



# 2016 PLAN AMENDMENT PROGRAM

## PLANNING AND ZONING COMMISSION

### STAFF REPORT



<b>HEARING DATE</b>	August 31, 2016
<b>CASE</b>	P16CA00002 Wong Family LP - W. Sumter Drive Plan Amendment
<b>PLANNING AREA</b>	Tortolita Planning Area
<b>DISTRICT</b>	1
<b>LOCATION</b>	South side of W. Sumter Drive, east of N. Thornydale Road
<b>REQUEST</b>	Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) on 76.74 acres
<b>OWNERS</b>	Wong Family Limited Partnership
<b>AGENT</b>	Michael Marks, MJM Consulting, Inc.

**APPLICANT’S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN:**

The following summarizes the applicant’s justification of the proposed plan amendment:

- Growing Smarter promotes compact development which this amendment would promote.
- The Comprehensive Plan Land Use Element contains policies that the amendment’s proposed land uses would support.
- The project will preserve the Important Riparian Area (IRA) on-site, per the standards & goals of Conservation Lands System (CLS). The remainder of the property, which is designated Multiple Use Management and Special Species Management Areas, will be mitigated by the provision of suitable off-site land, which is consistent with the CLS.
- The plan amendment request would make up for an inconsistency and/or oversight and/or inequity in Pima Prospers.
- For these reasons, MLIU is appropriate on this infill property so that it can be developed at an appropriate density. The property is adjacent to Thornydale Road and is well served by utilities and public facilities such as schools, parks, churches, sheriff’s substation, fire stations, library and post office.

<b>EXISTING ZONING/LAND USE</b>
SR (Suburban Ranch) / Undeveloped

<b>SURROUNDING LAND USE DESIGNATIONS</b>	
<b>North</b>	Medium Intensity Urban (MIU), Low Intensity Urban 0.3 (LIU-0.3)
<b>South</b>	Medium Low Intensity Urban (MLIU), Low Intensity Urban 0.3 (LIU-0.3), Neighborhood Activity Center (NAC), Medium Intensity Urban (MIU)
<b>East</b>	Medium Intensity Urban (MIU)

<b>West</b>	Neighborhood Activity Center (NAC), High Intensity Urban (HIU)
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<b>SURROUNDING ZONING/EXISTING LAND USE</b>	
<b>North</b>	SR (Suburban Ranch) / residential large lots, church, vacant CR-1 (Single Residence) / subdivision, residential
<b>South</b>	SR (Suburban Ranch) / school, vacant CR-4 (Mixed-Dwelling Type) / subdivision, vacant CR-5 (Multiple Residence) / subdivision, vacant TR (Transitional Zone) / subdivision
<b>East</b>	CR-5 (Multiple Residence) / subdivision
<b>West</b>	CB-1 (Local Business) / shopping center

**STAFF REPORT:**

Staff recommends **APPROVAL** of this request to amend the Comprehensive Plan from Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) for the 76.74-acre site located south of W. Sumter Drive, between N. Thornydale Road and N. Shannon Road in the Tortolita Planning Area. Staff’s recommendation is based on certain principles of the Growing Smarter Acts, urban infill, plan designation consistency, infrastructure and commercial availability and a proposed strategy for compliance with the Conservation Lands System (CLS) policies. While not in a specifically designated Focused Development & Investment Area, the subject site is an infill site.

The current land use LIU-0.3 designates areas for low density residential and other compatible uses at a maximum density of 0.3 residences per acre (RAC); or 0.7 RAC with 50 percent open space; or 1.2 RAC with 65 percent open space. The requested MLIU designates areas for a mix of medium density single-family and lower density attached dwelling units. MLIU consists of a residential minimum density of 2.5 RAC and a maximum density of 5 RAC. The applicant’s concept plan proposes a residential development with approximately 290 lots, a density of 3.7 RAC.

*Setting:*

The 76.74-acre subject site consisting of two contiguous parcels (224-44-060A and 224-44-0710), are relatively flat and are characterized by mostly undisturbed natural vegetation and several washes that have Pima County Regulated Riparian Habitat designation Xeroriparian C. The site is served by utilities, sewer and paved roads – Thornydale Road and Linda Vista Boulevard are shown as medium volume arterials on the designated Scenic, Major Routes. The subject property is within the Pima County Regional Wastewater Reclamation Department service area and is tributary to the Tres Rios (Ina Road) Water Reclamation Facility via the Canada del Oro Interceptor (CDO).

*Surrounding conditions:*

Thornydale Road represents a north-south transportation corridor serving the northwest side of the Tucson metropolitan area. Thornydale Road has historically served as a suburban to rural corridor from higher-density residential and commercial that occurs from Orange Grove and Ina Roads to the lower-density large-acre rural homes towards Tangerine Road. The site is located in a region of mixed land uses and zoning. Residential development ranges from single low-density home sites to medium-density single family homes, high-density apartments, schools, and a nearby park. On the northwest corner of Thornydale Road and Linda Vista Boulevard exists a neighborhood shopping center with a grocery store and other retail services. Additionally, on Thornydale Road, approximately one-half mile south there is an existing drug store; one mile south is an office complex.

Major improvements are scheduled within the next two years for Thornydale Road between Overton Road and Linda Vista Boulevard. The roadway currently provides one-lane of traffic in each direction with a continuous center turn lane. There are no curbs, bike lanes, or sidewalks. Thornydale Road is over-capacity in the vicinity of the amendment site. A widening to four lanes with potential sidewalks and bike lanes is proposed.

Sun Shuttle Route 412 primarily traverses the Thornydale Road corridor up to Tangerine Road and along River Road with key stops at commercial and service centers, the Tucson Mall, and the Tohono Transit Center. There are opportunities along the route to connect to Sun Tran bus routes to reach key destination points throughout the region.

*History:*

Since 2005, there have been two approved comprehensive plan amendments within one-half mile of the proposed amendment site, both of which are located south of Linda Vista Boulevard. These amendments were approved with Rezoning Policies that cover the protection of floodplain and riparian areas on-site, and meeting CLS off-site mitigation requirements. There currently is an amendment request (P16CA00001) at the southeast corner of Thornydale Road and Overton Road located one-half mile south of this amendment request. The 18.3 acre site request is from LIU-0.3 to MLIU and NAC.

In addition, in the same area within the last ten years there have been two rezonings from SR to CR-4 and CR-5 zones; both sites remain undeveloped.

