tucson

Applicant state
AZ

Applicant zipcode
85749-9460

Applicant phone
5208500917

Applicant_email
jportner@projectsintl.com

Property address
4575 W. Cortaro Farms Road

Property parcel number
221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R in their entirety

Property acreage
57.6

Property present zone
SR

Property proposed zone
SP

Policies
Tortolita Planning Area/MIU & LIU 0.3/Rezoning Policy RP-120

Letter of authorization document
Cortaro 15 Authorization.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
11-Apr-2021

TRICAR INVESTMENTS, INC.
Mailing Address:
P.O. Box 607
Nogales, AZ 85628-0607
Street Address:
631 N. Richey Boulevard
Tucson, AZ 85716

August 31, 2020

Mr. Chris Poirier, Planning Official
Pima County Development Services Department
Planning Division
201 N. Stone Avenue – 2nd Floor
Tucson, AZ 85701

RE: LETTER OF AUTHORIZATION
Comprehensive Plan Amendment & Rezoning Application
SWC Cortaro Farms Road @ Camino de Oeste Alignment

Dear Mr. Poirier:

As the owner-of-record of the above referenced property (Pima County Assessor's Tax Parcel No. 221-16-029C; no assigned address), I hereby authorize Jim Portner of Projects International, Inc. to represent us as the applicant and agent in both the comprehensive plan amendment process and subsequent rezoning of this property.

The corporate officers of Tricar Investments, Inc. are as follows:

Daniel Cardenas Izabal, President
Gracia C. De Cardenas, Vice-President
Juan Carlos Cardenas Cevallos, Vice-President & Statutory Agent
Gracia Cardenas Cevallos, Vice-President

Sincerely,
TRICAR INVESTMENTS, INC.

Juan Carlos Cardenas Cevallos
Statutory Agent

HORIZON CHURCH, INC.
ATTN: Kathy Monroe
9185 E. Sycamore Springs Trail
Vail, AZ 85641-6393

September 4, 2020

Mr. Chris Poirier, Planning Official
Pima County Development Services Department
Planning Division
201 N. Stone Avenue – 2nd Floor
Tucson, AZ 85701

RE: LETTER OF AUTHORIZATION
Comprehensive Plan Amendment & Rezoning Application
SEC Cortaro Farms Road @ Camino de Oeste Alignment

Dear Mr. Poirier:

As representative of the owner-of-record of the above referenced property located at 4575 W. Cortaro Farms Road (Pima County Assessor's Tax Parcel No. 225-33-059M), I hereby authorize Jim Portner of Projects International, Inc. to represent us as the applicant and agent in both the comprehensive plan amendment process and subsequent rezoning of this property.

The corporate officers of Horizon Church, Inc. are as follows:

Robert B. Stoner, President, Director & Statutory Agent
Kathy Monroe, Vice-President & Director

Sincerely,
HORIZON CHURCH, INC.

Kathy Monroe

Kathy Monroe
Vice-President & Director

CORTARO FARMS 15, LLC
7481 E. Tanque Verde Road
Tucson, AZ 85715-3477

April 1, 2021

Mr. Chris Poirier, Planning Official
Pima County Development Services Department
Planning Division
201 N. Stone Avenue – 2nd Floor
Tucson, AZ 85701

RE: LETTER OF AUTHORIZATION
Specific Plan & Rezoning Application
Cortaro Farms 15, LLC Property

Dear Mr. Poirier:

As representative of the owner-of-record of the above referenced property located on W. Cortaro Farms Road (Pima County Assessor's Tax Parcel No. 225-33-059P), I hereby authorize Jim Portner of Projects International, Inc. to represent us as the applicant and agent in the Specific Plan and rezoning of this property, including those attendant modifications related to the property's prior comprehensive plan amendment approval under Pima County Case No. Co7-08-08.

For the purposes of disclosure, the members of Cortaro Farms 15, LLC are as follows: Alan Murdock as managing member and Michael D. Rhodes as member.

Sincerely,
CORTARO FARMS 15, LLC

Alan Murdock
Managing Member

Michael D. Rhodes
Member

The following is a letter received from the Coalition for Sonoran Desert Protection after the 1st submittal of the Cortaro 57 Specific Plan that planned for 15% on-site preservation of the Maeveen Marie Behan Conservation Lands System (CLS).

Pima County has not received any additional updates from the Coalition regarding the updated proposal with 25.10% on-site CLS preservation.

Coalition for Sonoran Desert Protection

738 N. 5th Ave., Suite 205
Tucson, Arizona 85705
520.388.9925 ❊ sonorandesert.org

Arizona Center for Law in the Public Interest
Arizona Native Plant Society
Bat Conservation International
Cascabel Conservation Association
Center for Biological Diversity
Center for Environmental Ethics
Defenders of Wildlife
Desert Watch
Environmental Law Society
Friends of Cabeza Prieta
Friends of Ironwood Forest
Friends of Madera Canyon
Friends of Saguaro National Park
Friends of Tortolita
Gates Pass Area Neighborhood Association
Genius Loci Foundation
Great Old Broads for Wilderness– Tucson
Native Seeds / SEARCH
Protect Land and Neighborhoods
Safford Peak Watershed Education Team
Save the Scenic Santa Ritas
Sierra Club – Grand Canyon Chapter
Sierra Club – Rincon Group
Sky Island Alliance
Southwestern Biological Institute
Tortolita Alliance
Tucson Audubon Society
Tucson Herpetological Society
Tucson Mountains Association
Wildlands Network

July 26, 2021

Ms. Terri Tillman, Senior Planner
Pima County Planning
Tucson, Arizona 85701

RE: P21SP00001, Cortaro 57 Specific Plan

Dear Ms. Tillman:

We write today about the proposed Cortaro 57 Specific Plan, a group of parcels on both the east and west side of the Camino de Oeste alignment, immediately south side of Cortaro Road. While we continue to work with the property owner's representatives, we would like to share our concerns with you at this point in the process. While we hope to come to a point where we can support this proposal, identifying issues with staff and the property owner now will hopefully move us in that direction.

These parcels fall under a guideline of 80% preservation or 4:1 mitigation. The Coalition has supported the on and/or offsite combination conservation guideline since it was adopted into the Comprehensive Plan because we have always considered off-site mitigation as an appropriate supplement to on-site preservation. Until we began to review this proposal, this is how it has worked with the parcels that have come to us for consultation. This proposal falls far short of the conservation goal for these parcels. Within these parcels, approximately 52.9 acres are designated as a Special Species Management Area. Yet only ~8 acres, or 15%, of the property is proposed for preservation, all of which must already occur in the regulated floodplain. Additionally, a development of such a biologically rich old growth upland saguaro and ironwood tree habitat should preserve more functionally mature plants on place under the County's Native Plant Preservation Ordinance.

There are multiple issues to be considered in addressing this proposed mass-graded development, including:

- The majority of the property – all but ~2 acres - is classified under the Comprehensive Plan as Conservation Lands System Multiple Use Management Area (MUMA) and Special Species Management Area (SSMA). The Natural Undisturbed Open Space conservation guideline for the SSMA overlay is 80% on-site and/or 4:1 off-site mitigation.

- The entirety of the land being considered for up zoning has been designated as "High Priority Private Habitat Protection Priority" which signifies that the land is of high biological importance for protection in perpetuity.

- Two parcels totaling 20 acres immediately adjacent to the southwest of the parcel were acquired by Pima County as mitigation for habitat destruction to Thornydale Road. These parcels are classified as "Restricted Conservation Lands" and are subject to a Restrictive Covenant as federal Section 7/Section 10 mitigation parcels.

