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

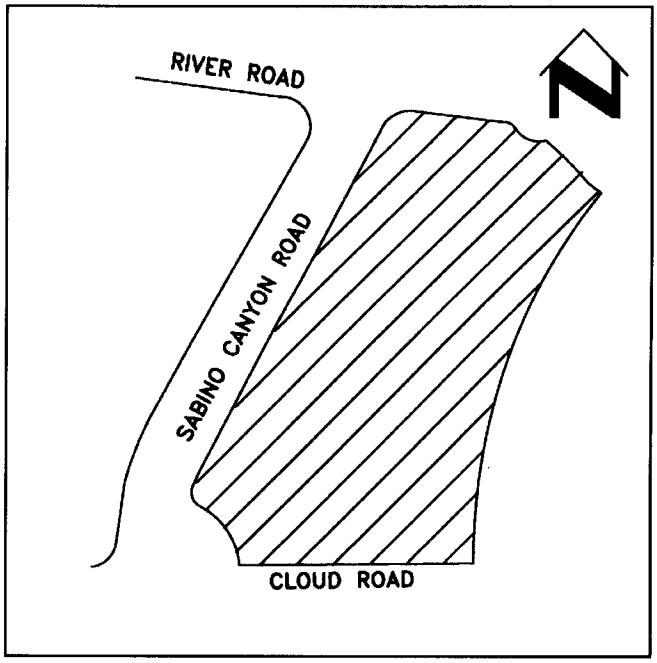
HEARING March 26, 2014

DISTRICT 1

CASE Co9-13-16 Sabino Canyon Road Properties, LLC – Sabino Canyon Road Rezoning

REQUEST Rezone from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) (15.14 acres)

OWNER Sabino Canyon Road Properties, LLC
Attn: Robert Gugino
4564 E. Camp Lowell Drive
Tucson, AZ 85712



APPLICANT STAR Consulting, Inc.
Attn: Erin Harris
5405 E. Placita Hayuco
Tucson, AZ Tucson, AZ 85718

APPLICANT'S PROPOSED USE
Single-level, multi-family community

APPLICANT'S STATED REASON
"This land use will be compatible with neighboring developments and will provide high quality, unique, and additional housing opportunities within Pima County, northeast of Tucson."

COMPREHENSIVE PLAN DESIGNATION
The Pima County Comprehensive Plan designates the subject property as Medium-High Intensity Urban (MHIU), which allows the proposed CR-4 zoning district, in addition to the CR-1 through CR-5, TR, CMH-1, CMH-2, MR, and CPI zoning districts at a maximum density of 24 residences per acre (RAC). A rezoning policy limits the maximum density for the subject site to 13 RAC.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-2	Knollwood Drive, Residential Subdivision (Detached)
South:	CR-5	Cloud Road, Residential Subdivision (Attached)
East:	CR-2	Residential Subdivision (Detached)

West: SR (CR-4) Sabino Canyon Road, Undeveloped, CR-4 Residential Subdivision (Attached) Beyond

[On July 2, 2013, a rezoning (Co9-12-05) from SR to CR-4 to the west was approved for similar residential use as proposed for the subject site. The CR-4 ordinance is pending. The applicant for that rezoning is the same as for the subject site. A development plan (P13SI00011) is under review.]

PREVIOUS COMPREHENSIVE PLAN AMENDMENT ON PROPERTY

Co7-13-01 Sabino Canyon Road Properties, LLC – N. Sabino Canyon Road Rezoning
Location: Subject site (15.14 acres).
Action: Low Intensity Urban 3.0 (LIU 3.0) to Medium-High Intensity Urban (MHIU) approved subject to a rezoning policy which limits the maximum density to 13 RAC. [The Planning and Zoning Commission recommended approval of Medium Intensity Urban (MIU) on 7-31-13.]

PREVIOUS REZONING CASES ON PROPERTY

Co9-64-35 KTZ Land Company – Cloud Road Rezoning (acreage not stated)
Location: North and south sides of Cloud Road, east of Sabino Canyon Road.
Action: SR to CR-1 and CR-2 approved on 6-16-64. The subject site was conditionally rezoned to CR-2 as part of a much larger rezoning to the east. Portions of the rezoning were ordinanced and subsequently developed under new plats, but the subject site was not. The rezoning case is closed, and the subject site remains zoned SR.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Co9-13-05 Sabino Canyon Gateway, LLC – Sabino Canyon Road Rezoning (5.91 acres)
Location: Across Sabino Canyon Road west of the subject site at the southwest corner of the intersection of Sabino Canyon Road and River Road.
Action: SR to CR-4 approved 7-2-13 for 53 units. Ordinance pending.

Co9-10-01 De Grazia Company, LLC – Sabino Canyon Road Rezoning (18.85 acres)
Location: West of Sabino Canyon Road, approximately ¼-mile north of subject site.
Action: SR to CR-4 (16.75 acres) and CR-1 ® (1.40 acres) approved 10-5-10 for 40 lots. Case closed per Certificate of Compliance for 39-lot subdivision under construction (Foothills Club, Seq. No. 2012320226).

Past activity:

There have been numerous rezonings for CR-1, CR-2, CR-3, CR-4, and CR-5 residential subdivisions and CR-1 residential lot splits in the vicinity of the subject site dating back to the early 1960's.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL with conditions**. The applicant proposes a CR-4 (Mixed-Dwelling Type) rezoning of a 15.14-acre parcel at the northeast corner of River Road and Cloud Road. The proposed development consists of 169 dwelling units for rent on an unsubdivided single parcel that contains mostly undisturbed desert vegetation.

Analysis

Staff supports the request because the proposed residential development is reasonably compatible with nearby residential developments, provides an appropriate higher density use along principal arterial road, and represents efficient use of infill property with sufficient existing infrastructure to serve the use. A plan amendment (Co7-13-01) to Medium-High Intensity Urban (MHIU) was approved for the site in 2013 with a rezoning policy limiting density to 13 residences per acre (RAC). The proposed density is actually less than that through design and buffering at approximately 11.16 RAC. Pima County Comprehensive Plan Land Use Element Regional Plan Policy 1.A.4.a. calls for a minimum of 12 RAC for residential rezonings within higher intensity plan designations, including MHIU, to promote a compact form of development. The current SR zoning does not conform to MHIU and does not provide sufficient density or non-residential land use intensity for an infill site.

The site is located within approximately a quarter mile of the City of Tucson, a designated Comprehensive Plan Growth Area. It is served by paved roads, sewer, water, other utilities, and Sun Tran immediately adjacent to the site. Commercial services and potential employers are located approximately one mile to the south at the intersection of Sabino Canyon Road and Tanque Verde Road. The mile is further than most people are willing to walk for services and there are currently no sidewalks along Sabino Canyon Road; however, the mile is within a reasonable bike distance and there are bike lanes on Sabino Canyon Road. A public elementary school is located approximately a quarter mile to the east on the south side of Cloud Road and is under capacity. There are Safe Route to School paths along each side of Cloud Road, and a sidewalk path is proposed along the Cloud Road frontage of the subject site will link to the existing north side path.

The site is relatively flat and consists of natural vegetation. It is not located within the Maeveen Marie Behan Conservation Lands System.

Staff recognizes that there are concerns related to road capacities, water usage, and project design.

Road Capacities

There are secondary concurrency concerns with the capacities of Sabino Canyon Road and River Road. Sabino Canyon Road is operating slightly under capacity by about 1,400 trips (2014) and River Road over capacity by about 2,500 trips (2012). The project is estimated to generate approximately 1,190 average daily trips (ADT), with approximately 115 peak hour trips. The trip generation split can be expected to be weighted toward Sabino Canyon Road. However, the concerns are per policy deemed "secondary" because the project is an infill site where use of existing and planned infrastructure is encouraged. Bus service is also available to the site; and the applicant's proposed improvements to the bus stop along the site's Cloud Road frontage may help attract riders from within the proposed development.

Water Usage

There is also concern with the site's location in proximity to shallow ground water and the current use of wells in the vicinity of Tanque Verde Creek. The site is located within the Metropolitan Domestic Water Improvement District, which does not currently have access to a renewable water supply. However, Metropolitan Water has indicated that it uses an integrated system of wells and a reservoir that cycles to reduce stress on the capabilities and water levels of the wells. Regional Flood Control staff *has not recommended approval* of the rezoning in deference to Comprehensive Plan Water Resources Element Regional Plan Policies that call for this position for rezoning proposals which do not have access to a renewable and potable water supply and that will have a significant water resource impact (policy 3.C.1.c) and where rezoning proposals increase the water demand and have an adverse impact in areas less than five miles from a groundwater dependent ecosystem (policy 3.C.1.f).

However, there are some mitigating and potentially mitigating factors pertaining to water use, including potential interconnection with Tucson Water, proposed water conservation methods, and the area's potential future development. There is potential for Metropolitan Water to use an existing interconnect with Tucson Water, a renewable water supplier with access to Colorado River water via the Central Arizona Project. Tucson Water's service area abuts Metropolitan's at the corner of the intersection of Sabino Canyon Road and Cloud Road. The applicant should be prepared to discuss the circumstances of when the interconnection may be used and whether the approximate 34 to 44 acre feet of yearly water use projected for the proposed development can be immediately offset by purchase of water from Tucson Water through the interconnect and whether that water would be renewably sourced.

A number of water conservation measures are proposed for the development, in addition to methods for groundwater infiltration on-site. Flows from off-site through the site will be partially conveyed by an open channel with an unlined bottom. Perforated underground detention/retention chambers at various locations within the site will capture on-site flows from impervious surfaces, and landscape areas will be contoured to harvest water. Conservation measures include use of water conserving fixtures, appliances, irrigation systems, and landscaping. Recommended Flood Control conditions address these features of the development. (Condition #8.D references the potential for inclusion of some water conservation measures in the project's CC&R's. There will likely not be private CC&R's for this single-ownership development, but the required rezoning CC&R's can include these provisions.) It is also notable that each dwelling will be individually metered for water consumption and that each tenant will be billed on a per usage basis. This provides a monetary incentive for conservation.

Further, it does not appear that there is much more opportunity for intensive development of undeveloped, or relatively undeveloped, sites in the vicinity that will substantially increase water use and that are also located outside of Tucson Water's service area. Besides the subject property and the 53 units planned for the applicant's approved rezoning across Sabino Canyon Road to the west, the only other potentially developable site (barring the unlikely redevelopment of a residential subdivision) is the 60-acre site owned by the Sisters of Immaculate Heart of Mary located a quarter mile north of the site

on the east side of Sabino Canyon Road. Rezoning policies (RP-114) restrict use of that site to a continuing care retirement community. Large-acreage parcels to the east, toward the east end of Cloud Road and beyond, are located along the Sabino Creek, have low intensity plan designations and zoning as a result, and are encumbered by the Conservation Lands System implying significant open space requirements if ever rezoned.

Project Design

Regarding the project design, the proposal for mostly detached residential units, all of which are single story, combined with additional detached garages and carports represents a significant number of individual buildings and structures that has the potential to give the development a crowded appearance. More attached units could potentially reduce such an appearance by allowing greater area between buildings, while maintaining unit density. While acknowledging that the plan is preliminary, some units are shown as close as six feet apart, and others are shown as abutting or nearly abutting parking spaces and driveways. The number of residential buildings proposed is 160. The number of four-car garages proposed is 11; and the number of four to six-car carports proposed is 40-45. A ramada is also proposed for the recreation area.

However, the lot coverage of proposed one-story dwelling units at approximately 28 percent is less than half of the 60 percent CR-4 allowance. (The 60 percent typically applies to individual subdivision lots that do not include other areas such as streets and common areas unlike this project.) Assuming only 40 carports, the combined coverage of proposed detached accessory structures, excluding the pool, is approximately 5.4 percent, which is greater than the 5 percent CR-4 allowance. A slight reduction would be necessary.

Also, the applicant proposes variation of colors and architectural features, including recesses and varied building materials usage, for dwellings that will serve to mitigate the visual impacts of the development, including the potential for a monolithic color scheme and domination of unappealing flat surfaces. A description of mitigation proposals and building elevation exhibits are presented on pages 104-108 of the site analysis. Staff recommends condition #'s 13-15 below to ensure these proposals are implemented and maintained over time.

The staff report for the plan amendment for the subject site advocated for a project design that provided for greater density toward the three abutting roads, thereby providing for buffering and reduced density along the eastern boundary of the site adjacent to existing lower density detached residences. De facto additional buffering (apart from a proposed five-foot landscape bufferyard) and some reduction in density from that initially proposed has resulted along most of the eastern boundary due to a required open drainage channel that is proposed in that location. Buffer distance is shown as 50 feet or greater from the eastern boundary for most of the proposed units, but will narrow to 20 feet for the four units near the northeast corner of the site. Two-story development toward the center and west portions of the site would provide less site coverage in general and additional open area along the eastern boundary while preserving privacy for residents to the east and maintaining efficient use of the infill site. The applicant cites working with abutting neighbors to adjust unit configurations and to preserve trees where possible.

Comprehensive Plan Land Use Element Regional Plan Policies promote protection for existing neighborhoods (as do Growth Area policies). Policy 1.C.1.b. states: *Ensure that new or redeveloped mixed use or infill rezonings assess the privacy and character concerns of existing neighborhoods in reviewing the location, density, and character of the project.*

Additionally, the initial preliminary development plan depicted all units along Sabino Canyon Road with a consistent setback of 30 feet in accordance with the minimum setback requirement for Major Streets and Scenic Routes. In response to staff's concern that this would present an unaesthetic unvaried building line along this major scenic route, the applicant has shown 10-foot additional building setbacks for clusters of units to offset the building line. Staff recommends condition #12 which requires that no more than three units in a row have the same setback and that the offset be a minimum of 10 feet to promote aesthetics along Sabino Canyon Road. The external color and architectural features variation among units and proposed internal tree placement should also improve the visual appeal of the development from adjacent roads. Internalized parking, required for adherence per the approved preliminary development plan (recommended condition #11) will reduce potential visual, noise, exhaust, and vehicular light and sun-glare trespass impacts to neighboring properties.