**Plan Amendment Criteria**

Staff has reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met:

1. The plan amendment would promote:
  - a. Implementation of the ***Growing Smarter Acts***, with particular emphasis given to the principles of smart growth, such as: (i) mixed use planning, (ii) compact development, (iii) multi-modal transportation opportunities, (iv) rational infrastructure expansion/improvements, (v) conservation of natural resources, and (vi) the growth area element (where applicable);
  - b. The implementation of other Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies.
  - c. Compatibility with the ***Maeveen Marie Behan Conservation Lands System***;
2. Fulfillment of the purpose of the Annual Plan Amendment Program as stated in the Pima County Zoning Code, 18.89.040(A) (2) & (3):

The annual plan amendment program provides an opportunity to address oversights, inconsistencies, or land use related inequities in the plan, or to acknowledge significant changes in a particular area since the adoption of the plan or plan updates. Annual amendments are reviewed concurrently in order to analyze potential cumulative impacts.

**Growing Smarter Acts**

The plan amendment to the higher intensity MLIU land use designation meets the mixed use planning, compact development, multi-modal transportation, and rational infrastructure improvements principles of the Growing Smarter Acts. The proposed residential lots for the site compliments existing mixed-use development along the Thornydale Road corridor. The applicant proposes a compact configuration of infill development preserving the entire Important Riparian Areas.

The necessary infrastructure and utilities required for infill development are available. Additionally, this site could be considered part of a walkable neighborhood due to the nearby commercial

services, school, and park but there is a lack of pedestrian infrastructure. Multi-modal transportation is currently in service along Thornydale Road (Sun Shuttle Route 412). This limited service stops at Cortaro Farms Road and Linda Vista Boulevard. The expansion of Thornydale Road could provide optimum passage for the additional traffic, a safer walkable neighborhood and the higher density infill could potentially enable additional bus service along Thornydale Road. Ideally, the development of the subject site would be timed with the scheduled road capacity improvements

### **Comprehensive Plan Policies, Special Area Policies, and Rezoning Policies**

Long-range viability of the region is a key goal of the Land Use Element within the 2015 Comprehensive Plan Update (Pima Prospers). The proposed amendment supports a number of the goal's policies, including:

- providing an appropriate mix of land uses that supports a balance of housing, employment, shopping, recreation, and civic uses;
- promoting a compact form of development in urban and suburban areas where infrastructure is in place;
- supporting land uses, densities and intensities appropriate for urban and suburban areas, and;
- providing an appropriate mix of land uses that integrate and efficiently use infrastructure and services.

The site is not currently covered by Special Area or Rezoning policies.

### **Maeveen Marie Behan Conservation Lands System**

The site contains Conservation Lands System Important Riparian Area (IRA) and Multiple Use Management Area overlaid entirely by Special Species Management Area. See Environmental Planning and United Stated Fish and Wildlife comments for additional information.

The policy guidelines for the CLS categories may be met through a combination of on- and off-site conservation, subject to the CLS Mitigation Policies established in the Comprehensive Plan. The applicant expects on-site preservation of the IRA and use of off-site land to mitigate for the Multiple Use Area and Special Species Management Area. The CLS set aside requirements will be provided during the time of rezoning.

### **Fulfillment of the Purpose of the Annual Plan Amendment Program**

The site's current SR zoning conforms to the LIU-0.3 use designation; LIU-0.3 is not appropriate for an urban infill development which is consistent with nearby plan designations.

The objective of MLIU allocates areas for a mix of medium density single family and lower density attached dwelling units. Amending the land use to MLIU with a subsequent rezoning would provide for an infill subdivision and would match residential development in the area.

The property is served by all utilities needed to support urban infill development and is located in an area with established public services such as schools, parks, churches, fire station and nearby commercial development on Thornydale Road. With the expansion of Thornydale Road in 2018, an up-planning to an urban residential designation adjacent to a main roadway would be appropriate for the increase of traffic that this site will produce.

### **AGENCY/DEPARTMENT COMMENTS:**

#### **Environmental Planning Comments:**

- The amendment site is identified for acquisition under the 2004 Open Space Bond Program as High Priority Private.

- The site does not occur within any CLS Critical Landscape Connection or any wildlife linkage or movement area identified by Arizona Department of Transportation or Arizona Game and Fish Department.
- The un-named washes the cross the site are resource features that have both on- and off-site importance; they support and are tributaries to Hardy Wash. Disturbances are regulated by the Regional Flood Control District according to the Watercourse and Riparian Protection and Mitigation Requirements of Pima County Code Title 16.
- No cactus ferruginous pygmy-owl (CFPO) have been detected in Northwest Tucson since 2006 when the last known CFPO was captured and placed in a captive breeding program.
- The amendment site lies outside the range of Pima pineapple cactus and needle-spined pineapple cactus.
- Lesser long-nosed bats (a federally-endangered species) are known to forage in the area and use it to move between roosts and other forage areas.
- The amendment site is considered medium value as potential habitat for the Western burrowing owl.
- Disturbances to on-site vegetation (e.g., saguaro, ironwood trees, and any agave) are regulated by DSD according to the Native Plant Preservation Ordinance of Pima County Code Title 18.
- Arthur Pack Park, which lies southwest of the amendment site, and the Stevens Property, which PCDOT acquired as mitigation, are the only County-maintained conservation open space properties within one mile of the amendment site. The amendment site is also approximately 1 mile north of Tucson Audubon's Mason Center.
- The amendment site is entirely within the CLS (Important Riparian Area (IRA) and Multiple Use both with a Special Species Management Area overlay).
- The application states that preservation of on-site IRA areas in combination with off-site mitigation will be used to comply with CLS conservation guidelines.

No Special Area or Rezoning Policies are recommended at this time. As regards to CLS compliance, property provided as off-site mitigation are subject to CLS Off-site Mitigation Policies established in Pima Prospers (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11).

#### **Regional Flood Control District:**

The Pima County Regional Flood Control District (District) has reviewed the proposed comprehensive plan amendment. The FEMA and proposed floodplains, and riparian habitat designated as Important Riparian Area have been shown on the special features exhibit. Per the Comprehensive Plan Section 4.9 Goal 1 these areas are to be avoided. FEMA floodplain is designated as Zone A indicating boundaries are approximate. The applicant has provided a more accurate floodplain delineation based upon better topography and existing conditions and is planning to avoid this area. Riparian habitat boundary modifications, per District Technical Policy 104, may be allowed to adjust map accuracy but not to reduce the net area. A rezoning condition will be recommended at the time of rezoning.

Staff has conducted the Water Resources Impact Analysis and concluded the following:

- The site is adjacent to the Tucson Water Obligated Service Area.
- Per the ADWR Well Inventory the closest Tucson Water observation well located immediately downstream of the site had depths to groundwater of 375 in 2008 and 379 feet in 2012. Other nearby wells have similar depths with the exception of one immediately upstream which had water depths of 184 feet in 1982.
- The site is not located within a covered subsidence zone.
- The nearest Groundwater-Dependent Ecosystem is the perennial section of the Santa Cruz River located 3.7 miles away.
- The site is within the Tucson Hydrogeologic Basin with a depth to bedrock at 1600-

3200 feet.