- This property's value to wildlife connectivity reflects not only its designation as an acquisition target but also its location in the landscape. The property immediately connects to the County-owned mitigation parcels to the southwest and, via SR zoned vacant land to the north and northeast, to the Regional Flood Control-owned Hardy Wash and County-owned Maeveen Marie Behan Desert Sanctuary in Arthur Pack Park and beyond to other County-owned preserve and/or mitigation lands. Please see the attached map for a visual representation of the important wildlife connectivity across the landscape.

- The largest of the two on-site regulated washes contains a designated wildlife crossing structure culvert under Cortaro Farms Road to accommodate meso-carnivores such as coyote, fox, javelina and bobcats as well as smaller species. The Pima County Department of Transportation also placed wildlife fencing along the northern side of Cortaro Farms Road to safely funnel wildlife through the regulated floodplain and adjacent Erosion Hazard Setback (EHS) buffer and prevent wildlife/vehicle collisions. To the best of our knowledge, this is the only wildlife crossing structure in the region south of Tangerine Road, except for some of the recent road improvements along La Cholla, north of Overton, and the work done along Twin Peaks in Marana.

Below are our recommendations to improve this proposal:

- Most importantly, this development shall provide significantly more on-site preservation of Natural Undisturbed Open Space as common area, as well as more permeability for wildlife throughout the site. While we support Pima County's adopted NPPO and off-site mitigation options in concept as supplementing on-site preservation, we believe that this proposal falls short of both.

- Development shall not occur in the floodplain and structures are not allowed in the EHS buffer zone. Because of the regulatory wash and wildlife corridor transecting the proposed development, there should be no trails located within the floodplain or the EHS zone. Signage shall be posted to prohibit humans and pets from entering the area for their own safety and the safety of the raptors and other birds, snakes, herps, small mammals such as

badger, spotted skunk, rock squirrels, Harris antelope squirrels, etc. and meso-carnivores that live in and migrate through the neighborhood.

- Wildlife fencing, identical to that used by Pima County along the north side of Cortaro Farms Road, shall be installed wherever there is not a six-foot masonry wall along Cortaro and Camino de Oeste and cattleguards shall be installed at all entrances/exits along Cortaro Farms Road and Camino de Oeste to discourage wildlife/vehicle collisions.

- With topo base map, the hill-shaded relief map* color shows the ridges they would level and, when looking at the newer, permeable Willow Vista development immediately to the west, it would be a natural progression to instead build in a similar configuration on the ridges, preserving the interbraided wash system.

- The drainage easement and EHS buffer along the southern boundary of the proposed development, owned by Pima County, east of the Camino de Oeste alignment, and the drainage parcels west of the alignment, owned by the Remington HOA, adjacent to Pima County's two Section 7/10 mitigation parcels, as well as the parcels owned by the Willow Vista HOA, contribute to, but are not sufficient for wildlife adequate permeability when considered alone. They and any applicable EHS buffer shall not be infringed upon in any way.

*As a note to County staff, we reported the lack of complete topographic and wash data layers east of the Camino de Oeste alignment within the proposed development per Pima Maps to the RFCD but that has yet to be rectified as of 7/21/2021.

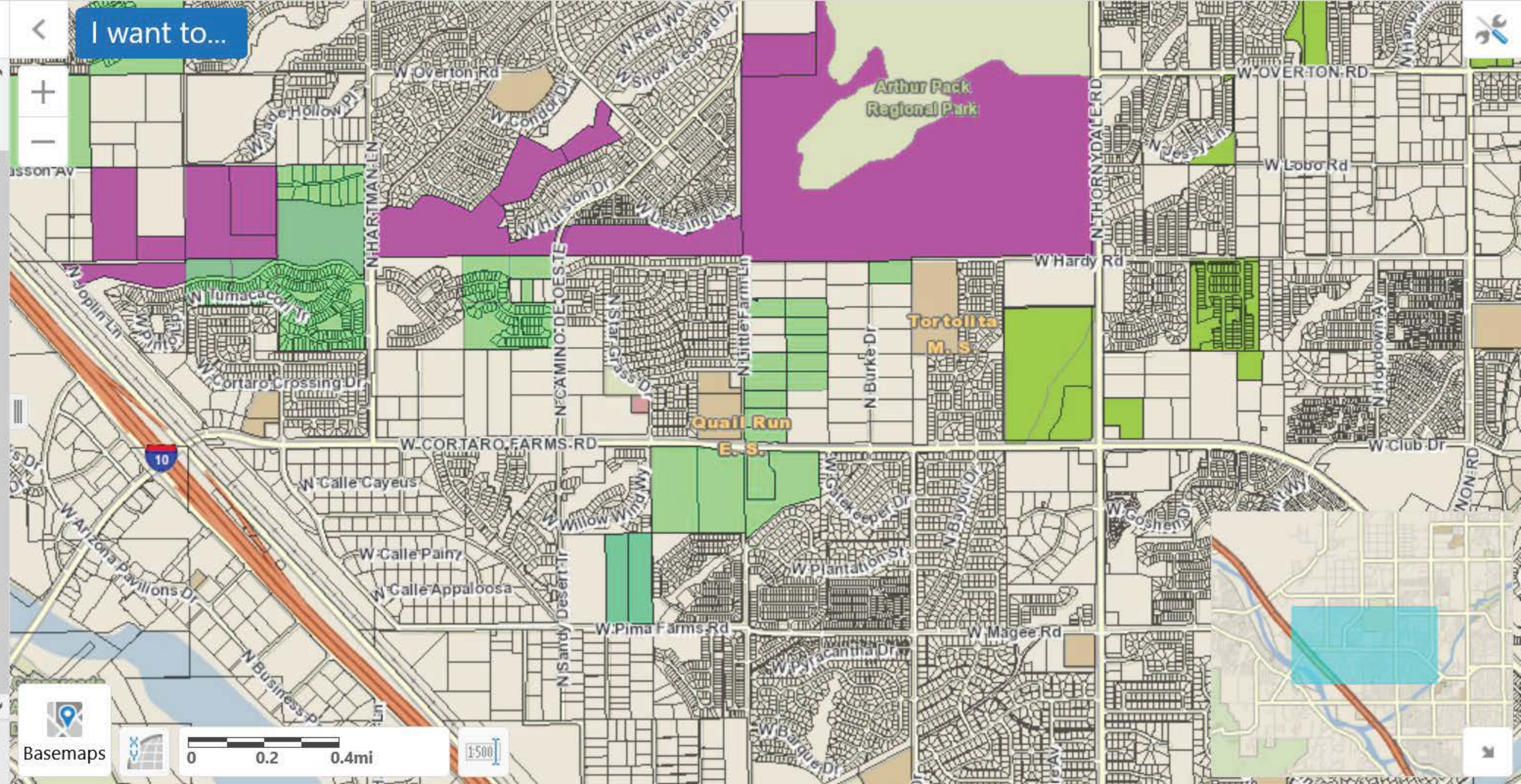
Thank you for considering of our concerns and comments. We will continue to work with the property owner to develop a proposal that is more suited to the biological values of this parcel and that more closely aligns with the spirit of the CLS guidelines and the NPPO.