Project Description

The preliminary development plan depicts 151 detached dwellings and nine duplexes (18 units) each being approximately 15.5 feet in height. Internalized common parking will contain 331 parking spaces, with about 180 being covered by 40-45 detached carport structures and another 44 being offered within 11 detached garages (four spaces per garage). A centralized recreation area will include a pool and ramada, and there is a circular exercise path near the internal boundaries. Required landscape bufferyards shown at the boundaries will include decorative masonry walls. Select viable mature native trees at the perimeter of the site are proposed to be preserved in place and larger tree specimens of slow-growing species will be included in the tree mix. The site inventory of 20 saguaros will be disturbed, but mitigated per code requirements.

Gated vehicular driveways are provided to each of three abutting roadways; but the driveway to Cloud Road is proposed for egress only. Transportation Review recommends a condition (#7.B) requiring both ingress and egress unless the required Transportation Impact Study (condition #7.A) determines infeasibility. Significant off-site access improvements are proposed for Sabino Canyon Road and Knollwood Drive with a final determination as recommended by the Traffic Impact Study. Additional gated pedestrian access is proposed at the southwest corner of the site leading to a proposed off-site bike/hike rest area improvement at the intersection corner on property currently controlled by Pima County. Bus stop shelter improvements are also proposed at the existing stop, which currently consists of a sign, along Cloud Road at the south property boundary. Transportation condition #9.E recommends bench and shade structure improvements. A concrete sidewalk is proposed along Cloud Road frontage and a paved path along Sabino Canyon Road frontage. Recommended Transportation condition #7.D requires the path in as part of the Pima County Regional Trail System Master Plan.

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
TRANSPORTATION	Yes	Secondary concurrency concern related to roadway capacity countered by infill
FLOOD CONTROL	Yes	No objection pertaining to drainage considerations, subject to conditions
WASTEWATER	Yes	No objection
PARKS AND RECREATION	Yes	No objection, subject to conditions
WATER	Yes	Metro Water "will serve" letter contained in site analysis, subject to any on- and off-site requirements
SCHOOLS	Yes	Tucson Unified School District's school capacity response letter indicates capacity for all impacted schools
AIR QUALITY	Yes	No objection

TRANSPORTATION REPORT

There is a secondary concurrency concern due to the near to overcapacity nature of roadways within a two-mile radius of the proposed development. The applicant is requesting a rezoning of 15.1 acres to CR-4. The proposed residential development is for single and multi-family rental houses. The site is bound by Sabino Canyon Road on the west, Knollwood Drive on the north, and Cloud Road on the south. Knollwood Drive terminates at Sabino Canyon Road; River Road begins on the west side of Sabino Canyon Road proceeding west. Trip generation for the proposed development is 1,190 average daily trips (ADT), with approximately 115 peak hour trips.

Access to the site is proposed via three access points. The main access point is located on Sabino Canyon Road, and is shown as a right-in, right-out gated access with a full turn-

around. A second access point is shown on Knollwood Drive at the northeast corner of the development. This access point is shown as a gated entry leading to a proposed round-about on Knollwood Drive. A traffic signal is located at the intersection of Knollwood Drive and Sabino Canyon Road. A third access point is located on Cloud Road, and is shown as a gated egress only.

Sabino Canyon Road is a paved, four-lane, county-maintained, urban principal arterial. It is designated as a scenic major route on the Major Streets and Scenic Routes Plan. The posted speed is 40 mph, and there is 150' of existing right-of-way. Duel north bound left turn lanes are located on Sabino Canyon Road accommodating left turning movements onto westbound River Road. There are single south bound left turn lanes at both Knollwood Drive and Cloud Road. There is a single southbound right turn lane onto River Road. A northbound slip-ramp will be installed between Cloud Road and River Road to access a future development on the west side of Sabino Canyon Road. There is a Major Streets and Scenic Routes Plan building setback of 105 feet along Sabino Canyon Road frontage (measured from the road centerline and it is half the right-of-way plus 30 feet). The capacity for Sabino Canyon Road is 35,800 ADT.

Current traffic counts for Sabino Canyon Road are 34,384 ADT between Tanque Verde and Cloud Road. (Jan 2014). This count was taken in January of 2014 from a permanent counter located approximately ½ mile south of the rezoning site. Numerous traffic counts have been taken by various agencies for Sabino Canyon Road including a count conducted by the Pima Association of Governments in 2012 that indicated 47,484 ADT. The PAG count was taken closer to Tanque Verde Road where the traffic is anticipated being higher than further north near this site. The PAG count was taken approximately 1 mile south of this site. An additional count was taken by Pima County in March of 2013 indicated 35,272 ADT. This count was taken approximately 1,000 feet south of this site.

River Road, west of Sabino Canyon Road, is a two-lane, paved, county-maintained, urban minor arterial. The posted speed is 35 mph. The intersection has been widened to accommodate duel southbound right turn lanes and a dedicated northbound left turn lane onto Sabino Canyon Road. It is designated as a scenic major route per the Major Streets and Scenic Routes Plan. The right-of-way width varies along the segment of road between Sabino Canyon Road and Craycroft Road; however, the planned future right-of-way for River Road is 150 feet. The most recent traffic count from 2012 is 15,613 ADT and the traffic capacity is 13,100 ADT.

Cloud Road is a two-lane, paved, county-maintained, scenic major route per the Major Streets and Scenic Routes Plan. The posted speed is 35 mph. The right-of-way adjacent to this site is 120 feet, narrowing down to 90 feet east of this site. The planned future right-of-way is 120 feet. Duel westbound left turn lanes accommodate traffic entering Sabino Canyon Road. The most current traffic count for Cloud Road is 5,366 ADT (May 2013), and the capacity is 13,100 ADT.

Major roadway improvement projects in the vicinity of this development include an extension of Sabino Canyon Road, south of Tanque Verde Road. This extension will connect to Kolb Road. The proposed improvements include two lanes of traffic in each

direction, bike lanes, and a multiuse path along Sabino Canyon Road. This project was part of the 20-year Regional Transportation Authority plan approved in May 2006, and will be funded through the city of Tucson, RTA and Federal Highway Administration funds. The project is expected to start in mid-2014 and will take a year to complete. North from Sabino Canyon Road, Kolb is planned for improvements, to a three-lane cross section, in 2017 from 1997 Transportation Bonds.

Off-site improvements will be required as part of the development plan review process. Improvements to Knollwood Drive to accommodate the entry to the development will be required, as will a right turn-lane into the main access on Sabino Canyon Road. Additional improvements such as extending or adding turn lanes at the intersections may be required and will be addressed through the traffic impact study.

Although there is a secondary concurrency concern, this is an infill development and the developer will have to provide off-site improvements to mitigate for traffic impacts as determined necessary through the traffic impact study. Department of Transportation staff recommends rezoning conditions under #7.

FLOOD CONTROL REPORT

Regional Flood Control District (District) staff has reviewed the subject Site Analysis, corresponded with the applicant's representatives, reviewed revised submittals and offer the following comments:

1. The parcel is bisected by a regulatory watercourse and the applicant has shown this floodplain and associated flows and Erosion Hazard Setbacks on the existing conditions hydrology exhibit. The first drainage plan submitted called for the watercourse to be conveyed under the site in pipes while the on-site generated run-off was collected in catch basins and storm chambers. Both underground systems then resurfaced at a basin located north of Cloud Road. While the cistern improvements and the flows associated with them have been shown on the proposed drainage plan, they have not been shown on the preliminary development plan (PDP). Several aspects of this design did not comply with Floodplain Management Ordinance requirements. This included the underground channel and outlet basin. Per 16.36.120A, channels shall not be fully lined. An open natural bottom channel is required and is especially appropriate for this site given it is partially in a groundwater dependent ecosystem and the water table is declining. The applicant worked with the District and revised the design to utilize an open channel up the eastern site boundary and reduce the complexity of the underground channel. Furthermore, the original design called for 4 pipes and the final 2. Upsizing the pipes facilitates inspection and maintenance.

2. The proposal for on-site flows is that smaller flows are to be retained while larger flows are to be detained in underground cisterns. It is unclear if these would be tied into the irrigation system. As a part of responding to District concerns conveyed in the Site Analysis review, the applicant has proposed that the underground cisterns be pervious to provide infiltration and potential recharge. Still it is unclear how site drainage will be used to completely support the site landscaping over time as is

proposed. In order to maximize the potential for success of this plan, the District will recommend a condition to capture the "first flush" or first half inch of rainfall in water harvesting basins and/or swales and then route the overflow to the cisterns. This capture should include runoff from all impervious surfaces, including rooftops, parking lots, and disturbed areas. The applicant may also wish to consider use of pervious pavement on the parking spaces. Neither the underground cistern system nor water harvesting relied upon in the water use estimates have been shown on the PDP. While the former has been shown on the proposed drainage conditions exhibit, the latter has not. In other words, surface water harvesting to support the landscaping has not yet been shown. The opportunity exists to correct this as at the time of writing the final exhibits are still under development.

3. As required, staff has prepared the following Water Resources Impacts Assessment.

PIMA COUNTY'S WATER RESOURCES IMPACTS ASSESSMENT		
	CRITICAL ISSUE	**RESPONSE**
1.	Water Service and Renewable Water Supply Options	Although immediately west of the Tucson Water (TW) obligated service area, TW may not serve the applicant due to policies against extending service beyond their service area. Per the submittal, Metropolitan Domestic Water Improvement District (MDWID) will provide water to the development. **MDWID does not have access to renewable and potable water supply in this portion of its service area unless it uses its interconnect with TW**. Presently, TW does have access to a renewable and potable water supply (CAP in the Avra Valley). In this area, TW may pump from local groundwater wells due to system limitations in boosting a blend of CAP and groundwater from Avra Valley (Clearwater). However, a blend of Clearwater and local groundwater could be provided.
2.	Current and Projected Depth to Groundwater and Groundwater Trend Data	The average depth to groundwater in this area is approximately 50 feet. **Groundwater at this depth is likely to support vegetation or aquatic ecosystems.** Groundwater levels have declined in the area between 1960 and 2013 as much as 1 foot/year. Groundwater levels are projected to stay the same or decrease slightly over the next 15 years, based on the revised ADWR-TAMA groundwater model.
3.	Proximity to Areas of Known or Potential Ground Subsidence	The proposed rezoning is in an area of low subsidence.
4.	Proximity to Known Groundwater-Dependent Ecosystems	The proposed rezoning area is **immediately adjacent to and partially within the Tanque Verde shallow groundwater area. The provider wells (MDWID) are within a groundwater dependent ecosystem.**
5.	Location within a Hydrogeologic Basin, including Depth to Bedrock	The proposed rezoning is located in the Tucson Hydrogeologic Basin area. **This sub-basin has been identified as being sensitive to groundwater removal.** Depth to bedrock in this area is estimated at greater than 1,000 feet.

Pima County's Water Resources Impact Assessment finds that, under existing conditions, the proposed project does not have access to renewable and

potable water unless MDWID uses its interconnect with Tucson Water in this area. Tucson Water may in the future provide more water that is from a renewable source when infrastructure can boost the Avra Valley groundwater–CAP blend (Clearwater) to the area. Groundwater and the Clearwater blend could be provided if the interconnect is utilized. MDWID currently has wells in a shallow groundwater area **and additional demand on these wells will impact this groundwater dependent ecosystem. This site is likely to increase water demand**.

4. The Water Section of the Site Analysis includes most of the information required for a Preliminary Integrated Water Management Plan (PIWMP). The plan includes water saving fixtures and use of drip irrigation to establish drought tolerant landscaping that would then be supported by water harvesting. The residential use is projected to use 44.45 acre-feet per year, the recreation center pool .22 acre-feet per year and irrigation 1.23 acre feet per year during plant establishment only. Use of the ADWR calculator which is based upon pool dimensions was recommended but the applicant chose not to do so. The pool volume is based on 20 swimmers per day and in addition to its exclusion of pool size and other amenities it also seems an unreasonably low use projection based on the number of units proposed. However in response to this comment the applicant did increase the swimmers per day from 10 to 20.

5. The site design does not show the water harvesting as stated herein. The exhibits do not include plan view or concept sections of water harvesting basins. The exhibits do not show how water falling on impervious surfaces including roofs is conveyed to water harvesting areas as discussed in the narrative. Inclusion of proposed water harvesting showing the extent and location on the PDP and proposed hydrology exhibits is appropriate.

In conclusion, while site design issues related to drainage are partly resolved, water supply issues remain. Per the Rezoning Policies included in Resolution 2008-72, rezoning proposals which are out of the service area of a renewable and potable water supplier and that increase water demand in an area of shallow groundwater and will have a negative impact on groundwater dependent ecosystems may not be recommended for approval. Therefore, the District cannot recommend approval. Should the proposal be approved the District recommends rezoning conditions recommended under #8.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced request for a rezoning and offers the following comments for your use.

The PCRWRD has no objection to the proposed rezoning request, subject to the rezoning conditions recommended under #9.

ENVIRONMENTAL QUALITY REPORT

On behalf of the Pima County Department of Environmental Quality (PDEQ), the Rezoning request has been reviewed for compliance with the Department's requirements for on-site

sewage disposal and air quality. The department has no objection provided that the properties are served by private and/or public sewer.

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

CULTURAL RESOURCES REPORT

Cultural Resources staff has reviewed the revised submittal of the site analysis for Co9-13-16. The request is for a rezoning of approximately 15 acres for future development on a property located on the northeast corner of the intersection of Sabino Canyon Road and Cloud Road.

The applicant included the appropriate sections on cultural resources on pages 69 and 128 and revised these sections per the recommendations by C. Rose, of Office of Sustainability and Conservation in a memo dated January 3, 2014. The revised site analysis now includes up-to-date and relevant information regarding the cultural resources on the property and the compliance actions taken to meet County requirements. The revised document incorporates adequate cultural resources language and supporting documentation. Cultural Resources staff accepts the language changes with no further comments.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has reviewed the rezoning and has no objections subject to conditions recommended under #10.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

To date, staff has not received a response to a request for comments.