The distance to groundwater and proximity to the Tucson Water Service area suggests the project is not likely to have adverse impacts on groundwater dependent ecosystems. At the time of rezoning the applicant must identify their provider and proposed yield in order to confirm that there will be no impact on shallow groundwater dependent ecosystems.

The District has no objection or policy recommendations.

**Department of Transportation:**

The proposed comprehensive plan amendment has direct access to Thornydale Road, Sumter Drive, Linda Vista Boulevard and Shannon Road. The site has approximately 640 feet of frontage on Thornydale Road and Shannon Road, and approximately one mile of frontage on Sumter Drive. Linda Vista Boulevard does not continue along the entire southern property line. Right-of-way dedications will be requested for Thornydale Road, Shannon Road, and Linda Vista Boulevard at the time of rezoning. Linda Vista Boulevard is shown as a medium volume arterial on the major streets and routes plan with a planned future right-of-way of 150 feet. It is not completely constructed and terminates about 400 feet east of this site. It is a two-lane road with dirt shoulders, and no curbs, bike lanes, or sidewalks. The posted speed is 35 mph and the capacity is approximately 13,200 ADT. There are no current traffic counts for this segment of Linda Vista Boulevard.

Thornydale Road is a medium volume arterial on the major streets and routes plan with 150 feet of planned future right-of-way. Some portions are built to the full right-of-way south of the rezoning site. The segment between Linda Vista Boulevard and Overton Road is funded and scheduled for improvements including a four-lane cross section with raised median and paved shoulders. Post construction, the capacity will be approximately 34,000 ADT. The posted speed is 45 mph. The current traffic count is 18,193 ADT. Construction should commence in 2018.

Shannon Road is shown on the major streets and routes plan as a low volume arterial with a planned future right-of-way of 90 feet. It is a paved two-lane county maintained road with a posted speed of 40 mph. The capacity is 15,930 ADT and the most recent traffic count is 7,637 ADT.

At this time, DOT has no objection to the above referenced amendment.

**Department of Environmental Quality:**

Department reviewed the proposed amendment and has no objections.

**Regional Wastewater Reclamation Department:**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the proposed amendment. The plan amendment is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. The existing public sewer consist of the 8- to 15-inch sewer line G-84-024 located along the area's southern boundary and between the parcels.

PCRWRD has no objection to the proposed comprehensive plan amendment. A no objection shall not construe any action by Pima County as a commitment to provide sewer service to any new development and does not ensure that there is adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system.

**Cultural Resources & Historic Preservation:**

In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State Laws ARS 41-865 and/or ARS 41-844 require that the Arizona State Museum be notified of the discovery so that appropriate arrangements

can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

**Natural Resources, Parks and Recreation Department:**

The Department reviewed the proposed amendment and has no objections.

**United States Fish and Wildlife Service:**

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

With regard to the pygmy-owl, this parcel occurs in an area where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. This parcel has significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Without on-site or off-site natural open space set asides as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. It appears, that the owner does intend to acquire and provide off-site mitigation. The pygmy-owl is a proposed covered species under Pima County's MSCP and this area is a Special Species Management Area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the CLS and Comprehensive Plan be applied to this parcel if this Comprehensive Plan amendment is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that this parcel complies with the CLS guidelines for the special species management designation through either on-site or off-site natural open space set asides. Given the proposed configuration of potential development on this site, it appears that off-site natural open space set asides will need to be included.

**Mountain Vista Fire District:** No comments were received.

**Tucson Electric Power Company:** No comments were received.

**Metropolitan Water District:** No comments were received.

**SunTran:** No comments were received.

**Oro Valley:** This site is located in the "planning area" for The Town of Oro Valley but does not have a land use designation. Currently, Oro Valley is processing a General Plan update and if approved on the November ballot, it could propose a land use designation to Medium Density Residential (MDR). Related definitions:

- Planning Area – Geographic area cover by the General Plan. For a municipality, the planning area typically includes the municipality's limits (incorporated boundary) as well as areas that influence the growth and development of the municipality.
- Medium Density Residential (2.1 – 5.0 dwellings units per acre) – This land use designation represents areas where single-family home, townhouse or patio home development is appropriate. The lot sizes in this land use designation allow for setbacks between individual homes (detached) or common walls between individual homes (attached). These areas should be located close to schools, shopping and employment.

**Town of Marana:** No comments were received.

**Marana Unified School District:** Marana Schools has capacity for students this development will produce; therefore, no objections to this plan amendment.

**PUBLIC COMMENTS:**

A notice of the hearings for this amendment request has been sent to property owners of record within 1000 feet of the amendment site. As of the writing of this report, staff has not received any comments for the proposed amendment.