Sincerely,

Carolyn Campbell
Executive Director

Cc: Chris Poirier, Deputy Director/Planning Official
Sherry Ruther, Deputy Director, Office of Sustainability & Conservation

Attachment (1)


I want to...
Basemaps
0
0.2
0.4mi
1:500
Arthur Pack Regional Park
W Overton Rd
W OVERTON RD
W Lobo Rd
W Hardy Rd
N HARTMAN LN
N CAMINO DE OESTE
N THORNYDALE RD
N Little Farm Ln
N Burke Dr
Tortolita M. S.
Quail Run E. S.
W CORTARO FARMS RD
W Cortaro Crossing Dr
W Tumacacori Dr
W Joplin Ln
W Jade Hollow Pl
W Condor Dr
W Red Wolf
W Snow Leopard Dr
W Hurston Dr
W Lessing Ln
N Jessy Ln
N Hopdown Av
W Club Dr
W Goshen Dr
W Calle Cayeus
W Calle Paint
W Calle Appaloosa
W Willow Wind Wy
N Sandy Desert Tr
W Pima Farms Rd
W Plantation St
W Magee Rd
W Pyracantha Dr
W Basque Dr
N Bayou Dr
W Arizona Pavilions Dr
N Business
10

Public Comments received prior to the posting of staff's report to the website around noon of September 15, 2021.

9-2-2021

Supervisor Rex Scott
District 1
33 N. Stone Ave., 11th Floor
Tucson, AZ 85701

Supervisor Scott,

I am writing to you about the Cortaro Farms Road proposed project Pima County Plan #P21SP00001.

We have lived here for 24 years, we have a unique property on this road where the proposed plan is located. As we would love the property to stay natural we know that the people who own the property want to develop it. What we are against is changing the zoning to have commercial/retail, which is in Plan C. Also if zoned for single family home we are also against changing zoning to rental homes.

Our concern is if you start allowing changes in the zoning now in the future it could effect our property. If at some point the people on the road behind us decide to sell their house and a developer could come in tear down the house and build apartment complexes, etc.

Our property and our neighbors connect to the Maeveen Behan Desert Sanctuary. We on these two streets keep our homes with the Old Ironwoods, Mesquites, Palo Verde trees, and mature Saguaro's. So the wildlife can continue to live in their natural habitat. And not have houses on top of each other and apartment complexes, rental homes. With rental people coming and going that do not have the investment in the natural surroundings of this area.

Sincerely,
Laura and Anthony Cannon
P.O. Box 1857
Cortaro, AZ 85652

CC Pima County Supervisor Matt Heinz
Pima County Supervisor Sharon Bronson
Pima County Supervisor Steve Christy
Pima County Supervisor Adelita Grijalva

From:	Julie Miles
To:	DSD Planning
Subject:	P21SP00001 Cortaro Farms 15 LLC Proposal
Date:	Tuesday, September 14, 2021 4:21:33 PM

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.

William Miles and Julianne Miles, of 8280 N. Freshwater Lane, Tucson, AZ 85741, are opposed to the proposed zoning change that will be discussed at 9:00 am on September 29, 2021.

As William and Julianne are both employed full-time and are therefore unable to attend the hearing either in person or virtually, please make note of their opposition and voice it to the Planning and Zoning Comission.

Revised comment letter received from the Coalition for Sonoran Desert Protection, September 24, 2021

Coalition for Sonoran Desert Protection

738 N. 5th Ave., Suite 205
Tucson, Arizona 85705
520.388.9925 ❊ sonorandesert.org

Arizona Center for Law in the Public Interest
Arizona Native Plant Society
Bat Conservation International
Cascabel Conservation Association
Center for Biological Diversity
Center for Environmental Ethics
Defenders of Wildlife
Desert Watch
Environmental Law Society
Friends of Cabeza Prieta
Friends of Ironwood Forest
Friends of Madera Canyon
Friends of Saguaro National Park
Friends of Tortolita
Gates Pass Area Neighborhood Association
Genius Loci Foundation
Great Old Broads for Wilderness– Tucson
Native Seeds / SEARCH
Protect Land and Neighborhoods
Safford Peak Watershed Education Team
Save the Scenic Santa Ritas
Sierra Club – Grand Canyon Chapter
Sierra Club – Rincon Group
Sky Island Alliance
Southwestern Biological Institute
Tortolita Alliance
Tucson Audubon Society
Tucson Herpetological Society
Tucson Mountains Association
Wildlands Network

September 24, 2021

Chair David Hook and Commissioners
Pima County Planning and Zoning Commission
201 N. Stone, 1st Floor
Tucson, AZ 85701

RE: P21SP00001 Cortaro 57 Specific Plan and Comprehensive Plan Amendment

Dear Commissioners:

Thank you for the opportunity to provide comments on the proposed Cortaro 57 Specific Plan, a group of parcels on both the east and west side of the Camino de Oeste alignment, on the south side of Cortaro Farms Road.

These three parcels, collectively grouped to create the proposed Specific Plan, total approximately 57 acres. Due to their mapped designation as Multiple Use Management Area with a Special Species Management overlay, these parcels fall under a guideline of 80% preservation or 4:1 mitigation under the County's Comprehensive Land Use Plan (Pima Prospers).

The Coalition has supported the on- and/or off-site combination conservation guideline since it was adopted in the Comprehensive Plan. Since its adoption, we have considered off-site mitigation as an appropriate supplement to on-site preservation.

The location and landscape context of these parcels warrants that the majority of the land remain as natural undisturbed open space (NUOS). Development of such a biologically rich old growth upland saguaro and ironwood tree habitat should preserve more functionally mature plants in place.

The entirety of the land being considered for up zoning has been designated as "High Priority Private, Habitat Protection Priorities" which signifies that the land is of high biological importance for protection in perpetuity.

Two parcels totaling 20 acres immediately adjacent to the southwest of the parcel were acquired by Pima County as mitigation for habitat destruction due to the construction of Thornydale Road. These parcels are classified as "Restricted Conservation Lands" and are subject to a Restrictive Covenant as federal Section 7/Section 10 mitigation parcels.

The property immediately connects to the County-owned mitigation parcels to the southwest and, via SR-zoned vacant land to the north and northeast, to the Regional Flood Control-owned Hardy Wash and County-owned Maeveen Marie Behan Desert Sanctuary in Arthur Pack Park. Further north, there are other County-owned preserve/mitigation lands.

The largest of the two on-site regulated washes contains a designated wildlife crossing structure culvert under Cortaro Farms Road to accommodate meso-carnivores such as coyote, fox, javelina, and bobcats, as well as smaller species. The Pima County Department of Transportation also placed and maintains wildlife fencing and cattle guards along the northern side of Cortaro Farms Road to safely funnel wildlife through the regulated floodplain and adjacent Erosion Hazard Setback (EHS) buffer, preventing wildlife/vehicle collisions. *To the best of our knowledge, this is the only wildlife crossing structure in the region south of Tangerine Road, except for some of the recent road improvements along La Cholla, north of Overton, and the work done along Twin Peaks in Marana.*

Pima County staff have significant concerns. Below are some excerpts from the staff report:

<u>Planning</u>
"Although a recommendation of approval has been given due to the overarching comprehensive plan policies, there is concern regarding the amount of on-site preservation, grading limits, and bufferyards as proposed."

"Compliance with the CLS for the eastern 17 acres within the Specific Plan was designed by policy for on-site mitigation "to the greatest extent possible" and planned preservation of some of the highest resource values of the property. The 125-foot planned open space along the east and south boundaries was designed to ameliorate the impact of development, not only to the adjacent properties, but also for the environmental and biodiversity value of the property. The proposed combination on-site and off-site preservation across the specific plan site meet the allowances in the zoning code and the guiding policies of the CLS."