WATER DISTRICT REPORT

To date, Metropolitan Domestic Water Improvement District has not directly responded to a staff request for comments; however, a letter from Metropolitan Water on page 125 of the site analysis indicates that it will serve the site once improvements are made to lines.

SCHOOL DISTRICT REPORT

To date, staff has not received a response to a request for comments from Tucson Unified School District. TUSD has provided a schools capacity response on page 135 of the site analysis which indicates that impacted schools have the capacity to accommodate additional students projected from the proposed residential development.

FIRE DISTRICT REPORT

In the attached letter, Rural/Metro Fire Department reports that plans for development will be required to be submitted for review of fire code compliance, including an approved fire department access system for the proposed gated entries.

PUBLIC COMMENT

As of noon on March 18, 2014, staff has received 566 written comments from 331 households, including homeowners' association representatives, and at least one phone call in opposition to the request, and 69 comments from individuals in support. Some of the 566 comments are duplicates and some are distinct comments from the same household. Comments in opposition include, but are not limited to, concerns with increased traffic congestion and noise and decreased safety, decreased property values, inconsistent density with existing neighborhoods, and aesthetics. Comments in support include, but are not limited to, proposed development responding to housing demand, creation of jobs, smart growth infill opportunity, and prevention of sprawl.

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

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

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
   A. A Traffic Impact Study shall be submitted to Pima County Department of Transportation for review and approval. Off-site improvements shall be provided by the property owner/developers as determined necessary by the Traffic Impact Study.
   B. Access onto Cloud Road shall be a full ingress and egress access unless determined to be infeasible by an engineering analysis in the Traffic Impact Study.
   C. Access onto Sabino Canyon Road shall be right-in right-out as shown on the preliminary development plan.
   D. A paved trail shall be provided along Sabino Canyon Road and Cloud Road as shown on the preliminary development plan.
   E. Improvements to the existing bus stop on Cloud Road shall be provided including a bench and shade structure.

8. Flood Control conditions:
   A. Prior to development, the property owner shall submit to the Pima County Flood Regional Control District for review and approval: a drainage report (including Hydraulic Analysis and Erosion Hazard Setback Reduction Analysis) that addresses the impacts of development to local area drainage and to determine maximum encroachment limits, building sites, elevations, and setbacks.
   B. Development shall provide on-site retention/detention, including retention of the first flush or ½ inch of rainfall from all impervious and disturbed surfaces including parking lots and rooftops in surface water harvesting basins to support landscaping. Should this requirement conflict with desired development density, the use of permeable pavements should be considered to reduce the impervious area.
   C. Underground cisterns shall be designed to provide infiltration and shall meet maximum disposal times.
   D. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs, and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
9. Wastewater Reclamation conditions:
   A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
   B. The owner/developer 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/developer shall have 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/developer 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/developer 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/developer 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/developer 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.

10. Natural Resources, Parks and Recreation conditions:
    A. Provision of a minimum 10-foot trail corridor along the eastern property line measured from the inside of the block wall inward.
    B. Locate a four-foot decomposed granite path within the north, south, and west bufferyards.
    C. The bufferyard along Sabino Canyon Road shall vary from 20 to 30 feet in width.
11. Adherence to the preliminary development plan as approved at public hearing.
12. Along the Sabino Canyon Road frontage, no more than three successive units in a row shall have the same building setback and the differences in setback transition shall be a minimum of 10 feet.
13. Diversity of the external architectural features, materials, and color palate of dwellings shall remain for the life of the project. The external architectural features, materials, and color palate shall be those, or similar to those, described and shown on pages 104 -108 of the site analysis. Changes to these external elements shall be approved by the Planning Director. The Planning Director's decision is appealable to the Design Review Committee.
14. Mechanical equipment on roofs shall be screened through use of parapet walls on the building elevations.
15. Individual trash enclosures shall be partially located below grade. The depressed trash enclosures shall be screened with vegetation and painted to match the colors of dwellings. Large trash bins, if any, shall be fully screened.
16. The property owner shall execute and record the following disclaimer regarding Prop 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)."
17. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (Pennisetum ciliare) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

18. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Respectfully Submitted,

David Petersen, AICP
Senior Planner

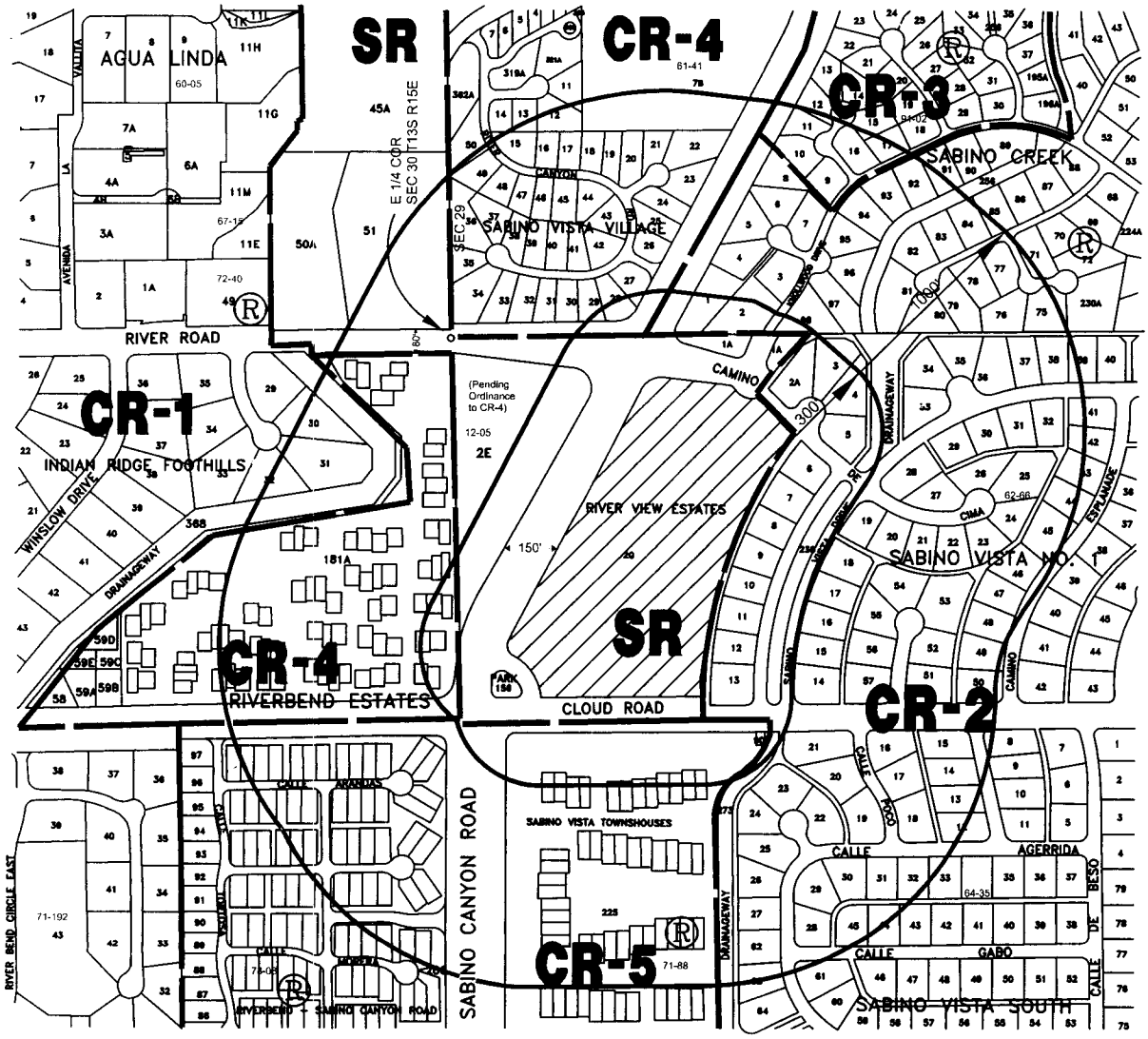
c: Sabino Canyon Road Properties, LLC, Attn: Robert Gugino, 4564 E. Camp Lowell Drive, Tucson, AZ 85712
STAR Consulting, Inc., Attn: Erin Harris, 3645 N. Camino Blanco Place, Tucson, AZ 85718

Co9-13-16 SABINO CANYON ROAD PROPERTIES LLC — SABINO CANYON ROAD REZONING **2012**

PIMA COUNTY COMPREHENSIVE PLAN

(C07-00-20)

0 600'



Area of proposed rezoning from **SR to CR-4**

Notification area ——

BASE MAP 26

Notes

Tax codes 114-33-002G

Date 03/06/14

Drafter DS

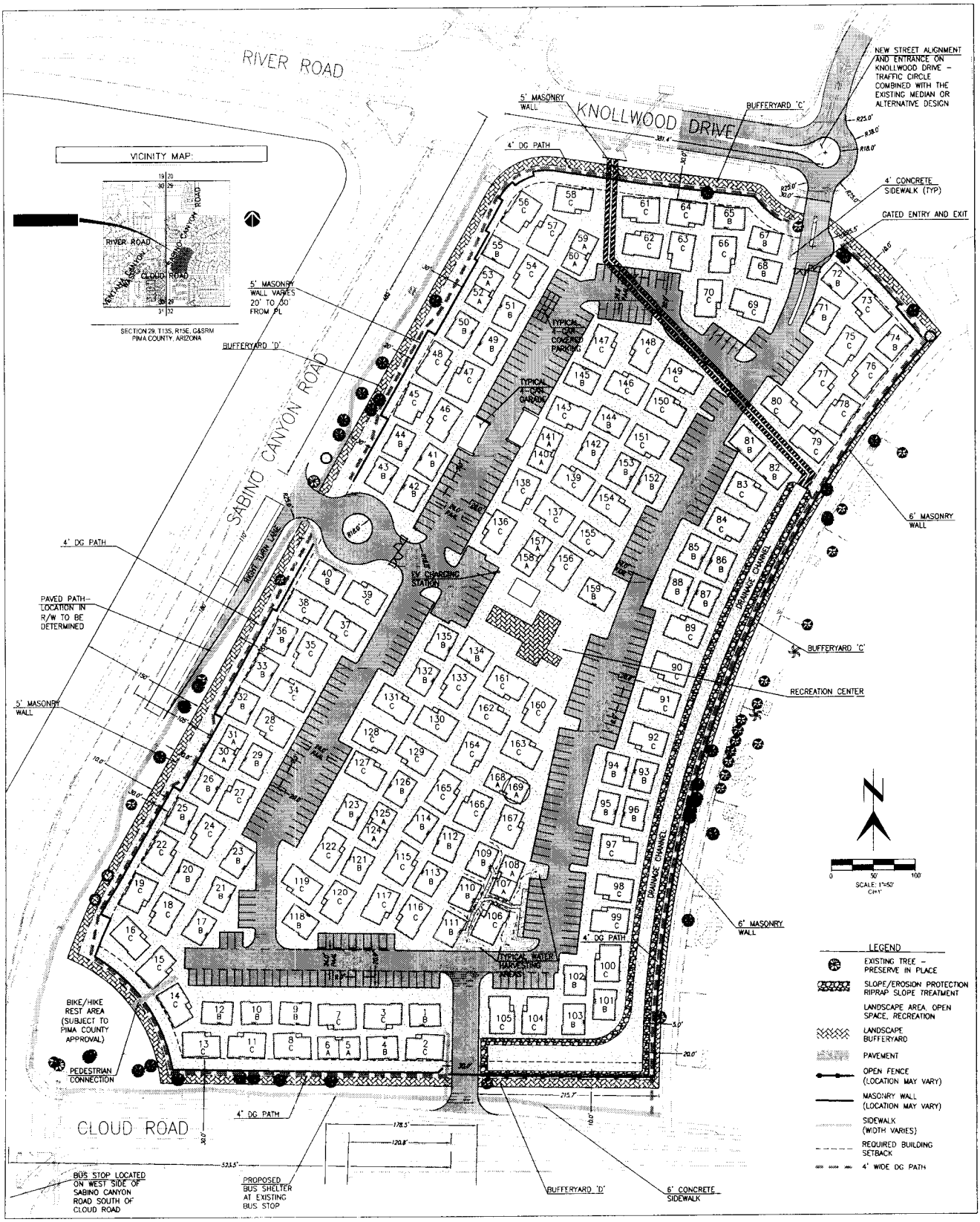
File no. C09-13-016

SABINO CANYON ROAD PROPERTIES LLC

SABINO CANYON ROAD REZONING

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION



Co9-13-16 Preliminary Development Plan

STAR CONSULTING	AVILLA SABINO EAST PREFERRED APARTMENT BUILDERS	PRELIMINARY DEVELOPMENT PLAN	No: DATE: REVISIONS:	1

DATE: 03/13/14

F. ANN RODRIGUEZ, RECORDER
Recorded By: LT
DEPUTY RECORDER
4925

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

SEQUENCE: 20140550175
NO. PAGES: 3
RES 02/24/2014
11:52
PICK UP
AMOUNT PAID: $0.00

RESOLUTION NO. 2014-14

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 15.14 ACRES IN SECTION 29 OF TOWNSHIP 13 SOUTH, RANGE 15 EAST, IN THE CATALINA FOOTHILLS SUBREGION.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map, Catalina Foothills Subregion, is hereby amended to change the planned land use intensity category for approximately **15.14 acres**, as referenced in **Co7-13-01 Sabino Canyon Properties, LLC – N. Sabino Canyon Road Plan Amendment**, located at the northeast corner of the intersection of N. Sabino Canyon Road and E. Cloud Road, in Section 29, Township 13 South, Range 15 East, as shown on the map attached hereto as Exhibit A and incorporated herein by this reference, from **Low Intensity Urban 3.0 (LIU 3.0) to Medium-High Intensity Urban (MHIU)**.