Respectfully Submitted,

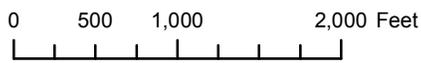
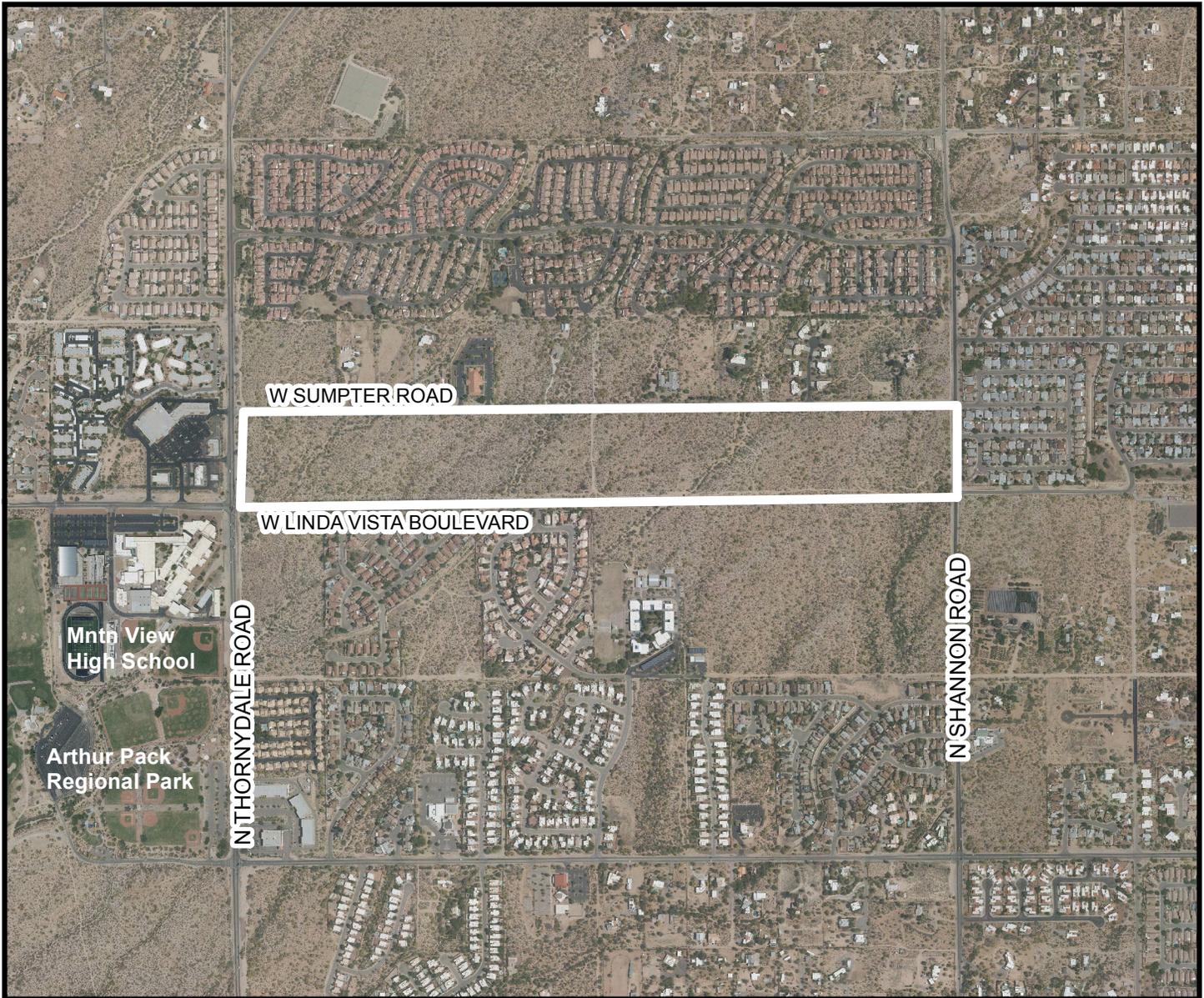


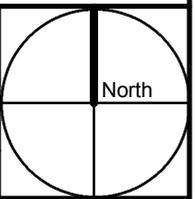
Donna Spicola  
Planner

cc: Mike Marks, MJM Consulting, Inc.

# COMPREHENSIVE PLAN AMENDMENT

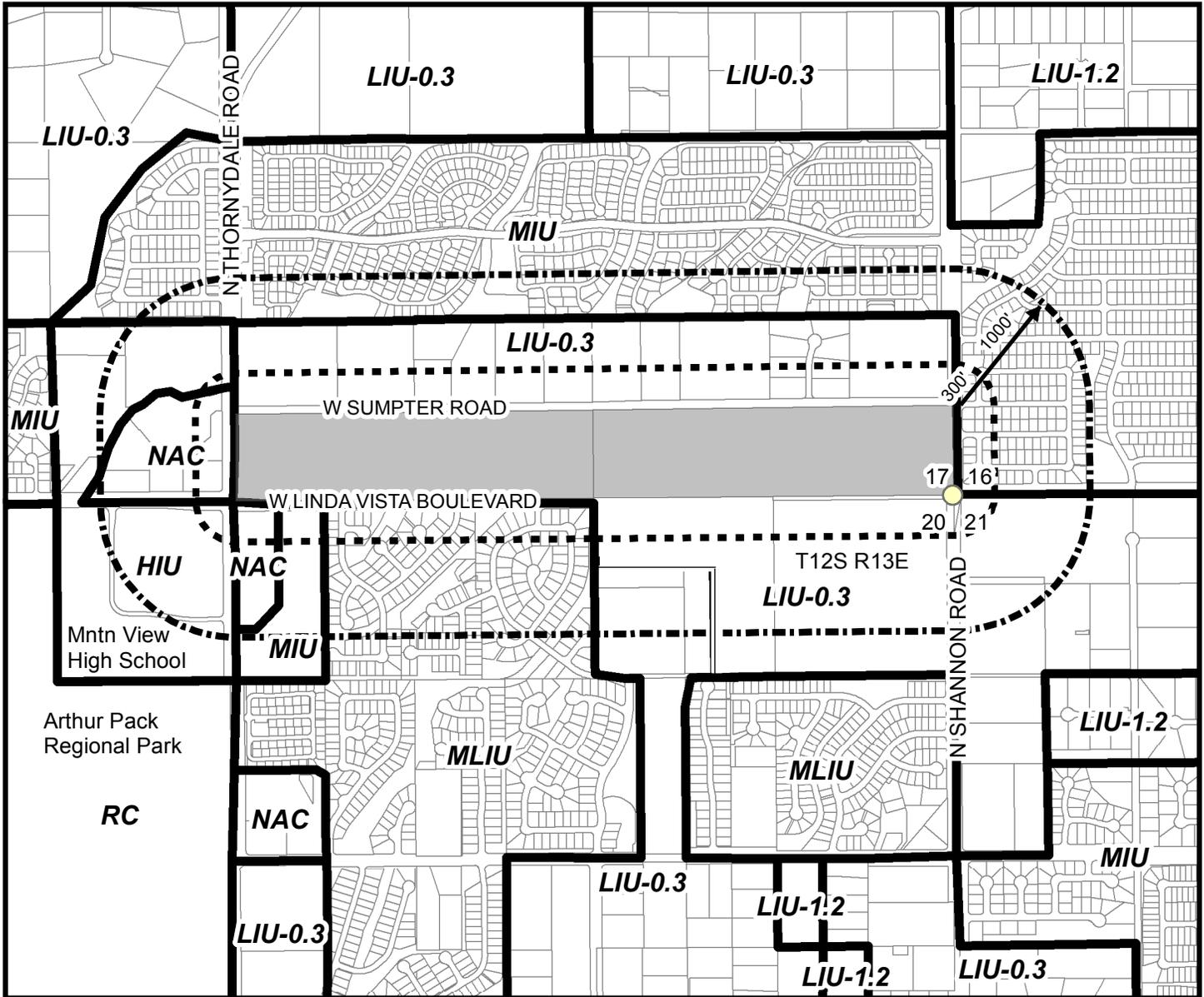
Planned Land Use and Notice Area

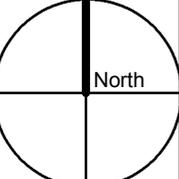


<p>Taxcode: 224-44-060A, 224-44-0710</p>	<p><b>P16CA00002 WONG FAMILY LP - W. SUMTER DRIVE PLAN AMENDMENT</b></p>	<p>District 1 Location: South side of W. Sumter Drive, between N. Thornydale Road &amp; N. Shannon Road</p>		
<p>Request: Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) 77.92 Acres +/-</p>				
	<p>Tortolita Planning Area under Pima Prospers Section 17, Township 12 South, Range 13 East</p>			
	<p>Planning and Zoning Commission Hearing: August 31, 2016</p>	<p>Map Scale: 1:14,000</p>		
	<p>Board of Supervisors Hearing: October 18, 2016 (projected).</p>	<p>Map Date: August 1, 2016 / dms</p>		