"The specific plan as proposed provides a bridge between the county's comprehensive plan and this project; however, staff has concerns with how the specific plan addresses environmentally sound land development regulations, specifically in the following areas:

1) *The amount of on-site preservation for both the CLS and native plant preservation. The native plant preservation ordinance requiring 30% set-aside of natural open space is preferably met on-site. While preferred, staff acknowledges that several sites contained a broad range of 18% to 66% on-site preservation located within the Tortolita Planning Area.*

   Sites with similar biological resource values were rezoned in 2016 and 2017 containing

66% and 35%, respectively, of natural on-site open space meeting the native plant ordinance on-site with provision of the remaining balance of CLS compliance off-site. These sites contained similar biological resource values; however, the 2016, 78.6-acre rezoning preserved 65% of the saguaros and 71% of the ironwoods on-site. The property was developed under CR-2 (CL) (Single Residence – Cluster). The 2017, 77.95-acre rezoning preserved 35% of the saguaros and 42% of the ironwoods on-site and was developed under CR-4 (Mixed-Dwelling Type) zoning. Both sites contained limited landscape connectivity with no giant saguaros identified on the sites. Neither site was identified as a wildlife corridor, both sites were identified as high priority for acquisition under the 2004 Open Space Conservation Bond Program and located within one-mile of Arthur Pack Regional Park and a 20-acre mitigation property.

Also located within the Tortolita Planning Area, an 18.3-acre rezoning in 2018, across the street from Arthur Pack Regional Park that contained similar biological resources and was not identified for acquisition under the County's Open Space Bond Program. The site was developed under CR-5 (Multiple Residence) and CB-1 (Local Business) zoning. The site preserved 18% of on-site natural open space accounting for 13% of the saguaros and 32% of the ironwoods. The site contained limited landscape connectivity with no giant saguaros identified on the site, nor was it identified as a wildlife corridor.

*This project proposes to preserve 19% and salvage 5% of the giant saguaros on the site. No other preservation numbers were demonstrated within the plan. It has also been identified as containing pygmy-owl, lesser long nosed bat and facilitates local wildlife movement. It has been identified as a high priority for acquisition under the 2004 Open Space Conservation Bond Program. In the area, <u>a range of on-site preservation has been approved based upon different biologically diverse properties</u> (*emphasis added*).*

The amount of perimeter grading and the request to grade Planning area "A" over and above what the code will allow. The perimeter of the site is an opportunity to provide additional on- site mitigation instead of the typical mass grading of the site. The conceptual plans do not clearly demonstrate the amount of proposed grading as the layout has not been clearly defined and the natural areas may be in conflict with the underlying proposed built environment. The grading in Planning area "A" may be within the allowable 70% grading allowance for the disturbance of the Hillside Development Zone, however, it has not been clearly demonstrated. The specific plan allows for 100% grading of the Planning Area "A" without seeking relief from the Design Review Committee. The remainder of the site has no grading limitation.

2) *The proposed bufferyards contain about one-half of the required vegetation of a typical 20-foot wide prescriptive bufferyard "A" adjacent to the street of 6 trees, 6 shrubs, and 9 accents per 100 linear feet vs. 1 tree and 10 shrubs/accent per 40 linear feet as planned. The plan proposes bufferyards with drainageways along perimeters of the site instead of preservation of natural areas acting as buffers, except for, most of the northern boundary adjacent to Cortaro Farms Road. On-site salvaged vegetation, mainly the*

ironwood trees and saguaros warrant the highest priority for transplanting throughout the development irrespective of the associated cost and ease of utilizing 15-gallon nursery stock as tree replacement.

3) *The property's vegetative qualities are overall quite remarkable. There are large quantities of older specimen (giant) saguaros, saguaros, and ironwood trees. The plant communities have been inventoried and found in overall good health*. (emphasis added) *There are also areas of disturbance, mainly off-roading/walking paths containing no or little vegetation, especially on the westernmost properties. The center of the property where the Camino de Oeste extension will be built is relatively denuded. The Native Plant Preservation Ordinance (NPPO) will be met through the combination of on-site and off-site preservation. NPPO requires a minimum of 30% natural open space to be set aside and the preferred method is on-site preservation. The 25.10% natural open space set aside for on-site CLS mitigation counts towards the native plant requirement. The NPPO will be met with approximately 12 acres of off-site preservation at the time of subdivision platting with an equivalent or higher biological resource value than that of the site* (emphasis added). *The applicant has committed to additional mitigation lands "over and above" the County standards for the removal of viable vegetation."*

Flood Control

"The site is impacted by two existing regulatory floodplains as shown on Exhibit II.1, the Framework plan. Both floodplains have an associated 25' erosion hazard setback (EHS). The District requested display of the limits of the regulatory floodplain and EHS on the Conceptual Build-Out Schematics in effort to assess development impacts, however this was not provided. A District condition is recommended below to ensure the development associated with the Specific Plan will not impact and encroach into the regulatory floodplains and that structures are not placed within the EHS."

OCS: Environmental Planning

*"A total of 1,320 ironwoods and 827 saguaros have been documented on the project site. Of the 827 saguaros, 142 are less than six feet tall and 685 are six feet or taller, including 141 giant saguaros measuring 18' or taller. Approximately 50% of the 141 giant saguaros are more than 25' tall. (*emphasis added) *According to the Specific Plan, 102 of the 141 giant saguaros measuring 18' or taller are viable specimens; only 39 were found to be non-viable. As noted by the U.S. Fish and Wildlife Service (USFWS), "These parcels have significant ironwood and saguaro resources that not only have value to the pygmy-owl but is also a sensitive and valuable vegetation community." (*emphasis added*) Impacts to saguaros, ironwoods and other native vegetation must be addressed via compliance with the Native Plant Preservation Ordinance (NPPO; Pima County Code 18.72).*

The site is within the Priority Conservation Area (PCA) for the Cactus ferruginous pygmy owl; it is outside the PCAs for the Western burrowing owl, Pima pineapple cactus, and Needle- spined pineapple cactus.

The site was identified for acquisition as 'Highest Priority Private' under the 2004 Open Space Bond Program.

*The site is located directly northeast of and adjacent to a County-owned Preserve and is approximately one-half of a mile southwest of Arthur Pack Regional Park. It is not within any identified wildlife movement area or critical landscape connection and because of the largely urbanized setting it is unlikely the project site provides a significant contribution to landscape connectivity at a regional level. However, the project site, <u>in conjunction with the block of low-density development to the northeast, does provide a linkage between the adjacent Preserve and Arthur Pack Regional Park and it likely facilitates local wildlife movement between these two habitat blocks</u>. (*emphasis added*) Per the USFWS, this localized linkage "provides a habitat corridor important for movements of wildlife in general, and the lesser long-nosed bat and pygmy-owl specifically," both of which are species covered under the County's Multi-Species Conservation Plan.*

Per the Specific Plan, the applicant intends to set aside a block of NOS in a floodplain corridor with a north-south orientation located on the west side of the site, which could potentially maintain local connectivity by providing an undisturbed wildlife movement corridor through the proposed development."