Section 2. The Pima County Comprehensive Plan Regional, Rezoning and Special Area Policies are hereby amended to include the subject site with the following Rezoning Policy:

Density shall be limited to a maximum of 13 residences per acre.

Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 4. This Resolution shall become effective on the date of adoption.

PASSED AND ADOPTED this 18th day of February, 2014, by the Board of Supervisors of Pima County, Arizona.

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM:

Deputy County Attorney
ANDREW FLAGG

BOARD OF SUPERVISORS

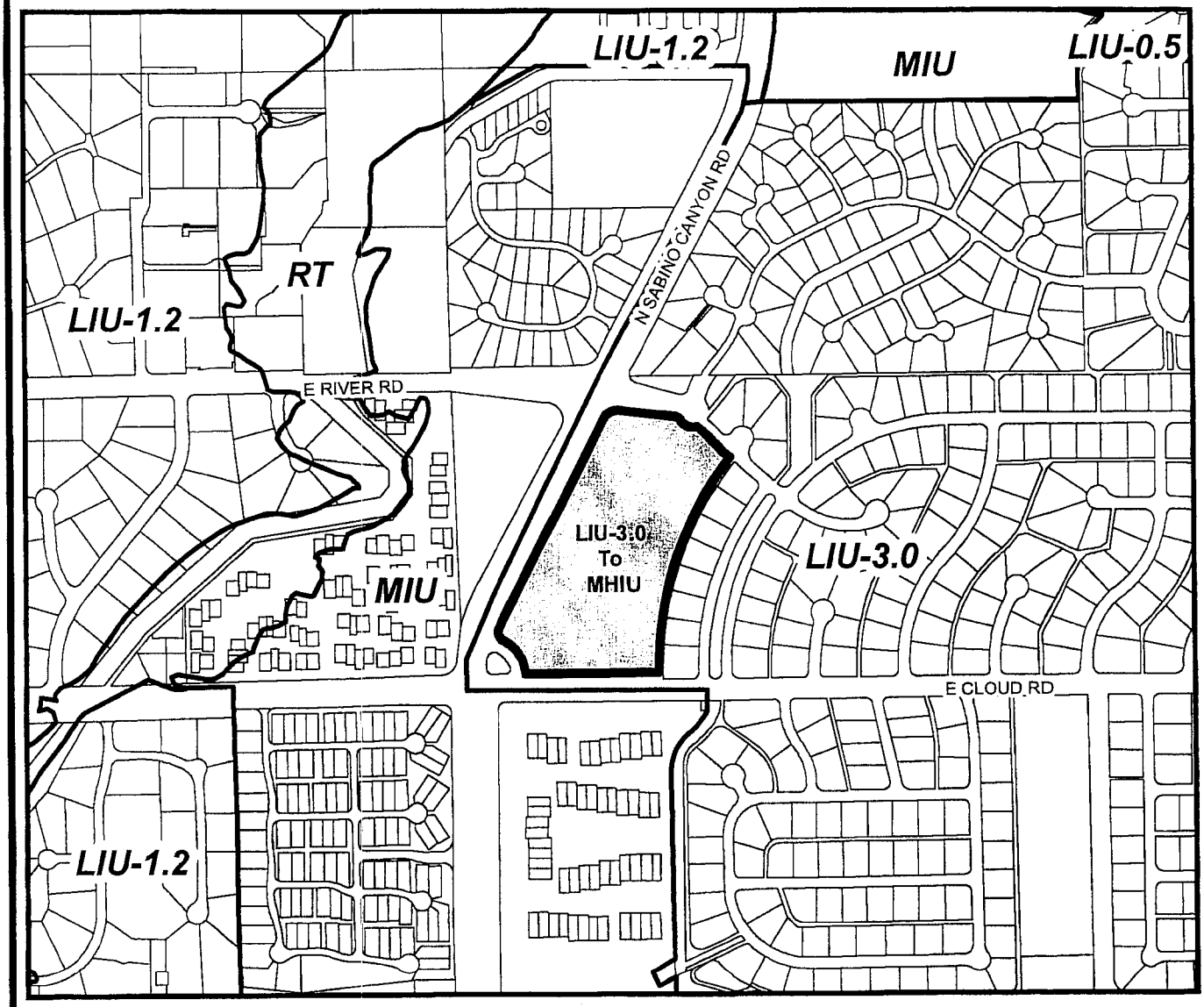
Chair, Board of Supervisors FEB 18 2014

APPROVED:

Executive Secretary
Planning and Zoning Commission

COMPREHENSIVE PLAN AMENDMENT

Exhibit A



0 287.5 575 1,150 Feet

Amendment Area LIU-3.0 Planned Land Use

Taxcode: 114-33-002G	**Co7-13-01 SABINO CANYON ROAD PROPERTIES, LLC – N. SABINO CANYON ROAD PLAN AMENDMENT** Amend Planned Land Use From Low Intensity Urban 3.0 (LIU-3.0) To Medium-High Intensity Urban(MHIU), 15.14 Acres +/- Subject to Rezoning Policies (RP)	Location: Northeast corner of N. Sabino Canyon Road and E. Cloud Road
	Catalina Foothills Subregion Section 29, Township 13 South, Range 15 East	North
	Planning and Zoning Commission Hearing: July 31, 2013	Map Scale: 1:8,000
	Board of Supervisors Hearing: September 17, 2013	Map Date: October 15, 2013

X:\Comprehensive Planning...\Co7-13-01\maps \\ jrv

Comprehensive Plan Land Use Designation

Medium/High Intensity Urban
'MHIU' or 'E' on the Land Use Plan Maps

a. Purpose: To designate areas for a mix of medium to high density housing types and other compatible uses.

b. Objective: These areas provide opportunities for a variety of residential housing types, including cluster option developments, single family attached dwellings, and apartment complexes. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.

c. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:

1) Minimum - none
2) Maximum - 24 RAC

d. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's): Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements, however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.

1) Minimum – 3 RAC
2) Maximum – 6 RAC

e. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:

1) GC Golf Course Zone
2) CR-1 Single Residence Zone
3) CR-2 Single Residence Zone
4) CR-3 Single Residence Zone
5) CR-4 Mixed-Dwelling Type Zone
6) CR-5 Multiple Residence Zone
7) TR Transitional Zone
8) CMH-1 County Manufactured And Mobile Home-1 Zone
9) CMH-2 County Manufactured And Mobile Home-2 Zone
10) MR Major Resort Zone
11) CPI Campus Park Industrial Zone

Comprehensive Plan Regional Plan Policy 1.A.4.a.
(Land Use Element)

cooperative integration of the State land use plan into Pima County's Comprehensive Plan.

3. Measuring Land Consumption
Create a basic unit of measurement that defines and tracks urbanized area land consumption as it relates to population growth. The purpose of this policy is to keep attuned to land consumption and measure the impacts of conventional low density development and compact form development.

4. Land Use Intensity Legend

→ a. Promote a compact form of development; restrict residential rezonings in MHIU, HIU, CAC, MFC or REAC to not be less than half of the maximum gross density or less than twelve residences per acre. Residential rezonings in the MIU and NAC designations to be not less than five residences per acre.

b. Continue the review of the Land Use Intensity Legend to look for opportunities to promote a compact form of development and mixed use planning in designated growth areas wherever is practicable.

c. Land Use Intensity Legend Modification to redesignate Resource Productive and adding Resource Extraction. The land use legend shall be modified to indicate on the Comprehensive Plan Land Use Map that mining lands shall be designated as Resource Extractive and ranching and agricultural lands shall be designated as Resource Productive. Resource Productive shall refer to land designated as agricultural and ranching lands. These lands shall be protected for their productive capabilities and from encroachment by incompatible uses. Resource Extraction shall refer to mining lands. These lands shall be protected for their extractive capabilities and from encroachment by incompatible uses. Chapter 18.89 Comprehensive Plan Chapter of the Pima County Zoning Code shall be amended to reflect the direction of the above designations.

d. Land Use Intensity Modification: Re-designate Resource Conservation to Resource Transition

Resource Transition and Resource Conservation
The land use legend shall be modified to indicate private land exhibited as Resource Conservation on the Comprehensive Land Use Map shall be converted to Resource Transition.

The Resource Transition designation shall refer to private land with environmentally sensitive characteristics that include wildlife corridors, natural washes, floodplains, peaks and ridges, buffers to public preserves, and other environmentally sensitive areas. Development of such land shall emphasize design that blends with the natural landscape and supports environmentally sensitive linkages in developing areas.

The Resource Conservation designation shall refer to public land that protects existing public open space land necessary to achieve objectives regarding environmental quality, public safety, open space, recreation and cultural

Comprehensive Plan Regional Plan Policies 3.C.1.c & 3.C.1.f.
(Water Resources Element)

3. WATER RESOURCES ELEMENT REGIONAL PLAN POLICIES

A. Policy Intent

The intent of the Water Resources Element Regional Plan policies is:

- To provide pertinent information in a timely fashion to land-use decision-makers about the impacts and sustainability of water resources development;
- To promote the efficient utilization of existing infrastructure and the prudent construction of additional infrastructure needed for a safe, reliable and renewable water supply;
- To increase reliance upon renewable water supplies;
- To minimize impacts of water supply development upon existing and future residents of Pima County, and
- To protect the groundwater-dependent ecosystems of Pima County, including springs, perennial and intermittent streams and shallow groundwater areas.

B. Regional Policies

1. County staff shall conduct a Water Supply Impact Review on proposed Comprehensive Plan amendments that are larger than four acres and make recommendations. The review and recommendation will evaluate five critical issues on existing water infrastructure and potential environmental constraints of the site:

    a. Water service and renewable water supply options

    b. Current and projected depth to groundwater and groundwater trend data

    c. Proximity to areas of known or potential ground subsidence

    d. Proximity to known groundwater-dependent ecosystems

    e. Location within a hydrogeologic basin, including depth to bedrock

    Staff conducting the Water Supply Impact Review may recommend plan amendments that are expected to have no adverse impacts. The review and recommendation will be included in the staff report for Comprehensive Plan amendments.

2. PCRFCD staff shall conduct a Water Resource Impacts Assessment on any rezoning that requires a Site Analysis. The Assessment shall include a review of the five critical issues described above, plus the information provided by the applicant in the Preliminary Integrated Water Management Plan.

3. A Preliminary Integrated Water Management Plan (PIWMP) shall be required for any rezoning that requires a Site Analysis. The PIWMP shall include the following:

   a. A description of the water supply options;

   b. A description of where the proposed rezoning will occur geographically based upon its proximity to existing and planned renewable supply and potable water supply infrastructure and defined water service area boundaries; and

   c. Water demand projections for the development, based upon the *existing and proposed* zoning. Water demand projections for the *proposed* zoning shall be generated, using:

      http://www.azwater.gov/WaterManagement_2005/Content/OAAWS/Generic Demand_Calculator10.xls

   d. For rezoning proposals whose water demand projections at full build-out are more than five (5) acre-feet and less than 20 acre-feet per year, the PIWMP shall include:

      1) An analysis of water level trends in the area from which groundwater shall be withdrawn for the service to the development and depth to groundwater at the nearest existing well location (http://www.sahra.arizona.edu/wells/);

      2) The location of the development relative to all groundwater-dependent ecosystems including: springs, perennial streams, intermittent streams and shallow groundwater areas as mapped on the Sonoran Desert Conservation Plan GIS database (http://www.dot.pima.gov/cmo/sdcpmaps/);

      3) A plan for the location of all wells, existing and proposed, that may be used to supply water to the development, including ADWR well registry numbers for existing wells;

   e. For rezoning proposals whose water demand projection at full build-out is 20 acre-feet or more and less than 50 acre-feet per year, the PIWMP shall include:

      1) All of the information required for developments with a water demand projection at full build out of less than 20 acre-feet (Section B.3.d, above); and,

      2) Existing site-specific geologic and hydrogeologic studies available for the area from which groundwater will be withdrawn to serve the project;

      3) Any existing aquifer test, pump test or production well data available for the area;

f. For rezoning proposals whose water demand projection at full build-out is 50 acre-feet per year or more, the PIWMP shall include:

1) All of the information required for developments with a water demand projection at full build out of less than 50 acre-feet per year (Section B.3.e, above); and

2) A draw-down analysis for impact of water demand of the development's proposed wells within the 10-foot draw down contour after five years of pumping at full build-out; and

3) A feasibility study examining the cost and means to deliver renewable and potable water to the development after full build out, OR the applicant may provide a statement declaring no feasibility study has been conducted. Statement will not bar rezoning approval, but will be weighed in the staff's recommendation.