# COMPREHENSIVE PLAN AMENDMENT

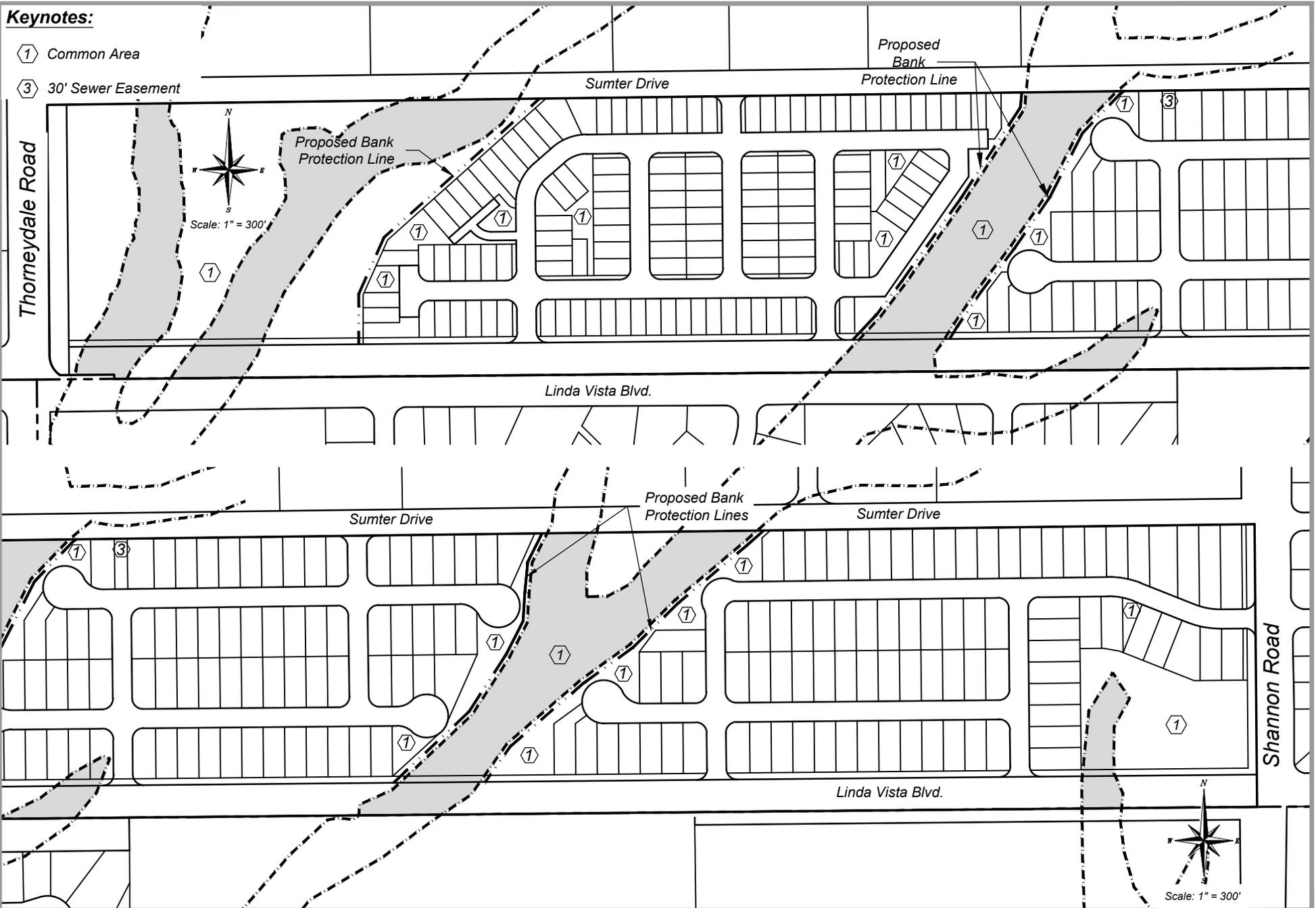
## Planned Land Use and Notice Area



Taxcode: 224-44-060A, 224-44-0710	<b>P16CA00002 WONG FAMILY LP -                  W. SUMTER DRIVE PLAN AMENDMENT</b>	District 1  Location: South side of W. Sumter Drive, between N. Thornydale Road & N. Shannon Road	
Request: Low Intensity Urban 0.3 (LIU-0.3) to Medium Low Intensity Urban (MLIU) 77.92 Acres +/-			
	Tortolita Planning Area under Pima Prospers Section 17, Township 12 South, Range 13 East		
Planning and Zoning Commission Hearing: August 31, 2016	Map Scale: 1:14,000		
Board of Supervisors Hearing: October 18, 2016 (projected).	Map Date: August 1, 2016 / dms		

**Keynotes:**

- ① Common Area
- ③ 30' Sewer Easement



## COMPREHENSIVE PLAN DESIGNATIONS

### *FROM:*

*Low Intensity Urban 0.3 (LIU-0.3)*

*Objective: To designate areas for a low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.*

- Residential Gross Density: Minimum- none; Maximum- 0.3 RAC;  
0.7 RAC with 50 percent open space; or 1.2 RAC with 65 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 0.3 RAC;  
0.7 RAC with 60 percent open space

### *TO:*

*Medium Low Intensity Urban (MLIU)*

*Objective: To designate areas for a mix of medium density single-family and lower density attached dwelling units; to provide opportunities for a mix of housing types throughout the region.*

- Residential Gross Density: Minimum- 2.5 RAC; Maximum- 5 RAC;
- Residential Gross Densities for TDR Receiving Areas: Minimum- 2.5 RAC; Maximum- 4 RAC;

July 21, 2016

Mark Holden, AICP  
Principal Planner  
Pima County Department of Development Services -  
Planning Division  
201 N. Stone, 2<sup>nd</sup> Floor  
Tucson, AZ 85710

Re: Wong – Sumter Drive Plan Amendment Request

Mr. Holden:

After further analysis of the anticipated residential density relative to the MIU and MLIU allowable maximums and minimums I would like to officially amend the application so the proposed Plan designation is MLIU rather than MIU, as originally requested. Please let me know if there is anything else you need in regards to this modification of this Plan Amendment Application. Thank you.