<u>Comments from the U.S. Fish and Wildlife Service (USFWS)</u>

*"US Fish and Wildlife Service have concerns related to habitat loss and fragmentation from development in an area designated as a Special Species Management Area within the Pima County Comp Plan and the Maeveen Marie Behan Conservation Lands System (CLS). We understand and support the use of on-site and off-site mitigation, but we strongly urge that such <u>mitigation sites provide the same level of conservation values as the specific plan area currently supports</u>.(*emphasis added*) These values, along with on-site recommendations, are described below. Ultimately, the proposed comp plan amendment and proposed specific plan, along with proposed mitigation, should maintain the regional conservation values as outlined in Pima County's Multi-Species Conservation Plan (MSCP). <u>Of particular concern is the loss of habitat connectivity</u>.(*emphasis added*) Pima County currently owns two conservation parcels to the SW of the proposed specific plan area. These parcels, in conjunction with the specific plan area, unsubdivided open space and low-density development, and Arthur Pack Park all provide a habitat corridor important for movements of wildlife in general, and the lesser long-nosed bat and pygmy-owl specifically.*

The species potentially impacted are the lesser long-nosed bat (Leptonycteris curasoae yerbabuenae) and the cactus ferruginous pygmy-owl (Glaucidium brasilianum cactorum), both species formerly listed under the Endangered Species Act and both species proposed for coverage under Pima County's Multi-Species Conservation Plan. The proposed amendment and specific plan occur in an area where lesser long-nosed bats have been documented foraging and moving between roosts and foraging areas. <u>It is our recommendation that any saguaros occurring within these parcels be preserved in place or salvaged and replanted within the</u>

*parcels or within the conservation lands in this general area.(*emphasis added) *By so doing, there should be no net loss of lesser long-nosed bat forage resources.*

*With regard to the pygmy-owl, this parcel occurs in the general area historically occupied by pygmy-owls and where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. These parcels have significant ironwood and saguaro resources (*emphasis added*) that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Even with the proposed on-site and off- site mitigation set asides as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. (*emphasis added) *The pygmy-owl is a covered species under Pima County's MSCP and this area is a special species management area for the pygmy-owl and strongly recommend that the off-site mitigation lands appropriately offset the losses of high quality pygmy-owl habitat. If such off-site mitigation lands are not available or feasible, the guidelines outlined within the CLS should be applied to this specific plan if this comp plan amendment application is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity (*emphasis added*) as anticipated through existing development and transportation facilities. Fish and Wildlife support a mitigation approach that complies with the CLS guidelines for the special species management designation through both on-site or off-site natural open space set asides."*

The Coalition cannot support this Specific Plan as currently proposed. Below are our recommendations:

- This development shall provide significantly more on-site preservation of Natural Undisturbed Open Space as common area, as well as more connectivity and permeability for wildlife throughout the old growth habitat found on the site. While we support Pima County's adopted NPPO and off-site mitigation options in concept as supplementing on-site preservation, we believe that this proposal falls far short of both. Based on the CLS, to fully realize the goals of preserving the increasingly rare old growth habitat and protecting permeability and connectivity for wildlife, a 70% to 80% set aside is recommended.

- To protect the regulatory wash and wildlife corridor transecting the proposed development, development shall not occur in the floodplain and structures are not allowed in the EHS buffer zone, including concrete or fenced retention/detention basins, utilities, paths, trails and/or roadways. Signage shall be posted to prohibit humans and pets from entering the area(s) for their own safety and the safety of the raptors and other birds, snakes, herps, small mammals such as badger, spotted skunk, rock squirrels, Harris antelope squirrels, and meso-carnivores that forage, rest, nest and live in and migrate through the neighborhood.

- Wildlife fencing, identical to that used by Pima County along the north side of Cortaro Farms Road, shall be installed wherever there is not a six-foot masonry wall along Cortaro and Camino de Oeste and cattle guards shall be installed at all entrances/exits along Cortaro Farms Road and Camino de Oeste to discourage wildlife/vehicle collisions.

- The drainage easement and EHS buffer along the southern boundary of the proposed development, owned by Pima County, east of the Camino de Oeste alignment, and the drainage parcels west of the alignment, owned by the Remington HOA, adjacent to Pima County's two Section 7/10 mitigation parcels, as well as the parcels owned by the Willow Vista HOA, contribute to, but are not sufficient for, truly functional wildlife permeability when considered alone. They and any other flow-way and/or EHS buffer shall not be disturbed with the exception(s) of 1) a requirement to incorporate the best available science and appropriately sized box culvert(s) to facilitate the safe passage of meso-carnivores under the newly improved Camino de Oeste Roadway, 2) control of invasive noxious weeds and/or 3) other flood control activity by Pima County deemed necessary to protect public health and safety.

Based on all of the above, and particularly, based on the underlined expert comments of County staff and the USFWS regarding this particular proposal and its location, reliance on off-site mitigation and the NPPO alone is not sufficient to adequately mitigate for the loss of conservation values of these parcels as identified in Pima County's 30-year Multi-species Habitat Conservation Plan (MSCP) and codified in Pima Prospers, the state-mandated County Comprehensive Land Use Plan. Juvenile saguaros will take approximately 75-100 years to achieve a minimal level of maturity commensurate with the saguaro specimens on-site. Ironwood trees are generally 200 years of age or older before their canopy develops. Dating of Ironwoods in this immediate area, at the Tucson Audubon Society's Mason Audubon Center at Thornydale and Hardy Roads, are approximately 800 years of age. As such, and in part because of the over 600 species of plants and animals that rely on Ironwoods, they are considered one of only nine Special Elements within the County's MSCP.

Additionally, the applicant's proposal does not specify the exact parcels to be offered as off-site mitigation for adverse impacts to the parcels proposed for development, so an analysis of whether or not they offer "equal or greater conservation values", and specifically offer commensurate habitat for bats and pygmy-owls, is impossible to assess. Regardless, unless the Saguaro/Ironwood old growth habitat is preserved <u>in place</u> on this site, connectivity in this area will be lost.

While Pima County is doing well in conserving most of the vegetative Special Elements identified in the Sonoran Desert Conservation Plan and MSCP, there has been a marked decline in the conservation of Ironwood habitat in the Tortolita Fan.

Therefore, we cannot support this proposal as submitted. Thank you for carefully considering the science-based comments of County staff and the US Fish and Wildlife Service, as well as ours. We will continue to encourage the property owner to develop a proposal that is more

suited to the biological values of these parcels and that more closely aligns with the spirit of the CLS guidelines and the NPPO.

Sincerely,

Carolyn Campbell
Executive Director

Cc: Terri Tillman, Senior Planner
Chris Poirier, Planning Director

From: Barbara Carroll
To: Donna Spicola; District1; DSD Planning
Subject: Cortaro Farms Road Proposed project Pima County Plan #PS21SP00001
Date: Monday, September 27, 2021 10:25:07 AM

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.

Donna Spicola
Development Services
(520) 724-9513
Donna.Spicola@pima.gov

Supervisor Rex Scott
Pima County, Arizona
District 1
33 N. Stone Ave., 11th Floor
Tucson, AZ 85701
Phone : (520) 724-2738
Fax : (520) 724-8489
Email: District1@pima.gov

I am writing regarding the Cortaro Farms Road proposed project Pima County Plan #PS21SP00001 and appreciate the opportunity to provide comments on the proposed plan.

I object to P21 SP00001 CORTARO FARMS 15 LLC, ET AL.-W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT request a for a comprehensive plan amendment and specific plan for approximately 57.6 acres (parcels 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R) from the Low Intensity Urban 0.3 (LIU-0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation, and from the SR (Suburban Ranch) to the SP (Specific Plan) zone.