C. Rezoning Policies

1. Comprehensive Plan rezoning policies are proposed for potential future rezoning conditions. Rezoning policies are needed to address the demand for water that will result from future growth projected in the county plan, added to existing uses. One or more of the following rezoning policies shall be implemented:

a. Applicants whose proposed rezoning site will be served by an existing water provider with physical access to a renewable and potable water supply shall provide written proof to that effect as a condition of rezoning.

b. Applicants whose proposed rezoning site will connect to a water provider with physical access to a renewable and potable water supply in the future shall provide written documentation showing intent to connect as a condition of rezoning.

c. Rezoning proposals without physical access to renewable and potable water supply shall not be recommended for approval by staff until such a time as renewable and potable water supply is available in the area, unless it can be shown that the increased water demand projections will not have significant water resource impacts based on staff analysis of the five critical issues that are described in Section B.1, above.

d. All rezoning proposals shall include implementation of water conservation measures. These may include measures as provided in Section D, Water Conservation Measures and Management Tools, below. The water conservation measures listed in the rezoning proposal shall become conditions of rezoning. Water conservation measures will be evaluated based on the severity of the water supply constraints of the entire rezoning proposal.

e. Water demand projections showing water demand below the average estimates for similar land use types shall be required to list water conservation measures or methods that are proposed to achieve the

lower water demand. Implementation of water conservation measures listed in the rezoning proposal shall become conditions of rezoning.

f. Staff may not recommend approval of rezoning proposals if they increase the water demand projections in areas that are less than five miles from a groundwater dependent ecosystem and if the development will have an adverse impact on the groundwater dependent ecosystem.

g. Rezoning requests proposing to employ water conservation measures for individual properties such as landscaping restrictions or private pool regulations shall be required to include the restriction in the Covenants, Codes, and Restrictions (CC&Rs).

h. Rezoning proposals that increase the water demand above existing zoning shall be fully offset in areas of shallow groundwater (less than 50 feet below the land surface). Increases in water demand shall be offset by recharge, legal and verifiable water rights, or retirement or purchase of water rights from within the same or up-gradient shallow groundwater area.

i. Rezoning proposals shall not increase the water demand above existing zoning in areas of Isolated Basins. Any increases in water demand shall be fully offset from within the same hydrogeologic basin by recharge, legal and verifiable water rights, or retirement or purchase of water rights.

j. Rezoning proposals that rely on use of groundwater withdrawn from a five-mile radius of mapped groundwater-dependent ecosystems shall include a hydrologic impact analysis to show how groundwater withdrawn for the development may impact ecological assets. Rezoning proposals that may adversely impact groundwater-dependent ecosystems shall employ pump tests and monitoring, and use avoidance strategies, including well site selection and screening of wells.

k. Rezoning proposals that are located in areas that will not be served by a water provider with physical access to a renewable and potable water supply and are located in subsidence areas shall employ mitigation measures to minimize subsidence in the area. Mitigation measures that may be used to minimize subsidence in groundwater-dependent areas and areas located in high subsidence potential areas include:

   1) Enhance net recharge of storm water runoff in the affected area.

   2) Fund construction of recharge facilities in the affected area.

   3) Fund construction of infrastructure to connect with a regional water supply infrastructure having access to renewable supplies.

l. A Final Integrated Water Management Plan (FIWMP) shall be submitted at the tentative plat or development plan stage of a proposed project for which a rezoning has been approved. The FIWMP should include proposed uses of all legally available water resources and pertinent details of reuse,

replenishment, conservation and use of renewable supplies of water, all designed to minimize impacts to the aquifer.

D. Water Conservation Measures and Management Tools

1. The following Water Conservation Measures may be used by all new development in order to promote the efficient use of all water supplies and should be considered in context of mitigation of increased water demand projected between existing zoning and proposed rezonings.

   a. Site Planning
      1) Implement rainwater/storm water harvesting and reuse strategies.

      2) Implement swimming pool and spa water conservation measures.

      3) Implement effluent reuse strategies within the development.

      4) Install reclaimed effluent irrigation (where available) for individual properties and common areas.

      5) Install drought-tolerant native vegetation and drip irrigation systems with rain sensors.

      6) Co-locate parks in development detention basins.

      7) Minimize impervious surfaces to maximize storm water infiltration.

   b. Residential/Commercial and Buildings, including the above strategies at the residence/building scale and:

      1) Install gray water reuse plumbing systems.

      2) Install water efficient appliances and fixtures and automatic faucets, water-free urinals and/or dual flush toilets in common use buildings.

      3) Install plumbing systems that drain pools into the sewer.

      4) Limit private pool and spa construction.

      5) Install sub-metering for each tenant for multi-family and multi-occupancy commercial buildings.

      6) Provide "water-wise" or similar water conservation information as part of sales contracts to home buyers.

2. The following Management Tools may be used by Pima County in moving towards a more sustainable water future include:

   a. Consider the water use requirements of current and future residents of the area, as well as other needs, including the natural environment.

b. Work with neighboring counties to evaluate and provide input on water-resource impacts of development in adjacent jurisdictions, in accordance with State Statutes.

c. Maintain an inventory of County water resource assets including groundwater rights, surface rights and production and use of effluent to sustain and protect the County's natural environment.

d. Maximize acquisition of County water resource assets including groundwater rights, surface rights and production and use of effluent to sustain and protect the County's natural environment.

e. Amend land use regulations to require that all new houses discharging to septic systems also be provided with a gray water reuse system.

f. Revise design and construction standards to capture and mitigate storm water generated on-site for water harvesting and the incorporation of light-colored permeable materials into the pavement of parking lots and roads, to reduce heat-island effects, water runoff and dust emissions.

g. Limit pumping near shallow groundwater areas of regional importance – Methods for implementing this strategy include land use controls and the purchase of development and water rights.

h. Maximize use of CAP, rainfall, runoff and reclaimed water – Implementation methods might include County-sponsored, multi-purpose recharge and reuse projects, limitations on rezonings outside the service area and incentives to landowners.

i. Limit human groundwater use in certain areas – Implementation methods might include limitations on rezonings outside the service area and incentives to landowners.

j. Protect and promote natural recharge functions of watercourses – Implementation methods include floodplain management, land acquisition and land use decisions to minimize floodplain encroachments and maintain natural hydraulics and hydrology.

k. Utilize effluent and surface water for riparian restoration – Preservation of current discharges to the environment, storm water harvesting, repair of altered flow paths and allocation of the water resources to riparian preservation and restoration are favored implementation methods. County effluent uses shall sustain and protect the County's natural environment.

l. Reduce per capita consumption – Implementation methods might include landscape requirements and requirements for conservation features in new housing.

m. Limit turf water use – Limit the establishment of golf course uses and requirements that new courses use non-groundwater sources and limitations on the use of turf:

1) Grass is only to be used for functional purposes.

2) No lawns for decorative uses.

3) Plant only low water using turf.

4) Rely on rainfall as primary irrigator.

5) Set irrigation system timers or clock to manual only.

6) Landscape with drought tolerant, native plants – the following link includes a list of plants which are native to Pima County: http://www.pima.gov/cmo/sdcp/species/plants.html

n. Prevent subsidence – Implementation strategies include substitution of renewable supplies for groundwater and recharge in subsidence-prone areas.

o. Restore and preserve natural areas – Implementation of this strategy could include floodplain acquisition, improvements to the floodplain management ordinance, purchase of development and water rights and limitations on rezonings.

p. Rehabilitate or create wetlands and riparian areas – Use of reclaimed water, surface runoff and CAP is suggested. Multi-purpose recharge or water quality improvement projects are also suggested as an implementation method to realize this strategy.

q. Balance the water budget of Isolated Basins – Pursue options such as purchase of development or water rights and limitations on rezonings consistent with sustainable yield.

r. Implement a Water Supply Impact Review on rezoning proposals on property where the water system(s) that serve less than 15 homes, where such proposals will demonstrate to Pima County Department of Environmental Quality that it could serve an increased water demand before being approved. Potable water supply requirements for systems involving fewer than 15 homes will be developed as a condition of rezoning.

s. Domestic Water Improvement Districts (DWID) – Develop a board policy requiring consideration of the renewable supplies, available infrastructure, groundwater trends, subsidence, groundwater-dependent ecosystems and isolated basins in the development and approval of any new DWID.

t. Research and determine if a Zoning Code Text Amendment should be proposed for enacting Water Conservation Measures.

E. Definitions

Adverse Impact means the lowering of a piezometric surface in the area occupied by a groundwater-dependent ecosystem, or diversion of regional groundwater flows or sources of recharge away from a groundwater-dependent ecosystem.

Final Integrated Water Management Plan means a plan detailing proposed water resources, reuse, replenishment, conservation and use of renewable water supplies for the tentative plat or development plan stage of a proposed project.

Groundwater-dependent ecosystem means shallow groundwater areas, springs and intermittent and perennial streams that are not effluent-dominated, as mapped by Pima County.

Isolated Basins means all hydrologic basins in Pima County except the Tucson and Avra basins.

Preliminary Integrated Water Management Plan means a plan identifying all sources and uses of water intended for, and water demand projections based upon, a proposed rezoning.

Renewable and Potable Water means a quality of water suitable for essential human uses such as drinking, cooking or cleaning, which is derived from a renewable source. In the manner used in this policy, treated surface water, including treated Central Arizona Project water, is considered renewable and potable, but effluent and groundwater are not.

Subsidence Area means a lowering of the land surface more than 3 inches as mapped by U.S. Geological Survey.

Water Resource Impacts Assessment means the review County staff performs on proposed rezoning applications.

Water Supply Impact Review means the review County staff performs on a proposed Comprehensive Plan amendment.

Comprehensive Plan Regional Plan Policies I.C.1.a, I.C.1.b, & I.C.2. (Land Use Element)

C. Site Design and Housing

1. Site Planning

a. Bufferyards. Promote adequate buffering in rezonings with greater Intensity uses. The bufferyards shall be used to protect the privacy and character of an adjoining neighborhood. Bufferyards shall be designed to ensure efficient site design and mitigate adverse impacts of noise, odors, views, and traffic as applicable. The bufferyards may contain landscaping, opaque screening, and natural areas.

b. Existing neighborhoods. Ensure that new or redeveloped mixed use or infill rezonings assess the privacy and character concerns of existing neighborhoods in reviewing the location, density, and character of the project.

c. Scale of development. Ensure, where possible, new development shall be designed at a human-scale, i.e. development with multimodal opportunities and mixed uses, rather than solely a car-oriented land use pattern.

d. Sense of place. Encourage development where there are natural resources to create opportunities for natural area linkage or create in more urbanized areas a sense of place in the Sonoran Desert.

2. Compact Development

Rezoning activity shall be promoted which increases housing density and compatible residential infill or refill in a range of prices and housing products to accommodate changing family arrangements, market conditions, and demographics adjacent to multifunctional corridors, neighborhood, community, and regional activity centers; and provides for mixed use and higher density residential development along or at the intersections of major streets or adjacent to commercial or employment sites; and provides for transit-oriented development along major streets and in or adjacent to activity centers and other similar functional or high density areas.

3. Affordable Housing

New rezonings and specific plans which have a residential component shall be subject to the Affordable Housing Policy and Strategies as adopted by the Board of Supervisors.

4. Low Density Residential Areas

Low density development (one acre or greater in size) shall integrate natural areas and a residential setting within environmentally sensitive lands. Adjacent to public preserves and sensitive natural resource areas, only very low density development (lots of three acres or greater in size) shall occur. The conservation subdivision process is the most appropriate development option for subdivision development in low density areas.

Pima County Regional
FLOOD CONTROL
DISTRICT

MEMORANDUM

Planning & Development
Regional Flood Control District

DATE: February 27, 2014

TO: David Petersen, DSD
Senior Planner

FROM: Greg Saxe, M.R.P. Ph.D.
Environmental Planning Manager

SUBJECT: Co9-13-16 Sabino Canyon Road Properties LLC - Rezoning

Regional Flood Control District (District) staff has reviewed the subject Site Analysis, corresponded with the applicant's representatives, reviewed revised submittals and offer the following comments:

1. The parcel is bisected by a regulatory watercourse and the applicant has shown this floodplain and associated flows and Erosion Hazard Setbacks on the existing conditions hydrology exhibit. The first drainage plan submitted called for the watercourse to be conveyed under the site in pipes while the on-site generated run-off was collected in catch basins and storm chambers. Both underground systems then resurfaced at a basin located north of Cloud Road. While the cistern improvements and the flows associated with them have been shown on the proposed drainage plan they have not been shown on the PDP. Several aspects of this design did not comply with Floodplain Management Ordinance requirements. This included the underground channel and outlet basin. Per 16.36.120A channels shall not be fully lined. An open natural bottom channel is required and is especially appropriate for this site given it is partially in a groundwater dependent ecosystem and the water table is declining. The applicant worked with the District and revised the design to utilize an open channel up the eastern site boundary and reduce the complexity of the underground channel. Furthermore the original design called for 4 pipes and the final 2. Upsizing the pipes facilitates inspection and maintenance.

2. The proposal for on-site flows is that smaller flows are to be retained while larger flows are to be detained in underground cisterns. It is unclear if these would be tied into the irrigation system. As a part of responding to District concerns conveyed in the Site Analysis review the applicant has proposed that the underground cisterns be pervious to provide infiltration and potential recharge. Still it is unclear how site drainage will be used to completely support the site landscaping over time as is proposed. In order to maximize the potential for success of this plan, the District will recommend a condition to capture the "first flush" or first half inch of rainfall in water harvesting basins and or swales and then route the overflow to the cisterns. This capture should include runoff from all impervious surfaces, including rooftops, parking lots, and disturbed areas. The applicant may also wish to consider use of pervious pavement on the parking spaces. Neither the underground cistern system nor water harvesting relied upon in the water use estimates have been shown on the PDP. While the former has been shown on the proposed drainage conditions exhibit, the latter has not. In other words, surface water harvesting to support the landscaping has not yet been shown. The opportunity exists to correct this as at the time of writing the final exhibits are still under development.

3. As required, staff has prepared the following Water Resources Impacts Assessment.

PIMA COUNTY'S WATER RESOURCES IMPACTS ASSESSMENT		
	CRITICAL ISSUE	**RESPONSE**
1.	Water Service and Renewable Water Supply Options	Although immediately west of the Tucson Water (TW) obligated service area, TW may not serve the applicant due to policies against extending service beyond their service area. Per the submittal, Metropolitan Domestic Water Improvement District (MDWID) will provide water to the development. **MDWID does not have access to renewable and potable water supply in this portion of its service area unless it uses it's interconnect with TW**. Presently, TW does have access to a renewable and potable water supply (CAP in the Avra Valley). In this area, TW may pump from local groundwater wells due to system limitations in boosting a blend of CAP and groundwater from Avra Valley (Clearwater). However, a blend of Clearwater and local groundwater could be provided.
2.	Current and Projected Depth to Groundwater and Groundwater Trend Data	The average depth to groundwater in this area is approximately 50 feet. **Groundwater at this depth is likely to support vegetation or aquatic ecosystems.** Groundwater levels have declined in the area between 1960 and 2013 as much as 1 foot/year. Groundwater levels are projected to stay the same or decrease slightly over the next 15 years, based on the revised ADWR-TAMA groundwater model
3.	Proximity to Areas of Known or Potential Ground Subsidence	The proposed rezoning is in an area of low subsidence,
4.	Proximity to known Groundwater-Dependent Ecosystems	The proposed rezoning area is **immediately adjacent to and partially within the Tanque Verde shallow groundwater area. The provider wells (MDWID) are within a groundwater dependent ecosystem.**
5.	Location within a Hydrogeologic Basin, including Depth to Bedrock	The proposed rezoning is located in the Tucson Hydrogeologic Basin area. **This sub-basin has been identified as being sensitive to groundwater removal.** Depth to bedrock in this area is estimated at greater than 1000 feet.

