



Legislation Text

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Hearing - Modification (Substantial Change) of Specific Plan

Co23-04-01 SWAN SOUTHLANDS SPECIFIC PLAN

Request of South Wilmot Land Investors, L.L.C., represented by LVA Urban Design Studio, L.L.C., for a Modification (Substantial Changes and Non-substantial Changes) of certain features of the Swan Southlands Specific Plan. The modification of these features of the specific plan will, at a minimum, require modification (Substantial and Non-substantial Changes) of Rezoning Condition Nos. 6, 8, 10, 12, 15(A - F), 16(A - I), 18(B), 18(D), 18(H)(3), 21, 22, and 24(A-B) of Ordinance 2005-2 as modified by Resolution 2011-38.

The requested Modification of the features of the Specific Plan includes:

1. Waiver of acreage and floor area limits for non-residential (commercial and industrial) uses.
2. Addition of a Non-Residential/Employment Uses Option allowing the options of the CB-2 (General Business), CI-1 (Light Industrial/Warehousing), and CI-2 (General Industrial) zones with uses and standards for these zones as provided per the Pima County Zoning Code and including additional minimum performance and development standards.
3. Addition of a formula for reductions to the minimum and maximum residential unit count exchanged for Non-Residential/Employment Uses in excess of 271 acres, while maintaining a minimum of 1,000 residential units.
4. Deletion of "Identity Districts", which are sub-areas of the Specific Plan containing multiple sub-district development parcels. Specific requirements and conditions for each identity district would be waived, including the requirement for a block subdivision plat for each development parcel.
5. Modification of the approved preliminary development plan to allow:
 - a. Deletion of Identity Districts;
 - b. Locations, configurations, and acreage of zoning districts shown to be made conceptual and subject to change by the Master Developer;
 - c. Locations of roads shown to be made conceptual and subject to change as approved by the Pima County Department of Transportation;
 - d. Natural Open Space configuration and acreages shown to be made conceptual and subject to change as determined by adherence to Pima County codes; and
 - e. Deletion of Wastewater Collection, Conveyance & Treatment Facility Study Areas.
6. Modification of Table 3 (Final Density Table) and Table 3B (Sub-District Site Data (Block Plat)) to be made conceptual and subject to change by the Master Developer pertaining to parcels, density ranges, and targets, including deletion of minimum and maximum residential unit counts within each development parcel.
7. Waiver of requirements for Important Riparian Area protection and addition of a requirement to comply with Pima County Code Title 16.30, Watercourse and Riparian Habitat Protection and Mitigation Requirements.
8. Waiver of requirements for a wastewater collection, conveyance, and treatment facility, including donation of land for a treatment facility, and addition of a provision that sewer be served by the planned southeast sewer expansion.
9. Waiver of requirements for hydrology and floodplain management, including a Master Drainage Study and Watershed Master Plan, and addition of a requirement to comply with Pima County Code Title 16 Floodplain Management Ordinance and the provisions of the Lee Moore Wash Basin Management Study.
10. Waiver of requirements pertaining to the Affordable Housing Policy. The policy has been rescinded by Pima County.
11. Addition of a provision allowing the timing and scope of Master Studies and Technical Reports to be determined by County department and agency officials based on the scope and potential impacts of development projects to infrastructure capacities and requirements.
12. Waiver of cut and fill requirements and addition of a provision that all grading requirements comply with applicable Pima County codes.
13. Waiver of requirements for specified minimum parkland acreage, including a 31-acre community park and addition of a provision that per the approved Recreational Area Plan, the required number, acreage, location, and amenities of parks and trails will be adjusted as the project is developed based upon the amount and type of

residential development. Also, pocket parks exceeding 5,000 square feet in size shall be counted toward the requirement of providing 871 square feet of recreational amenities per single family residential unit.

14. Modification of certain Administrative Modification provisions, including: a) Deletion of the 20% maximum allowance for changes in configuration of development parcels and addition of administrative changes to the zones of those parcels; b) Addition of administrative changes to roadway alignments; c) Addition of administrative waiver of a block plat for an individual development project; d) Deletion of the 10% maximum transfer of commercial/mixed use square footage from one mixed use parcel to another; and e) Addition of modifications to the alignment and location of infrastructure in addition to the design and construction of infrastructure based upon changing conditions.
15. Addition of a provision for the Annual Administrative Monitoring Report to track residential development to ensure the range of required residential units will be met.

The modifications of rezoning conditions include:

1. Modification of Condition No.6 which, in part, requires no subdividing or lot splitting without the written approval of the Board of Supervisors to allow the requirement to apply only to lot splits for single-family residential development.
2. Modification of Condition No.8 which states, "Adherence to the specific plan document and preliminary development plan as approved at public hearing." to allow the preliminary development plan to be made conceptual and allow deletion of Identity Districts and of Wastewater Collection, Conveyance & Treatment Facility Study Areas.
3. Waiver of Condition No.10 which requires approximately 25 percent of revenues raised by implementation of the Affordable Housing Policy to meet goals for affordable housing within the project.
4. Modification of Condition No.12 which requires, in part, approval of a block subdivision plat for each of the Identity Districts or sub-districts as shown in the Specific Plan to allow a maximum of five block subdivision plats, generally defined by a section of land.
5. Modification or waiver of Condition No.15(A - F), No. 21, and No. 22 pertaining to Flood Control District requirements to update requirements for current floodplains, including riparian areas.
6. Modification or waiver of Condition No. 16(A - I) pertaining to Wastewater Management Department requirements to update requirements for current sewer service plans that exclude the option for an on-site wastewater treatment facility.
7. Modification of Condition No. 18(B) which, in part, requires provision for a minimum of 202.88 acres of parkland based on target densities to allow provision of parkland in accordance with the approved Recreation Area Plan based upon the amount and type of residential development within the specific plan.
8. Modification of Condition No. 18(D) which, in part, requires, provision of a minimum of one recreation area/park based upon an approved Recreational Area Plan within each residential development parcel per Table 3 of the specific plan to allow provision of parkland in accordance with the approved Recreation Area Plan based upon the amount and type of residential development within the specific plan.
9. Waiver of Condition No. 18(H)(3) which requires provision of a 31-acre land conveyance for a community park located in District "C".
10. Waiver of Condition No. 24(A-B) pertaining to Pima pineapple cactus study, survey, preservation, and mitigation to allow for preservation and mitigation for Pima pineapple cactus per the Pima County Zoning Code, Chapter 18.72, Native Plan Preservation.

The subject site is approximately 3,062 acres of the original 3,184-acre specific plan zoned SP (Swan Southlands Specific Plan, excluding Tax Parcel 303-09-002Z) and is located generally between S. Swan Road and S. Wilmot Road and approximately one mile south of E. Old Vail Connection Road in Sections 10 (portion), 12 (portion), 13, 14, and 15, T16S, R14E. On motion, the Planning and Zoning Commission voted 8-0 (Commissioners Mangold and Gavin were absent) to recommend **APPROVAL SUBJECT TO REVISED CONDITIONS**. Staff recommends **APPROVAL SUBJECT TO REVISED CONDITIONS**. (District 2)