- According to the Specific Plan Planning and Zoning Commission Staff Report, the vast majority of the approx. 57-acre project site lies within the Maeveen Marie Conservation Lands System (CLS). Approximately 46 acres is within the Multi-Use Management Area designation; approx. 55 acres is designated as a Special Species Management Area (SSMA). Per the Specific Plan, the applicant intends to fully comply with the CLS Conservation Guidelines for the SSMA designation, which call for four (4) acres of natural open space (NOS) to be set aside for every acre of disturbance. Due to their mapped designation as Multiple Use Management Area with a Special Species Management overlay, these parcels fall under a guideline of 80% preservation or 4:1 mitigation under the County's Comprehensive Land Use Plan (Pima Prospers). When you review the maps provided with the proposed plan this is not in fact the case, the only the land developed with Planning Area "B" occupies approximately 10.3 acres of natural open space.
- The proposed plan amendment site will be served by Tucson Water. It will be evaluated by PCRFCD staff for current and projected groundwater depth and other pertinent factors. A Preliminary Integrated Water Management Plan (PIWMP) have been made in this Specific Plan. It does not detail the project's specific water conservation measures and the effect it will have on neighboring communities and wells in the area, only that it will be finalized at the time of future subdivision platting.
- The Coalition for Sonoran Desert Protection letter to Pima County Planning and Zoning Commission provided a review of the steps the county has taken to conserve vegetative

Special Elements identified in the Sonoran Desert Conservation Plan and the County's MSCP. The letter points out that "based on the underlined expert comments of County staff and the USFWS regarding this particular proposal and its location, reliance on off-site mitigation and the NPPO alone is not sufficient to adequately mitigate for the loss of conservation values of these parcels as identified in Pima County's 30-year Multi-species Habitat Conservation Plan (MSCP) and codified in Pima Prospers, the state-mandated County Comprehensive Land Use Plan".

- A total of 1,320 ironwoods and 827 saguaros have been documented on the project site. Of the 827 saguaros, 685 are six feet or taller, including 141 giant saguaros measuring 18' or taller. According to the Specific Plan, 102 of the 141 giant saguaros measuring 18' or taller are viable specimens. This project proposes to preserve 19% and salvage 5% of the giant saguaros on the site. No other preservation numbers were demonstrated within the plan. Additionally, the applicant's proposal relies on off-site mitigation for adverse impacts to the parcels proposed for development. The proposal does not specify the exact parcels to be offered as off-site mitigation, so an analysis of whether or not they offer "equal or greater conservation values", and specifically offer commensurate habitat for bats and pygmy-owls, is impossible to assess. Regardless, unless the Saguaro/Ironwood old growth habitat is preserved in place on this site, connectivity in this area will be lost.
- The proposed plan includes a Planning Area C whose primary use is commercial/retail goods and services. The designated Base Zoning for Planning Area C is CB-1 (Business). Section 18.43.003 Permitted uses of CB-1, Local Business Zones https://codelibrary.amlegal.com/codes/pimacounty/latest/pimacounty_az/0-0-0-19073#JD_Chapter18.43 are not limited to the drive-thru coffee shop as mentioned in the proposal but include businesses such as auto mechanical repair, bank, café, department store, hotel, medical laboratory, offices, etc. A turn lane warrant analysis in the proposal, found that eastbound right turn lanes on Cortaro Farms Road may be warranted at two of the project area intersections to accommodate the proposed multi-family residential units and a coffee shop. It did not address the additional traffic for CB-1 business designations.

Staff recommends APPROVAL of the Cortaro 57 Specific Plan rezoning and the plan amendment to Planned Development Community (PDC). Staff has received two public comments in protest of the rezoning citing concerns related to preservation of the mature vegetation for wildlife habitat and the commercial and rental home components of the plan. A google search for the Cortaro 57 Specific Plan links to a website https://cortaro57.com that opposes the plan. The website NextDoor also has a section https://nextdoor.com/news_feed/?post=201378321&comment=655956295&init_source=search where neighbors are speaking out against the plan. The Staff review refers concerns raised by state agencies regarding the plan. Where are those comments? Why were they not included in the Comment section? I know of several letters sent by near-by residents who have concerns regarding the plan. Where are those letters?

Based on the information above, I opposed the plan and respectfully request that you deny the proposed request for rezoning

Regards
Barbara Carroll
8600 N. Burke Dr. – Tucson, AZ 85742

I appreciate the opportunity to address this meeting regarding the rezoning request for the 57 acres on Cortaro.

First off I'd like to say that I object to the proposal. I submitted a letter with several reasons for my objections, but as my time is limited I'd like to only address and expand on one of those items. And that item has to do with water.

The proposed plan site will be served by Tucson Water. It will be evaluated by staff for current and projected groundwater depth and other pertinent factors. A Preliminary Integrated Water Management Plan (PIWMP) have been made in this Specific Plan. It does not detail the project's specific water conservation measures and the effect it will have on neighboring communities and wells in the area, only that it will be finalized at the time of future subdivision platting. How can we comment on a plan that hasn't even been proposed or finalized? Quite a few of us rely on well water for our water supply and the concern is that if the plan is approved to provide water from additional wells drilled in that area, the drawdown will affect the existing water level in the current wells that we depend on for our water supply. If you think of a cereal box - when it was filled the cereal came close to the top of the box. When you reopen it the top 1/8 is air – that's because the cereal has settled. The same happens when you remove water from the underlying gravels and don't replace it, it's a space that can not be reclaimed and you loose that aquifer at the current level.

Which brings up the next point – Recharge. If you look at the maps for the development options presented in this plan they highlite areas covered by roofs as the areas that will be withdrawn from the area to recharge the existing aquifer. What they didn't include in the map were the areas of paved roads, or the areas where plastic is put down to prevent weed growth in decorative rock front yards which increases that area considerably. We've all driven in Tucson during the monsoon season and seen our roads doing double duty as rain runoff.

So if the water has no way to recharge the aquifer, it has to run off. The plan shows that no development will occur in the existing stream channels. What it does not take into account is the additional runoff that the drainage will have to support, and what will happen to the developments downstream that were built to take into account only the existing drainage requirements.

The county already has a plan in place for this area that follows the existing Comprehensive Land Use Plan which allows for limited development for this area. If the county follows the existing plan for this area, the issue of depletion of our existing water supply, rainwater recharge and runoff will not be an issue. I'd respectfully ask that the county follow those plans and deny the rezoning request.

Thank you.

Barbara Carroll

From:	Jerry Price
To:	DSD Planning
Cc:	Jerry Price
Subject:	SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT P21SP00001 CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT
Date:	Monday, September 27, 2021 11:05:02 AM

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.

Development Services Department, Planning Division
201 N. Stone Avenue, 1st Floor
Tucson, Arizona 85701

To Whom It May Concern:

My wife and I would like to make it known that we are adamantly opposed to the SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT P21SP00001 CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT.

One only has to drive down Cortaro Farms Road to see that this just about the last area left of a natural environment for native plants and animals. It is absolutely unconscionable to continue the wanton destruction of these last remaining lands to satisfy the greed of capitalistic developers.

We have lived in this area for over twenty years and it has pained us to see this beautiful environment destroyed by the continued building of housing. Thousands of housing units are either under construction or in the planning stages for the Tucson area. This unneeded ever expanding
infrastructure continues to rob our native plants and animals of their homes and drive them to extinction. If passed this would also greatly add to a density, congestion and pollution problem for this area and would add to an existing water shortage problem that currently exists for the
Tucson area and is only predicated to get much worse in the future.

We, and the citizens of this area, implore the Development Services Department Division, the Board of Supervisors and the Planning and Zoning Commission to vote with their conscience against this unneeded and detrimental proposal. Thank you so much for your help in protecting
one of the last remaining remnants of a natural environment in this area.