Pima County's Water Resources Impact Assessment finds that, under existing conditions, the proposed project does not have access to renewable and potable water unless MDWID uses its interconnect with Tucson Water in this area. Tucson Water may in the future provide more water that is from a renewable source when infrastructure can boost the Avra Valley groundwater–CAP blend (Clearwater) to the area. Groundwater and the Clearwater blend could be provided if the interconnect is utilized. MDWID currently has wells in a shallow groundwater area **and additional demand on these wells will impact this groundwater dependent ecosystem. This site is likely to increase water demand**.

4. The Water Section of the Site Analysis includes most of the information required for a PIWMP. The plan includes water saving fixtures and use of drip irrigation to establish drought tolerant landscaping that would then be supported by water harvesting. The residential use is projected to use 44.45 acre-feet per year, the recreation center pool

.22 acre-feet per year and irrigation 1.23 acre feet per year during plant establishment only. Use of the ADWR calculator which is based upon pool dimensions was recommended but the applicant chose not to do so. The pool volume is based on 20 swimmers per day and in addition to its exclusion of pool size and other amenities it also seems an unreasonably low use projection based on the number of units proposed. However in response to this comment the applicant did increase the swimmers per day from 10 to 20.

5. The site design does not show the water harvesting as stated herein. The exhibits do not include plan view or concept sections of water harvesting basins. The exhibits do not show how water falling on impervious surfaces including roofs is conveyed to water harvesting areas as discussed in the narrative. Inclusion of proposed water harvesting showing the extent and location on the PDP and proposed hydrology exhibits is appropriate.

In conclusion, while site design issues related to drainage are partly resolved water supply issues remain. Per the Rezoning Policies included in Resolution 2008-72, rezoning proposals which are out of the service area of a renewable and potable water supplier and that increase water demand in an area of shallow groundwater and will have a negative impact on groundwater dependent ecosystems may not be recommended for approval. Therefore, the District cannot recommend approval. Should the proposal be approved the following conditions are recommended:

1. Prior to development, the property owner shall submit to the Pima County Flood Regional Control District for review and approval; a drainage report (including Hydraulic Analysis and Erosion Hazard Setback Reduction Analysis) that addresses the impacts of development to local area drainage and to determine maximum encroachment limits, building sites, elevations and setbacks.

2. Development shall provide on-site retention/detention including retention of the first flush or ½ inch of rainfall from all impervious and disturbed surface including parking lots and rooftops in on surface water harvesting basins to support landscaping. Should this requirement conflict with desired development density, the use of permeable pavements should be considered to reduce the impervious area.

3. Underground cisterns shall be designed to provide infiltration and shall meet maximum disposal times.

4. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.

Please feel free to contact me at 724-4600 with any questions or concerns regarding these comments.

GS/FP/AM/ES/sm

cc: File

PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING

Sabino Canyon Rd Properties LLC	4564 E Camp Lowell Dr Tucson AZ 85712	bob@gmlawaz.com 529-0085(F) 577-7171(P)
Owner	Mailing Address	Email Address/Phone daytime / (FAX)
STAR Consulting of AZ, Inc	5405 E Placita Hayuco Tucson AZ 85718	erin@starconsultingaz.com
Applicant (if other than owner)	Mailing Address	Email Address/Phone daytime / (FAX)

3500 N Sabino Canyon Road — 114-33-002G
Legal description / property address — Tax Parcel Number

15.1 ~~(17.76)~~ ±SR	CR-4	MHIU	
Acreage	Present Zone	Proposed Zone	Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ) printout** showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with an **original signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an **original signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, an **original signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit the site analysis fee and eight (8) copies of the site analysis document. If the proposed project will use an on-site wastewater treatment and disposal system (such as a septic system), nine (9) copies of the site analysis document must be submitted. Also submit one CD of the site analysis document.
3. For all rezonings, submit the **entire** rezoning fee.

This application is true and correct 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.

11/06/13 — Date

EGN — Signature of Applicant

FOR OFFICAL USE ONLY

Sabino Canyon Road Properties LLC — Sabino Canyon Road Rez. Co9-13-16
Case name

SR	CR-4	Z6	#8900	1
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District

Outside
Conservation Land System category

Co7-13-01	CF	MHIU	(Rezoning) 1 SR/Ac limit
Cross reference: Co9-, Co7-, other		Comprehensive Plan Subregion / Category / Policies	

Received by DT — Date 11-15-13 — Checked by DS — Date 12-5-13

SABINO CANYON ROAD PROPERTIES, LLC

4564 E. Camp Lowell
Tucson, Arizona 85712-1282

Office (520) 577-7171
Fax (520) 529-0085
bob@gmlawaz.com

November 5, 2013

Pima County Development Services
Planning Division
201 N. Stone Avenue
Tucson, Arizona 85701

RE: Rezoning Application for Pima County Tax Parcel No. 114-33-002G, The Southeast Corner of River Road and Sabino Canyon Road, Pima County, AZ

Dear Sir or Madam:

This letter is being written on behalf of Sabino Canyon Road Properties, LLC (the "Owner"), which entity is the owner of the above-referenced property, authorizing the rezoning application being submitted for the above-referenced property by Star Consulting of Arizona, Inc.

Please be advised that this letter of authorization is being executed by Robert L. Gugino as the Trustee of the Gugino & Mortimer, PLC, Profit Sharing Plan and as the Manager of Garrett Holdings, LLC both of which are Members of the Owner and as such are authorized and empowered to execute, deliver and perform any actions on behalf of the Owner. If you have any questions regarding this letter of authorization please feel free to contact me at the number shown above.

Sincerely,

SABINO CANYON ROAD PROPERTIES, LLC

Robert L. Gugino,
Trustee of the Gugino & Mortimer, PLC, Profit Sharing Plan and Manager of Garrett Holdings, LLC both of which are Members of Sabino Canyon Road Properties, LLC.

Arizona Corporation Commission
State of Arizona Public Access System

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Corporate Inquiry

File Number: L-1775942-9	Check Corporate Status
Corp. Name: SABINO CANYON ROAD PROPERTIES, LLC	

Domestic Address

4564 E CAMP LOWELL DR
TUCSON, AZ 85712

Statutory Agent Information

Agent Name: GUGINO & MORTIMER PLC

Agent Mailing/Physical Address:
4564 E CAMP LOWELL DR
TUCSON, AZ 85712

Agent Status: APPOINTED 07/17/2012
Agent Last Updated: 07/20/2012

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.	**Business Type:**
Incorporation Date: 07/17/2012	**Corporate Life Period:** PERPETUAL
Domicile: ARIZONA	**County:** PIMA
Approval Date: 07/20/2012	**Original Publish Date:**

Manager/Member Information

GARRETT HOLDINGS LLC MEMBER PO BOX 86089 TUCSON,AZ 85745 **Date of Taking Office:** 07/17/2012 **Last Updated:** 07/20/2012	SABINO CANYON GATEWAY LLC MEMBER 574 NEWARK AVE JERSEY CITY,NJ 07306 **Date of Taking Office:** 07/17/2012 **Last Updated:** 07/20/2012

GUGINO & MORTIMER PLC PROFIT
MEMBER
SHARING PLAN
4564 E CAMP LOWELL DR
TUCSON,AZ 85712
Date of Taking Office: 07/17/2012
Last Updated: 07/20/2012

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Document Number	Description	Date Received
03944257	ARTICLES OF ORGANIZATION	07/17/2012

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Corporate Inquiry	
File Number: L-0977619-3	Check Corporate Status
Corp. Name: GARRETT HOLDINGS, L.L.C.	

Domestic Address

PO BOX 86089
TUCSON, AZ 85745

Statutory Agent Information

Agent Name: ROBERT L GUGINO
Agent Mailing/Physical Address:
4564 E CAMP LOWELL DR
TUCSON, AZ 85712-1282
Agent Status: APPOINTED 01/31/2001
Agent Last Updated: 04/27/2005

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.	**Business Type:**
Incorporation Date: 01/31/2001	**Corporate Life Period:** PERPETUAL
Domicile: ARIZONA	**County:** PIMA
Approval Date: 01/31/2001	**Original Publish Date:** 03/02/2001

Manager/Member Information

ROBERT L GUGINO MANAGER 4564 E CAMP LOWELL DR TUCSON,AZ 85712-1282 **Date of Taking Office:** 01/31/2001 **Last Updated:** 04/27/2005	RUSSELL D GARRETT MANAGER PO BOX 86089 TUCSON,AZ 85745 **Date of Taking Office:** 01/31/2001 **Last Updated:** 02/14/2001

RUSSELL D GARRETT
MEMBER
PO BOX 86089
TUCSON,AZ 85745
Date of Taking Office: 01/31/2001
Last Updated: 02/14/2001

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Document Number	Description	Date Received
01101690	MULTIPLE CHANGES	03/21/2005

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Location	Date Received	Description
11443016004	01/31/2001	ARTICLES OF ORGANIZATION
20272015018	03/02/2001	PUBLICATION OF ARTICLES OF ORGANIZATION
31858001917	03/21/2005	MULTIPLE CHANGES

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Corporate Inquiry	
File Number: L-0984388-0	Check Corporate Status
Corp. Name: SABINO CANYON GATEWAY, LLC	

Domestic Address

4564 E CAMP LOWELL DR
TUCSON, AZ 85712

Statutory Agent Information

Agent Name: GUGINO AND MORTIMER
Agent Mailing/Physical Address:
4564 E CAMP LOWELL DR
TUCSON, AZ 85712
Agent Status: APPOINTED 11/01/2005
Agent Last Updated: 11/15/2005

Additional Corporate Information

Corporation Type: DOMESTIC L.L.C.	**Business Type:**
Incorporation Date: 03/30/2001	**Corporate Life Period:** PERPETUAL
Domicile: ARIZONA	**County:** PIMA
Approval Date: 03/30/2001	**Original Publish Date:** 05/22/2001

Manager/Member Information

VINCENT J D'ELIA MEMBER 1 ENGLE ST ENGLEWOOD,NJ 07631 **Date of Taking Office:** 03/30/2001 **Last Updated:** 04/26/2001	

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Document Number	Description	Date Received
00430465	AGENT RESIGNATION	04/02/2002
01366293	AGENT APPOINTMENT/CORP ADDR CHG	11/01/2005

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Administrative Dissolutions and Reinstatements

(Click on gray button - if present - to view notice - will open in a new window)

Administrative Dissolution Date	Administrative Dissolution Reason	Reinstatement Date
02/21/2003	AD-DISSOLVED - MAINTAIN STAT AGENT	11/01/2005

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Location	Date Received	Description
11453004004	03/30/2001	ARTICLES OF ORGANIZATION
20278026032	05/22/2001	PUBLICATION OF ARTICLES OF ORGANIZATION
31659000080	04/02/2002	AGENT RESIGNATION
31671005883	07/28/2002	NOTICE OF PENDING ADMINISTRATIVE DISSOLUTION
31710005225	02/21/2003	CERTIFICATE OF DISSOLUTION
11585029043	03/12/2003	CERT OF DISSOLUTION/MAIL RETURNED
31926000129	11/01/2005	AGENT APPOINTMENT/CORP ADDR CHG

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GUGINO & MORTIMER, PLC

4564 E. Camp Lowell Drive
Tucson, Arizona 85712-1282

STAR CONSULTING
5405 East Placita Hayuco
Tucson, Arizona 85718

February 26, 2014

Re: Application for Rezoning
Avilla Sabino East Co9-13-16
Neighborhood Meeting

Dear Neighbor:

We represent Aerie Development (the "Developer") in its Application for a Rezoning of a 15.14 acre parcel located at 3500 N. Sabino Canyon Road, APN 114-33-002G. The site is proposed to be rezoned from SR to CR-4 for the purpose of developing a single-story, detached luxury rental community.

Please see the map on the following page for additional project location information.

In order for you to fully understand what the Developer is proposing and review the Rezoning Site Analysis we have scheduled an informational neighborhood meeting to be held on Tuesday, March 18, 2014 from 6 p.m. – 8 p.m. The meeting will be held at Loews Ventana Canyon Resort, 7000 N Resort Drive in the Grand Ballrooms A and B. Representatives from the developer, the project engineer and current owner will all be present to make a formal presentation at 6:15pm and answer questions following the presentation. The development team will be available to listen to any concerns and answer any questions until 8 p.m.

If for some reason you cannot attend the meeting but have questions about the Rezoning Application please feel free to contact either of us at our contact information shown above.

Sincerely,

GUGINO & MORTIMER, PLC

Robert L. Gugino
(520) 577-7171
bob@gmlawaz.com

STAR CONSULTING OF AZ; INC

Erin Harris, PE
(520) 529-1240
erin@starconsultingaz.com

METRO WATER DISTRICT

July 30, 2013

Erin E. Harris, P.E.
STAR Consulting
5405 E. Placita Hayuco
Tucson, AZ 85718

Re: ±14.82 Acres at the SEC of River Road and Sabino Canyon Road (PN 114-33-002G)

Dear Ms. Harris,

The above property lies within the legal boundary of the Metropolitan Domestic Water Improvement District (MDWID) obligated service area. Water service is potable and will be supplied upon demand.

Any onsite or offsite requirements deemed necessary to provide the domestic and fire flow water supply will be determined at the time of improvement plan submittal or whenever application for water service is received. Pipe sizing and system augmentation, if necessary, will be based on calculated demand for both domestic and fire flows as needed to adequately supply this area.

Please let me know if you have any questions or concerns at 575-8100.