Sincerely,



Michael Marks, AICP  
President

## TRANSMITTAL

To: Mark Holden, AICP; Principal Planner  
From: Michael Marks, AICP  
Re: Property at the southeast corner of Thornydale Road & Sumter Drive  
Date: April 26, 2016

Submitted herewith is the **Plan Amendment Application** for 78 (see Note #1) acres of property labeled by the Assessor's Office as Parcels 224-44-060A & 224-44-0710. This property lies within Section 17 of T12S, R13E. The request is to change the designation from LIU 0.3 to MIU.

Along with the Application this submittal includes the following:

- Attachment A, supporting Application Section II (Proposed Special Area Policies)
- Attachment B, supporting Application Section IV
- The Pima County Assessor's Office Maps and Ownership Printouts.
- An Authorization Letter
- A document listing the members of the Wong Family Limited Partnership
- Map Exhibits 1 – 8.
  1. Location Map
  2. Area Plan Map
  3. Zoning Map
  4. Land Use Map
  5. Boundary Map
  6. Assessor Map
  7. Special Features Map
  8. Facilities Map
- A CD of the Application PDF files
- The submittal fee of \$13,666.

Note #1: The total of the two affected parcels is 76.74 acres according to the Assessor's Office and 77.93 acres according to the PimaMaps 'Additional Parcel Information' layer. The drafter/surveyor who worked on the project calculated the area, based on record information and AutoCad, to be 77.92 acres. This is the number that is used in the Application. Based on information from staff, though, it is the Assessor's acreage number that is to be used in the submittal fee calculation.

Please call me if you have any questions or comments. Thank you.



PIMA COUNTY COMPREHENSIVE PLAN
2016 PLAN AMENDMENT PROGRAM

Application

SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): Wong Family limited Partnership \*

DAYTIME PHONE: 870-5872 FAX:

ADDRESS: 5975 E. Speedway Blvd, Tucson AZ 85712

E-MAIL: dantenpro@aol.com

APPLICANT (if other than owner): MJM Consulting, Inc c/o Michael Marks AICP

DAYTIME PHONE: 241-8876 FAX:

ADDRESS: 1002 E. 4th St, Tucson AZ 85710

E-MAIL: mjmconsulting@cox.net

SECTION II. AMENDMENT REQUEST INFORMATION

TAX CODE NO(S): 224-44-0710 + 224-44-060A

TOTAL ACRES: 77.92 ac.

GENERAL PROPERTY LOCATION: SE Corner of Thornydale Rd & Sumter Dr. (also NE Corner of Thornydale Rd & Linda Vista Blvd)

COMPREHENSIVE PLAN PLANNING AREA(S): II - Tortolita

ZONING BASEMAP(S): 161 BOARD OF SUPERVISORS DISTRICT(S): 1

CURRENT/CONDITIONAL ZONING: SR

EXISTING LAND USE: Vacant

CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): LIU 0.3 (77.92 ac)

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): MIU (77.92 ac)

SPECIAL AREA OR REZONING POLICIES BY POLICY #, WHICH CURRENTLY APPLY TO THE PROPERTY:

None

\* See Attached document 5

SPECIAL AREA OR REZONING POLICIES PROPOSED AS PART OF THE AMENDMENT REQUEST:

See Attachment A

**SECTION III. SURROUNDING PROPERTIES INFORMATION**

CURRENT PLANNED LAND USE DESIGNATIONS OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: L1U 0.3 SOUTH: ML1U & L1U 0.3  
EAST: M1U WEST: NAC

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: Residential, vacant  
SOUTH: Residential & Vacant  
EAST: Residential  
WEST: Commercial

EXISTING AND CONDITIONAL ZONING OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: SR & CR-1 SOUTH: CR4 & CR-5 & SR  
EAST: CR-5 WEST: CB-1

**SECTION IV. REASONS FOR PROPOSED AMENDMENT**

Please refer to Section 1(F) of the Application Process Requirements document. Explain why you think one or more of the reasons described in Section 1(F) support your Plan Amendment request. Attach additional page(s), if necessary.

See Attachment B

**SECTION V. BIOLOGICAL RESOURCES & COMPATIBILITY WITH THE MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM**

Please answer the following questions as they relate to the amendment site. Most of the requested information can be found by accessing the on-line Sonoran Desert Conservation Plan (SDCP) MapGuide Map at <http://gis.pima.gov/maps>.

**A. Landscape Resources**

1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System (CLS) Category including Important Riparian Areas and Special Species Management Areas.  
No \_\_\_ Yes  Designation(s) SS&IRA&MU
  
2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages identified on the CLS map (p.9, below).  
No  Yes \_\_\_ Area \_\_\_\_\_
  
3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.  
No  Yes \_\_\_ Designation(s) Highest Priority Private

**B. Species Specific Resources – Federally Listed Threatened/Endangered Species and Pima County SDCP Species**

1. Cactus Ferruginous Pygmy-Owl:
  - a. Does the proposed amendment site occur within Survey Zone 1 or a Priority Conservation Area for the cactus ferruginous pygmy-owl? If so, please specify which designation applies to the site.  
No \_\_\_ Yes  Designation(s) Zone 1
  
  - b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of the cactus ferruginous pygmy-owl within a three-mile radius of the proposed amendment site? (<http://www.azgfd.gov/hgis>)  
No \_\_\_ Yes
  
  - c. Has the proposed amendment site been surveyed for the pygmy-owl? If yes, provide the date(s) when surveys were done and a summary of the results.  
No \_\_\_ Yes  Survey date(s) Approx. 12 years ago according to the client. He recalls that the survey results were negative.