Sincerely,

Jerry D. Price

Eleanor W. Price
8357 N. Veranda Place
Tucson, AZ 85741
(520) 591-7173

Development Services Department, Planning Division
201 N. Stone Avenue, 1st Floor
Tucson, Arizona 85701

To Whom It May Concern:

My wife and I would like to make it known that we are adamantly opposed to the SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT P21SP00001 CORTARO FARMS 15 LLC, ET AL. - W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT. One only has to drive down Cortaro Farms Road to see that this just about the last area left of a natural environment for native plants and animals. It is absolutely unconscionable to continue the wanton destruction of these last remaining lands to satisfy the greed of capitalistic developers.
We have lived in this area for over twenty years and it has pained us to see this beautiful environment destroyed by the continued building of housing. Thousands of housing units are either under construction or in the planning stages for the Tucson area. This unneeded ever expanding infrastructure continues to rob our native plants and animals of their homes and drive them to extinction. If passed this would also greatly add to a density, congestion and pollution problem for this area and would add to an existing water shortage problem that currently exists for the Tucson area and is only predicated to get much worse in the future.

We, and the citizens of this area, implore the Development Services Department Division, the Board of Supervisors and the Planning and Zoning Commission to vote with their conscience against this unneeded and detrimental proposal. Thank you so much for your help in protecting one of the last remaining remnants of a natural environment in this area.

Sincerely,

Jerry D. Price

Jerry D. Price

Eleanor W. Price

Eleanor W. Price
8357 N. Veranda Place
Tucson, AZ 85741

Received
Pima County Development Services Tucson, AZ
01 October 2021

emailed to Terri T

jdpaz6@Comcast.net

From: antclou@aol.com
To: Donna Spicola; District1; DSD Planning
Subject: Proposed Pima County Plan#PS21SP00001 Cortaro Farms
Date: Monday, September 27, 2021 3:32:38 PM

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.

I am writing to you regarding the Cortaro Farms Road; Cortaro 57 proposed project Pima County Plan #P21SP00001.

I have lived here for 24 years, we have a unique property on this road where the proposed plan is located. Our property is a Suburban Ranch(SR) our zoning requires us to have 30% natural vegetation on the properties (as the term defined in section 861.030 (A)(10)). As we would love the property to stay natural we know the people who own the property want to develop it. I Object to changing the zoning to have commercial/retail, which is in Plan C, page 31 of Cortaro 57 Specific Plan. This is a residential area that does not need the noise and traffic of commercial/retail. I also object to changing the zoning to rental homes.

My concern is if you start allowing changes in the zoning now in the future it would effect our property. If at some point the people on the road behind us decide to sell their home and a developer could come in tear down the house and build apartment complexes, etc.

Our property and our neighbors connect to the Maeveen Behan Desert Sanctuary. We on these two streets keep our homes with the Old Ironwoods, Mesquites, Palo Verde trees, and mature Saguaro's. So the wildlife can continue to live in their natural habitat. And not have houses on top of each other and apartment complexes, rental homes. With rental people coming and going that do not have the investment in the natural surroundings of this area.

Attached are some pictures of the property, the ones in the Cortaro 57 plan only show part of the property.

Sincerely,
Laura Cannon REVOC TR
P.O. Box 1857
Cortaro, AZ 85652-1857

(8501 N Burke Drive)

NLY
40

Chair David Hook and Commissioners
Pima County Planning and Zoning Commission
201 N. Stone, 1 st Floor
Tucson, AZ 85701

RE: P21SP00001 Cortaro 57 Specific Plan and Comprehensive Plan Amendment

Commissioners and to whom it may concern:

Thank you for the opportunity to provide comments on the proposed Cortaro 57 Specific Plan.

Let me say at the outset that ***I OBJECT*** to the Cortaro 57 development project and *I* ***PROTEST*** its implementation as it is currently proposed. I have already communicated my objection in a lengthy letter which was mailed, not only to Rex Scott's office but to all of the members of the Board of Supervisors. I expect to forward a copy of this letter to all of them, as well.

My concerns about Cortaro 57 are many, including increased noise, traffic, further depletion of the groundwater table (on which my well depends), and the continued decimation of wildlife space in our area. These are all bad enough, but the straw that breaks the camel's back is the developer's insistence on adding *retail space* to what is clearly a residential corridor. This speaks to a complete *tone-deafness* to the existing character of our segment of Cortaro, for no benefit but to the wallets of a handful of investors and their shills.

In researching this project I took the step to request from the county a copy of all emails associated with the Cortaro 57 project. While I am convinced that a number of emails have been withheld, the emails I *have* reviewed raise significant questions in my mind, not only about this project, but the propriety and legitimacy of the re-zoning process itself.

- Let's begin with an August 28 email in which a Pima County employee tells a District 1 staffer that the zoning board is "likely to recommend approval" of Cortaro 57. How can he possibly make that assertion *a full month* before the September 29 zoning meeting, when 4 *weeks* of public input remains—unless, of course the commission doesn't really care about the concerns of homeowners in the first place.

- When my wife purchased our property, Cortaro was a dirt road. How is it that we can pay among the highest property taxes in this state for *4 decades*, and yet when the machinations of a handful of rich investors threaten my property value and qualify of life, you have the nerve to tell homeowners that they are limited to *3 minutes* of comments in a zoning meeting? How is that fair or impartial?

- This of course begs the question about how much time the county has invested in advancing Jim Portner's interests. Based upon the 175 emails I thumbed through, it would appear that the county is something less than impartial where Portner is concerned.

- On his Linked-in account, Jim Portner claims "*...nearly thirty years worth of established relationships with governmental officials and staff, to insure successful results.*" One might wonder what "established relationships" means until one observes the disturbing familiarity with which Portner is addressed by county employees. In one email, a Pima employee refers to

Portner as "*JP*," while another addresses him directly as "*Jimmy P*." At best this speaks to lack of professionalism. At worst, it suggests relationships between Portner and Pima county's internal machinery that may not be proper.

- Who exactly IS "*Jimmy P*?" On his website, Portner's *Projects International* brags about its "liaison" services, their ability identify and focus on the politicians necessary to achieve "... a successful discretionary approval," including what he calls "rare approvals." As one of hundreds of property owners who were shafted by the 12-year train-wreck which was the Cortaro Road Expansion project, people in this corridor are likely to interpret "*Jimmy P's*" poetry much more pragmatically. To us, this sounds like *he knows how to grease the system to ram projects down the throats of communities that don't want them*.

- Lest I be accused of being hyperbolic, let me again refer to Pima County emails: In one, an employee who takes issue with "*Jimmy P's*" apparent attempt at an end-run, describes Portner's actions as "messed up." A different employee describes "*Jimmy P*" with a single word: "***Relentless.***" Sadly it's not clear whether this reflects that employee's admonition or adulation.

I have already highlighted my objection to the inclusion of *any* retail space in our residential area. I've been told that "*Jimmy P*" has proposed a "coffee shop" for that space. As innocent as that sounds, at the end of the day, this amounts to the insertion of a metastatic cancer cell in our community's midst. Why?

There is no shortage of vacant commercial space in NW Tucson, so the arbitrary creation of *more* commercial space serves a need that *doesn't exist*. By the way, coffee shops are a dime a dozen (several already within walking distance of the proposed project) so what happens when that venture fails? Does it become a gas station? A burger joint? A bar? A tattoo parlor? A distributor of "adult toys?"

Worst of all, the mere precedence of injecting commercial space into this bedroom community will be used as justification for the subsequent conversion of *other residential space*. As one property along Cortaro falls after another, I will face the real prospect of spending my retirement smelling burgers grilling 18 hours a day, because a neighbor has sold out to McDonald's or some other franchise.

I note in the Cortaro 57 report that Tucson Water has committed to providing water for this project--a magnanimous assurance in the middle of what is a class-4 drought. How many more thousands of homes do you suppose our water table will support? What is Pima County going to do for *me and my neighbors* when their commercial pumps have sucked the local water table to the point that *my* well no longer works? Tough luck, because homeowners don't have Jimmy's "*... thirty years worth of established relationships with governmental officials and staff?"*

Ultimately what this all boils down to is consequences—what are they, and who will be living with them?