Sincerely,

Timothy Dinkel
Development Supervisor

TD/td

c: Project File / Charlie A. Maish, District Engineer
Signature File

Metropolitan Domestic Water Improvement District
P.O. Box 36870 Tucson, Arizona 85740 (520) 575-8100 (520) 575-8454 FAX www.metrowater.com

TUSD
Celebrate the US!

TUCSON UNIFIED SCHOOL DISTRICT
Department of Engineering, Facilities and Planning
Planning Services Section
2025 East Winsett Street
Tucson, Arizona 85719
(520) 225-4949
(520) 225-4939 (fax)

EFP
Engineering Facilities & Planning

To: **Erin E. Harris, P.E.**

From: **Shaun Brown**
Planning Technician

Date: **November 6, 2013**

Re: **Case/Project #:**
Project Name: **East side of Sabino Canyon Road**
New Units: **179**

IMPACTED SCHOOLS	CAPACITY	PROJECTED 2017 ENROLL	ADDITIONAL STUDENTS FROM PROJECT	PROJECTED ENROLL WITH PROJECT	STUDENTS EXCEEDING CAPACITY
Fruchthendler Elementary	450	419	28	447	-3 / -1%
Magee	720	567	12	579	-141 / -20%
Sabino High	1950	858	13	871	-1079 / -55%

Response:

Based on projected enrollment at TUSD there is adequate capacity to absorb the impact of proposed rezoning for Fruchthendler Elementary School. There is no impact to the schools above.

JAN 30 2014

Rural/Metro Fire Department

www.rmfire.com

March 10, 2014

Pima County Development Services
Planning Division
201 N. Stone Avenue, Second Floor
Tucson, AZ 85701
Attn.: David Peterson, Senior Planner

RE: Case Co9-13-16 Sabino Canyon Road Properties LLC

Dear David,

The Rural/Metro Fire Department has reviewed the submittal for the above referenced case and has the following comments to the rezoning request:

1. As the development continues into the plan stage, the applicant will need to submit plans to our fire prevention department for review of fire code compliance. This review will cover fire flow and fire hydrant requirements, fire department access, fire sprinklers, fire alarm systems and all other applicable fire code requirements. As of April 7, 2007 the 2003 edition of the International Fire Code shall be the applicable fire code for this project.
2. All proposed gated entries shall be required to have an approved Fire Department access system installed.

If I can be of any further assistance on this matter you may contact me at 981-0280.

Sincerely,

William F. Treatch

William F. Treatch
Deputy Fire Marshal/Battalion Chief
Rural/Metro Fire Department

3759 N. Commerce Drive Tucson, Arizona 85705
Phone (520) 297-3600 Fax (520) 797-1825

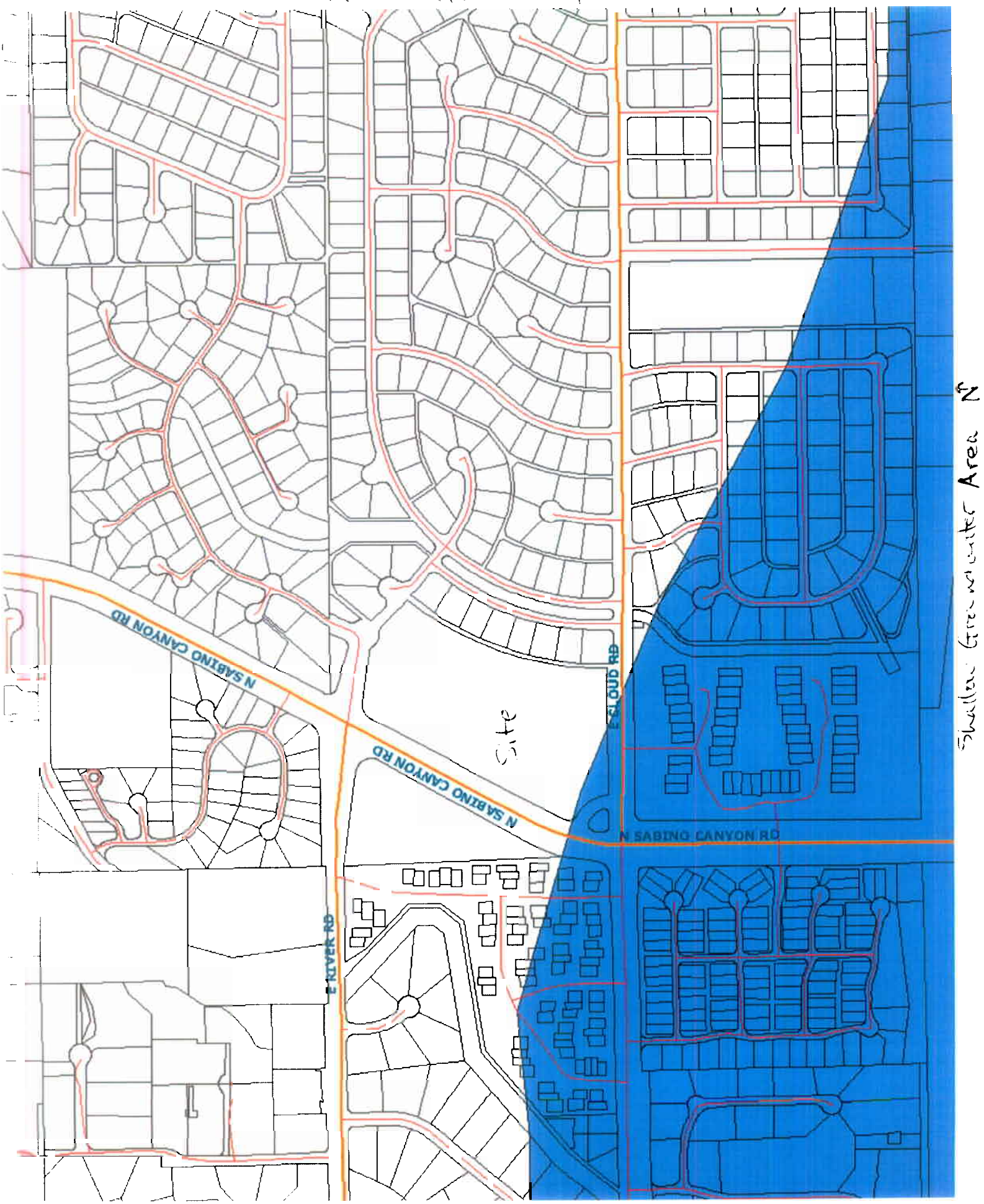
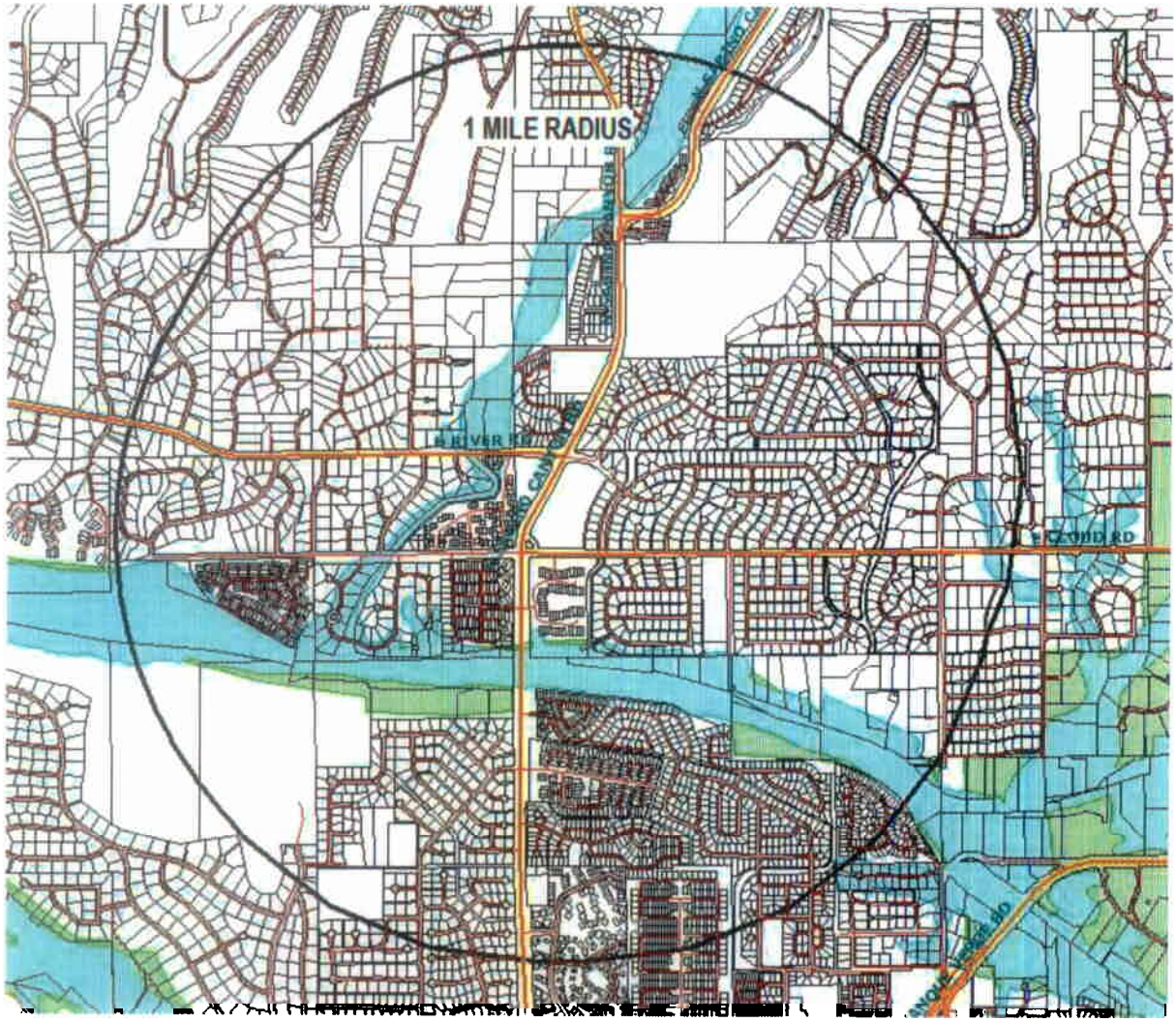

Shallow Groundwater Area
N SABINO CANYON RD
N SABINO CANYON RD
N SABINO CANYON RD
E RIVER RD
E CLOUD RD
Site
Shallow Groundwater Area
N

EXHIBIT I-D.1: CONSERVATION LAND SYSTEMS (CLS)



The areas of blue hatch indicate areas of Important Riparian Area.
The areas of green hatch indicate areas of Biological Core Management Areas.

Source: Pima County GIS

II-B PRELIMINARY DEVELOPMENT PLAN (PDP)

1. PRELIMINARY DEVELOPMENT PLAN

The Preliminary Development Plan is shown on the following pages of this analysis as Exhibits II.B.1.1 and II.B.1.2 along with acetate overlays (both with topographic contours and without contours).

2. PDP SUPPORT DATA

a. The gross floor area of commercial and industrial structures is 0 SF. The proposed use is multi-family residential.

b. The buildings are single story and have a varied roof line. The maximum building heights will not exceed the twenty-four (24') feet (Scenic Route) or the thirty-four (34') feet (Zoning Code) requirements. As designed, all the buildings are single story and are approximately 15'-6" in height. The height of the buildings allows for the homes to contain 10-foot high ceilings. The ceiling height will present additional storage opportunities for residents by allowing them to have an additional row of shelving within the closets. The closet shelving, when coupled with the private rear yards create adequate storage space for the residents' needs.

The 1-bedroom duplexes are 1266 SF (2 units per duplex structure).
The 2-bedroom units are 965 SF.
The 3-bedroom units are 1244 SF.

Eighteen (18) 1- bedroom units are proposed.
Sixty two (62) 2-bedroom units are proposed.
Eighty nine (89) 3-bedroom units are proposed.

The total square footage of 1-bedroom units is 11,394 SF
The total square footage of 2-bedroom units is 59,830 SF.
The total square footage of 3-bedroom units is 110,716 SF.

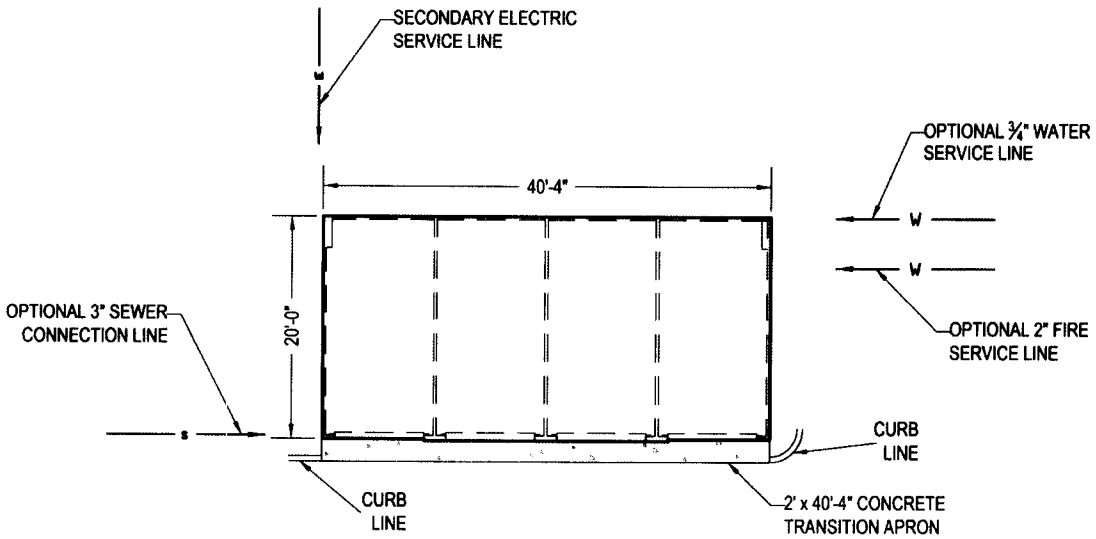
The total square footage of all buildings in the proposed development is 181,940 SF.
The CR-4 development standards state that maximum lot coverage is 60% for one story dwelling units (50% for main buildings). The proposed lot coverage is 17%.