2. Pima Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Pima pineapple cactus? This information is viewable on the SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Pima pineapple cactus within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have Pima pineapple cactus been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed project amendment site been surveyed for Pima pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

3. Needle-Spined Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Needle-spined pineapple cactus? This information is viewable on the SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Needle-spined pineapple cactus within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have Needle-spined pineapple cactus been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed project amendment site been surveyed for Needle-spined pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

4. Western Burrowing Owl:

- a. Does the proposed amendment site occur within a Priority Conservation Area for the western burrowing owl? This information is viewable on SDCP MapGuide.  
No  Yes
- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location or locations of the western burrowing owl within a three-mile radius of the proposed amendment site?  
No  Yes
- c. Have western burrowing owls been found on the proposed amendment site?  
No  Yes  Unknown
- d. Has the proposed amendment site been surveyed or investigated for the presence of western burrowing owls? If yes, provide the date(s) when surveys or investigations were done and a summary of the results.  
No  Yes  Survey date(s) \_\_\_\_\_

SECTION VI. SUBMITTALS

THE FOLLOWING ITEMS MUST BE INCLUDED IN THE APPLICATION:

- Site map - refer to Section 1(E) of this application form for requirements
- Ownership verification:
  - Assessor's map and property inquiry (APIQ) printout
  - Original letter(s) of authorization (if applicant is not the property owner)
  - If a trust, original signature of trust officer and list of beneficiaries (if applicable)
  - If a corporation, original signature with person's title and the list of corporate officers (if applicable)
- PDF or similar electronic version of files of application and additional materials
- Processing Fee (See *Summary, 2016 Comprehensive Plan Amendment Application Fees* p.11, below)

SECTION VII.

This complete 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.

Michael Marks  
SIGNATURE OF APPLICANT

April 13, 2016  
DATE

Michael Marks  
NAME OF APPLICANT - PRINTED

# ATTACHMENT A

## To The Wong Family Limited Partnership – Sumter Drive Plan Amendment Application: Section II: SPECIAL AREA OR REZONING POLICIES PROPOSED

---

### Policy #1 relating to the MIU Minimum Density

The minimum density in MIU is 5 RAC. While we want the option of having an overall gross density greater than 5 RAC, which explains why the request is for MIU and not MLIU, we also don't want to be restricted by the MIU minimum density. So we would want a Special Area Policy attached to this request which would eliminate the minimum density of the MIU plan designation.

### Policy #2 relating to the MIU Maximum Density

The maximum density in MIU is 13 RAC. While we want the option of having an overall gross density greater than 5 RAC, there is no expectation that there will be a need for a density of 13 RAC, or one even close to that. We would be open to lowering the maximum density formally if that would make sense for all involved in this process.

### Policy #3 relating to the Gross Density Calculation

It is our understanding that the density calculation for the subject property would be based on the gross acreage as the property exists today (i.e. before any right-of-way dedication) and should the property be developed in phases that densities could be transferred from one phase to another. We would be amenable to a Special Area or Rezoning Policy that would formalize this understanding.

# ATTACHMENT B

## To The Wong Family Limited Partnership – Sumter Drive Plan Amendment Application: Section IV: REASONS FOR PROPOSED AMENDMENT

---

### Reason #1 related to Section F-1a, the Arizona Growing Smarter Acts

Growing Smarter promotes compact development which this project represents given the proposed urban level of residential density. Growing Smarter promotes multi-modal transportation opportunities which the project satisfies given that there is a transit line along Thornydale Road (i.e. Route 412) which has flag stop service. Growing Smarter promotes rational infrastructure expansion and improvements since all the necessary infrastructure and utilities are nearby. Growing Smarter promotes conservation of natural resources which this project satisfies by the preservation of the Important Riparian Area (IRA) to CLS standards and which will mitigate against the Multiple Use Area by the use of offsite land. Growing Smarter promotes growth areas which the project satisfies by virtue of it lying in one of the most vibrant parts of the Tucson metropolitan areas, along and near Thornydale Road in the 'Northwest'.

### Reason #2 related to Section F-1b, the Pima Prosper Policies

The Land Use Element contains policies that the proposed land uses would support. Those include:

- Policy 2a which calls for “an appropriate mix of land uses that Supports a balance of housing, employment, shopping, recreation, and civic uses:”
- Policy 2c which calls for “an appropriate mix of land uses that Recognizes in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area”
- Policy 2d which calls for “an appropriate mix of land uses that Promotes the integrated and efficient use of infrastructure and services,
- Policy 4 which says “Support land uses, densities, and intensities appropriate for the urban, suburban, and rural areas of the unincorporated County”.
- Policy 6 which says “Promote a compact form of development in urban and suburban areas where infrastructure is planned or in place and the market is receptive”.

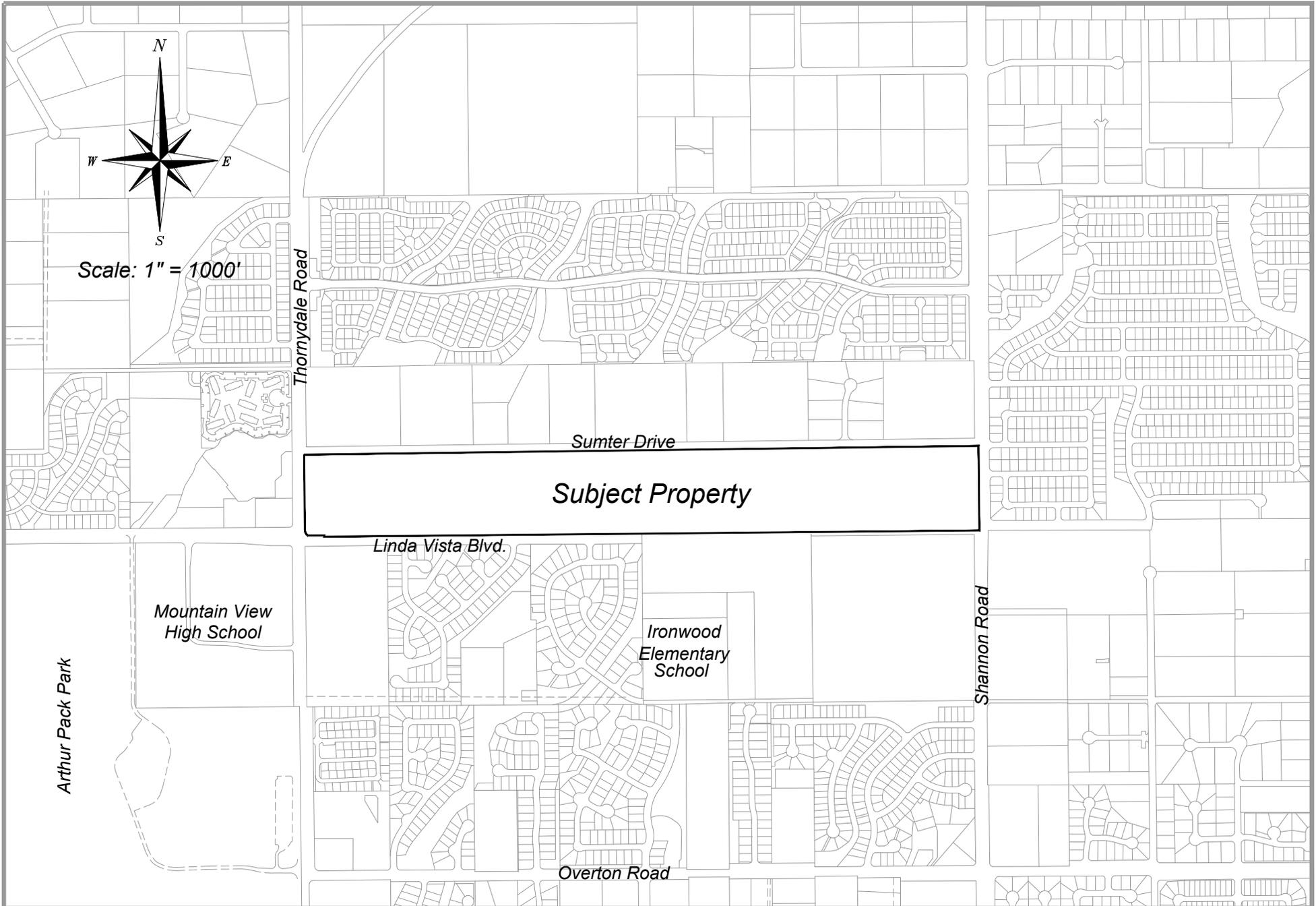
### Reason #3 related to Section F-1c, the Maeveen Marie Behan Conservation Lands System