To the best of my knowledge "*Jimmy P*" does not live in the affected area and has no skin in the game, except for the potential for his personal enrichment. Does he own a home in the Cortaro corridor? Will HE live with the increased noise, congestion and other problems... problems that he is more than happy to saddle *others* with?

And what of the investors he represents? Will *these* people be living within the confines of the mess they ultimately create? Will *they* answer the phone when I suddenly find myself living next door to a

Walgreen's? Will *the*y be accountable when my well runs dry? Are these people even residents of the state of Arizona?

For that matter--of the various county employees involved in the review of this project-- do any of *you* live in this corridor, and if you were to recommend this plan's approval, which of *you* will live with the consequences?

Make no mistake--while for you this issue is another day at the office--another project, another meeting, another stack of paperwork—that's not what it is for those of us living in the affected area. What is at stake is our homes and the quality of our lives there.

In conclusion, I have one final comment/question:

Based upon information posted on the county's website, I note that the proposed budget for Pima County for fiscal 2022 amounts to something in excess of 2 BILLION dollars. Among the things this extraordinary amount of tax money pays for is the salaries of thousands of county workers--clerks, lawyers, accountants, directors, managers, secretaries inspectors, engineers, and more. Along with these salaries come benefits—benefits which many people in the private sector do not enjoy.

My question is this: Is even there *one* among you who ever stops to think who actually pays your paycheck?

For the most part, it is not the "*Jimmy Ps*" of the world. Rather, your employment is paid for by the Johnny Lunch-buckets and Mary Worker-moms of the world--people who buy houses not as "investments" but to make homes of them, people who raise kids in those homes, and who then retire in those homes.

These are the people—not wheelers, dealers, and schemers--who are the essence of our community, who define its character, and who provide it the stability and continuity necessary for a community to thrive and proper.

Is there one among you who recognizes this, respects ***our*** wishes, and protects ***our*** interests?

Respectfully,

H.P. Friedrichs
Lynn M. Friedrichs

FRIEDRICHS PETER & LYNN REVOC TR – P21SP00001
ATTN: H PETER & LYNN M FRIEDRICHS TR
8401 N BURKE DR
TUCSON AZ
85742-9662

From:	Donna Spicola
To:	Terri Tillman
Subject:	FW: Cortaro 57 Plan
Date:	Tuesday, September 28, 2021 6:59:49 AM

From: Jennifer Phillips <jenniferruthphillips@gmail.com>
Sent: Monday, September 27, 2021 9:08 PM
To: Donna Spicola <Donna.Spicola@pima.gov>
Subject: Cortaro 57 Plan

> **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.

Ms. Spicola:

I am writing, begging you, please do not allow the development of these 57 acres for houses, coffee, donuts, apartments, etc. We have enough housing in this area and use the 57 acres for recreational use, trail walking, and, if lucky, Arizona Native Animal watching. There are already so many convenience stores and cookie cutter subdivisions, it would be a true shame to do this to the beautiful land here. Additionally, as I'm sure you're aware, the developers who built the subdivision at Magee/Pima Farms/Camino de Oeste, trashed that intersection so that during monsoon season it is practically undrivable. There are rural houses in this area with horses and who use the land for trail riding. Adding concrete and pavement will destroy this environment. Please, I am begging you, do not destroy this ecosystem.

Jennifer Phillips
--

Jennifer R. Phillips, LCSW

jenniferruthphillips@gmail.com

From:	Chris Hufford
To:	DSD Planning
Subject:	P21SP00001 Cortaro 57 Specific Plan and Comprehensive Plan Amendment
Date:	Tuesday, September 28, 2021 11:05:25 AM

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.

[sorry for the resend - I forgot to include our address]

RE: P21SP00001 Cortaro 57 Specific Plan and Comprehensive Plan Amendment

I OBJECT to the Cortaro 57 development project.

I am concerned about how it will affect the water table which my street/house need for life.
I am concerned about the number of saguaros that will be killed or transplanted.
I am concerned about the increased traffic on Cortaro and the noise it will include.
I do not feel that there is any need to change zoning to allow retail space. We have no need of additional stores in this area. Everything we need is very close at Thornydale or across the highway.
It isn't fair the we invested in our forever home by buying land and building a home with the knowledge that zoning prohibits retail in the area, then to learn that the rules can be changed, and the environment we chose will be changed radically.

Please reject this project as it doesn't fulfil a community need and negatively impacts your constituents.

Thank you,
Chris & Cherie Hufford
8701 N Burke Dr
Tucson, AZ 85742

From: John Fenn
To: DSD Planning; Rebecca Fenn
Subject: Cortaro 57 Protest Letter
Date: Tuesday, September 28, 2021 1:55:08 PM

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.

To whom it may concern:

My name is John A Fenn. I live at 8451 N. Burke Dr. Tucson, AZ 85742. This is adjacent to Cortaro and will be impacted by the Cortaro 57 Project. My wife and I are owners of the Fenn Revocable Trust under which our property is owned.
I am writing in protest of the proposed zoning change known as Cortaro 57. I am concerned with the consequences of this proposal as it relates to an increase in traffic; a burden on the water table; potential for increased crime; and especially for the potential for businesses to be allowed to open here.

Thank you,

John A Fenn

From:	Donna Spicola
To:	Terri Tillman
Subject:	FW: Rezoning on Cortaro Farms
Date:	Wednesday, September 29, 2021 7:07:25 AM

From: Jeanne Lemieux <jlemieux1944@gmail.com>
Sent: Wednesday, September 29, 2021 7:05 AM
To: Donna Spicola <Donna.Spicola@pima.gov>
Subject: Rezoning on Cortaro Farms

> **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.

I oppose this action. We have way too many new buildings being erected on desert land. Where is the water going to come from? It seems to me that nobody cares about the quality of life once the buildings are up and running. We have to curb this constant infringement on the land and we have to start now!

Sent from Mail for Windows

This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: District1
To: DSD Planning
Subject: FW: Cortaro57 Rezoning Plan-Please read
Date: Thursday, September 30, 2021 11:14:47 AM

-----Original Message-----
From: Faye Swist Design <faye@fayeswistdesign.com>
Sent: Tuesday, September 28, 2021 7:28 PM
To: District1 <District1@pima.gov>
Subject: Cortaro57 Rezoning Plan-Please read

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.

I'm not in the affected neighborhood, but in the immediate area and will be affected by increased density. After reading many pages on this plan, my support goes to the US Fish and Wildlife Service and the Coalition for Sonoran Desert Protection. Both groups point out that if Pima County follows the CLS and NPPO, this parcel should only be developed at 20% with 80% being preserved. Don't be misled by the agents narrative. 1320 Ironwood trees and 827 Saguaros and all the habitat and ecosystem, be mitigated on site or elsewhere? hardly. And mitigated off-site where? to enhance and enrich a degraded site? or on property that in the future will be under development? Pima county makes it clear that urbanization is their goal for NW Tucson. But for those of us who live here and rely on Suburban Ranch zoning for our neighborhoods, it is disheartening to see zoning so easily turned over by the whim of an owner/developer. Many of us moved here to be away from urban density, don't bring it to us. At least not on beautiful irreplaceable desert. And they say a height restriction for two story homes, but if they scrape the land level and bring in fill dirt and build the house up high to bake in the sun and destroy the mountain views (see Shannon and Linda Vista recent developments) then you cannot believe anything the developers say. Please, follow the existing models of conservation and error on the side of nature and beauty. Don’t urbanize like this, send this plan back to the drawing board and respect the desert.

thank you, Faye Swist