A ramada is proposed near the pool area. The ramada is approximately 30' by 20' with a proposed height of less than 15'.

Garages will be provided for the use and benefit of the residents. The garage is a detached (from the homes), 4-car garage, which is positioned in the parking area. A sample location is provided on the PDP. The garage structures are used to create a visual offset in the otherwise linear

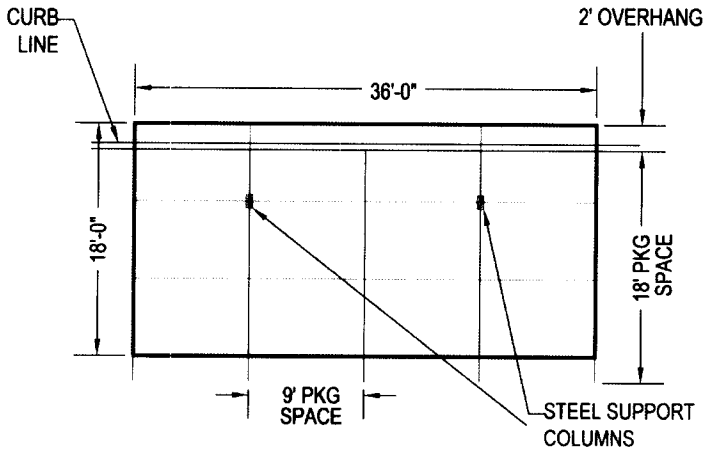
parking areas. The garages are proposed at a rate of one garage space for every 4 homes, for a total of 11 garages (44 garage parking spaces).

Typical Garage Detail:



Covered parking spaces will also be provided for the use and benefit of the residents. The covered parking space structure is a 4-6 car structure, which is positioned in the parking area. A sample location is provided on the PDP. The covered spaces are distributed evenly throughout the site with priority given to creating a convenient and direct route from each home to an assigned covered space. The covered spaces are proposed at a rate of one covered space for every home, for a total of 40-45 structures (~180 covered spaces).

Typical Covered Parking Structure:



c. The total number of dwelling units proposed is 169 units.

d. The maximum residential density of this site is 13 RAC (196 units). The maximum density is stipulated by condition of the Comprehensive Plan Amendment.

e. The total number of parking spaces (required and provided) is 331spaces.

One-bedroom:	1.0 per unit	1 X 18 =	18 spaces
Two-bedroom:	1.5 per unit	1.5 X 62 =	93 spaces
Three-bedroom:	2.0 per unit:	2 X 89 =	178 spaces
Visitor:	1.0 per 4 DU:	169 / 4 =	42 spaces

f. The amount of landscaping is of sufficient intensity to create a pleasant and comfortable living environment. The density of plant material is dependent on the mature size of the vegetation and the shape and size of the areas to be landscaped. The planting design is tailored to provide shade onto buildings and walks while accentuating open space and courtyard features. The landscape palette is comprised of low-water use, desert native material that blends seamlessly with existing adjacent street landscaping and accentuates the architecture of the building design on this site.

In addition to the above, the Applicant has discussed an alternative design in the bufferyards using larger tree specimens and more appropriate tree spacing to create the optimal screening in the bufferyards. ARC Studios, the landscape architect for this project, cautions the use of larger specimens for some species of trees due to the increased risk of shock on the tree and reduced ability of the tree to adapt to the new environment. Fast growing species (i.e.: Desert Museum Palo Verde or Hybrid Mesquite species) are recommended to be installed at the current code recommended sizes of 5 to 15 gallons. Larger tree sizes are recommended for slow-growing

species such as Ash, Pistache, Texas Mountain Laurel or Mesquites. These species of trees, and larger specimens, could be used as a feature element in the landscape.

g. The recreation requirement for this development is 460 SF per unit. The functional open space and recreation areas contribute to meeting these design criteria. The recreation area is focused around the pool amenity located near the center of the development and a connecting DG pedestrian around the perimeter of the community.

The designated areas are based on the preliminary development plan and are subject to small variation with the approved Recreation Area Plan and Landscape Plans. The total recreational area is 77,740 SF.

The Developer is also proposing to design and construct a bike and hike rest area in the Pima County owned, triangle shaped parcel to the northeast of the Sabino Canyon Road and Cloud Road intersection. This rest area would be subject to Pima County approval of the design and use of public right-of-way or a purchase agreement to acquire the parcel.

II-G VIEWSHEDS

1. IMPACTS TO VIEWS

The views and vistas from adjacent properties and the adjacent scenic routes will be affected by this development. The existing site is undeveloped and contains native vegetation. While the mountains are seen in the distance in this area, due to the elevation of the area the views are not significant (for example when compared with the views from Sunrise Drive). The existing vegetation blocks the mountain views. The critical component of this development as relates to the limited views is the proposal for single story homes. A 6' wall in combination with the 5' bufferyard is proposed along the eastern alley. The impact on the existing views is minimized by the increased building setback along the eastern property line, building rotation and placement, building architecture and vegetation. In addition, the existing homes in this area all consistently have 5' to 8' masonry walls surrounding the back yards which is very similar in nature to the proposed masonry wall.

2. MITIGATION OF VISUAL IMPACTS

The mitigation of the visual impacts starts with the architecture and position of the buildings. The buildings are only one story in height, which is less than what would be found in a traditional multi-family community, single-family residential subdivision (1 and 2-story homes), and commercial developments. The placement of the buildings and yard walls has been designed to interact with the streetscape and adjacent developments by varying the roof lines and orientations, providing small scale pedestrian courtyards, amenities and landscape features, and architectural detail.

The proposed community consists of luxurious residences with three distinct building types that are arranged in a variety of different groups and combinations to provide a distinct feel for residents. The architectural theme is a "desert modern" style that consists of different sized and layered volumes, materials, and strategically placed linear horizontal elements. Please see Exhibit II-G.2, the Preliminary Building Elevations. Varied roof heights of the buildings enhance the visual depth of the community and increase the amount of shade provided to each elevation with all buildings being only 1-story. In addition, the main entrances to the residences are recessed to enhance the depth of the elevations and provide additional shading. The various elements of the development harmoniously blend a desert contemporary architectural style with color, form and texture.

Mechanical equipment throughout the development will be screened through the use of parapet walls on the building elevations.

Unique to the Site are depressed trash enclosures. The trash enclosures will be partially located below grade. The depressed trash enclosures will be screened with landscaping and be painted to match the colors from the buildings. The location of the enclosures will provide residents with easier access to dispose of their trash, eliminating the need to throw trash over an enclosure or

placing it outside the refuse container because the lid cannot be opened. Connections to the trash enclosures are provided via sidewalks or by convenient access from the drive aisles. Designing the trash enclosures in this fashion provides a more aesthetic solution and better security.

Lighting for Avilla will comply with the County's Lighting Code. External lighting will be appropriately located and designed to prevent light from spilling onto adjacent properties.

Preliminary Type 1 Building (1-bedroom unit duplex) Building Elevation Rendering (Front)

Source: Anderson Studio Architects

Preliminary Type 1 Building (1-bedroom unit duplex) Building Elevation Rendering (Rear)

Source: Anderson Studio Architects

Preliminary Type 2 Building (2-bedroom unit) Building Elevation Rendering (Front)

Source: Anderson Studio Architects

Preliminary Type 2 Building (2-bedroom unit) Building Elevation Rendering (Rear)

Source: Anderson Studio Architects

Preliminary Type 3 Building (3-bedroom unit) Building Elevation Rendering (Front)

Source: Anderson Studio Architects

Preliminary Type 3 Building (3-bedroom unit) Building Elevation Rendering (Rear)

Source: Anderson Studio Architects

Co7-13-01 Comprehensive Plan Amendment Approval

BOS Minutes 9-17-13

Tom Burke, Review Officer/Finance and Risk Management Director, explained this was an appeal of a classification of six parcels. He stated Mr. Paul Manley owned 13 parcels which contained his house and other buildings and that he had considered the parcels that contained the access road, parking area and stables as one consolidated grouping that formed the owner's residence. Since the time of the written decision, he had learned from the Pima County Assessor that there was a statutory requirement that the property owner combine the parcels to get the benefit of one, otherwise the Assessor would continue to treat them as non-residential.

Bill Staples, Assessor, explained the owner could file a form to combine the properties and that there was no cost involved with that process. He also stated there could be numerous reasons the property owner would choose not to combine. Mr. Staples said the statutory definition for the class three property clearly stated "on a single parcel."

Supervisor Carroll requested the appeal be delayed and that the Assessor's Office meet with the homeowner to explain the statute provisions and how the homeowner could remedy this matter.

It was moved by Supervisor Carroll, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to continue the hearing on the appeal to the Board of Supervisors' Meeting of October 8, 2013.

FRANCHISE/LICENSE/PERMIT

19. **Extension of Premises/Patio Permit**

Randy D. Nations, Hot Rods Old Vail, 10500 E. Old Vail Road, Tucson, Temporary Extension of Premises for November 7 and 21, 2013.

The Chairman inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Bronson, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to close the public hearing, approve the license and forward the recommendation to the Arizona Department of Liquor Licenses and Control.

DEVELOPMENT SERVICES

20. **Comprehensive Plan Amendment**

Co7-13-01, SABINO CANYON ROAD PROPERTIES, L.L.C. - N. SABINO CANYON ROAD PLAN AMENDMENT

Request of Sabino Canyon Road Properties, L.L.C., represented by Erin Harris, Star Consulting of Arizona, Inc., to amend the Pima County Comprehensive Plan from Low Intensity Urban 3.0 (LIU-3.0) to Medium-High Intensity Urban (MHIU) for approximately 15.14 acres located at the northeast corner of N. Sabino Canyon Road and E. Cloud Road, in Section 29, T13S, R15E, in the Catalina Foothills

Subregion. On motion, the Planning and Zoning Commission voted 6-3 (Commissioners Neeley, Richey, and Johns voted "Nay," Commissioner Bain was absent) to recommend MODIFIED APPROVAL. Staff recommends MODIFIED APPROVAL. (District 1)

Arlan Colton, Planning Director, provided the staff report and stated if approved, a rezoning of the property would be necessary and a set of public hearings would be conducted. He stated that the staff recommendation was for modified approval for Medium Intensity Urban which would reduce the permitted units to 10 rather than the 13 units per acre as requested. The Planning and Zoning Commission also recommended Medium Intensity Urban. Mr. Colton reported public comment had been extensive on this matter and estimated they had received 66 letters/emails in opposition including petitions and a survey letter with 103 responses, and 27 letters/emails in support of the project.

Robert Gugino, Aerie Development, explained the benefits of the project to the Board. He stated it met the criteria for the Growing Smarter Act, was an excellent site for high density development and had the benefit of having three access points so there would be less traffic impact. He said the development would offer a different choice in housing which was in demand as opposed to single-family residences. He stated they had been working with the homeowners directly affected and that those homes would be separated by a 20 foot alley owned by the County and that an additional buffer would be provided.

The following speakers addressed the Board:

- Sonya Slovikosky
- Anne Garcia
- Stanley Kissinger
- Gary Moss
- David Kelly
- Esther Blumenfeld
- Mike Varney

They offered the following comments:

- The increase in density would affect the wildlife habitat.
- Concerns were expressed regarding infrastructure and traffic.
- The character of the project didn't match with the area.
- The builder should retain the low density designation.
- The rentals were not luxury.
- The density will impact neighbors.
- Developments like this increased the risk of crime in the area.
- This would be a good use of the property and would not be a threat to property values or increase traffic issues.

Supervisor Bronson questioned the decision to build this type of development instead of apartment units.

Mr. Gugino explained they felt that multi-story housing wouldn't be appropriate and that single-story would fit best with the character of the surrounding neighborhoods and had the best chance at succeeding.

Supervisor Miller stated the regional plan policies promoted the protection of existing neighborhoods. She said she believed everyone had property rights but there had been an overwhelming response against this development by the neighbors; the roads were at or above capacity as stated in the report; and there had been a recent approval of a high density development across the street which would have a significant impact on the neighborhoods.

It was thereupon moved by Supervisor Miller and seconded by Supervisor Carroll, to close the public hearing and recommend denial of the Comprehensive Plan Amendment as presented.

Supervisor Carroll asked whether other compromises or ideas had been discussed regarding this project.

Supervisor Miller stated that would be up to the developer to bring forward any new plans or ideas which would then need to be presented to the neighbors for their review and comment.

Upon the vote being taken, the motion carried 2-3, Supervisors Bronson and Elías and Chairman Valadez voted "Nay."

It was then moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-1 vote, Supervisor Miller voted "Nay," to close the public hearing and approve Co7-13-01, Comprehensive Plan Amendment at Medium-High Intensity Urban (MHIU) with a cap of 13 residents per acre.

Supervisor Carroll stated he voted with the majority to allow for the possibility of reconsideration.

21. **Comprehensive Plan Amendment**

Co7-13-02. SMITH VIRGIL B. REVOCABLE LIVING TRUST - S. FREEMAN ROAD ALIGNMENT PLAN AMENDMENT

Request of Virgil B. Smith Revocable Living Trust, represented by Steve Lenihan, Vail Smith, L.L.C., to amend the Pima County Comprehensive Plan from Low Intensity Rural (LIR) to Medium Intensity Urban (MIU) for approximately 25.0 acres located on the east side of S. Freeman Road alignment, approximately one-half mile south of Mary Ann Cleveland Way and one-quarter mile north of the Union Pacific Railroad, in Section 5, T16S, R16E, in the Rincon Southeast/Santa Rita Subregion. On motion, the Planning and Zoning Commission voted 9-0 (Commissioner Bain was absent) to recommend APPROVAL. Staff recommends APPROVAL. (District 4)

Written Public Comments are Under Separate Cover