The project will preserve the Important Riparian Area (IRA) onsite, per the standards & goals of the CLS. The remainder of the property, which is designated Multiple Use Management and Special Species Management, will be mitigated by the provision of suitable offsite land, which is consistent with the CLS. An effort by the property owner and a real estate agent has already begun in terms of identifying that suitable land, and when such a property is identified it will be the subject of conversations with staff.

### Reason #4 related to Section F-2, the Annual Plan Amendment Program’s “Purpose”

The Plan Amendment request would make up for an inconsistency and/or oversight and/or inequity in the Pima Prosper, with the following explanations:

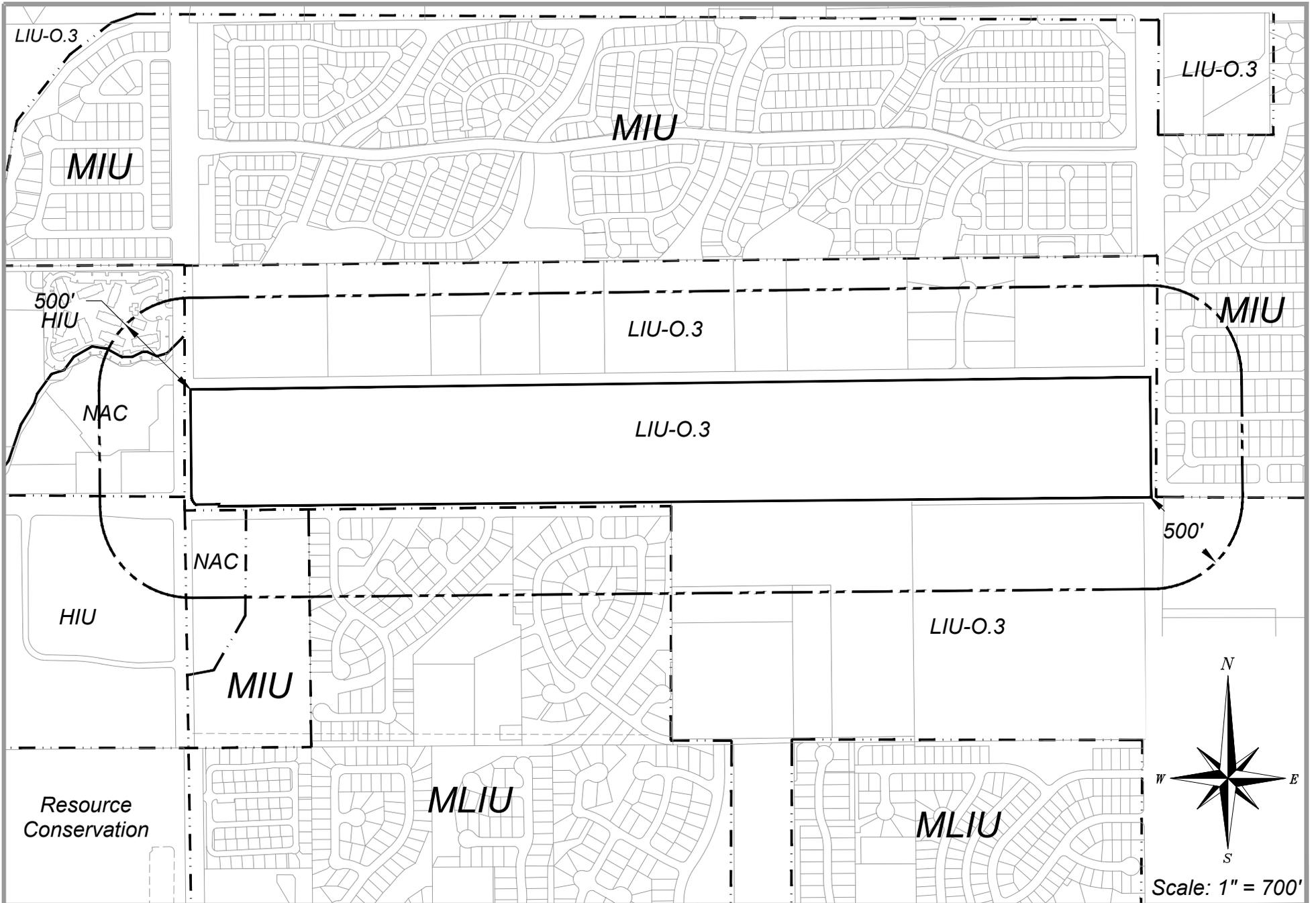
- The current LIU 0.3 designation is not appropriate given the nearby Plan Designations & Zoning Categories & urban development, and given that the property is adjacent to an arterial roadway like Thornydale Road.
- An up-planning is appropriate given the MIU & HIU & NAC & MLIU Plan Designations on close by properties.
- An up-planning to an urban level residential designation for property adjacent to Thornydale Road would be appropriate given the significance of and traffic on this roadway.
- The property is well served by all of the utilities needed to support urban development.
- The property is located in a region with sufficient public facilities, such as schools & parks & churches & sheriff’s substation & fire stations & library & Post Office.
- The property, being surrounded by development, should be classified as ‘infill’. The Area Plan should recognize this condition and plan for the property accordingly.



**MJMM CONSULTING, INC.**  
 Land Planning and Development Services  
 7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

Wong- Sumter Drive  
 APN: 224-44-060A and 224-44-0710  
 Section 17, T 12S, R 13E, G&SRM  
 Pima County, Arizona

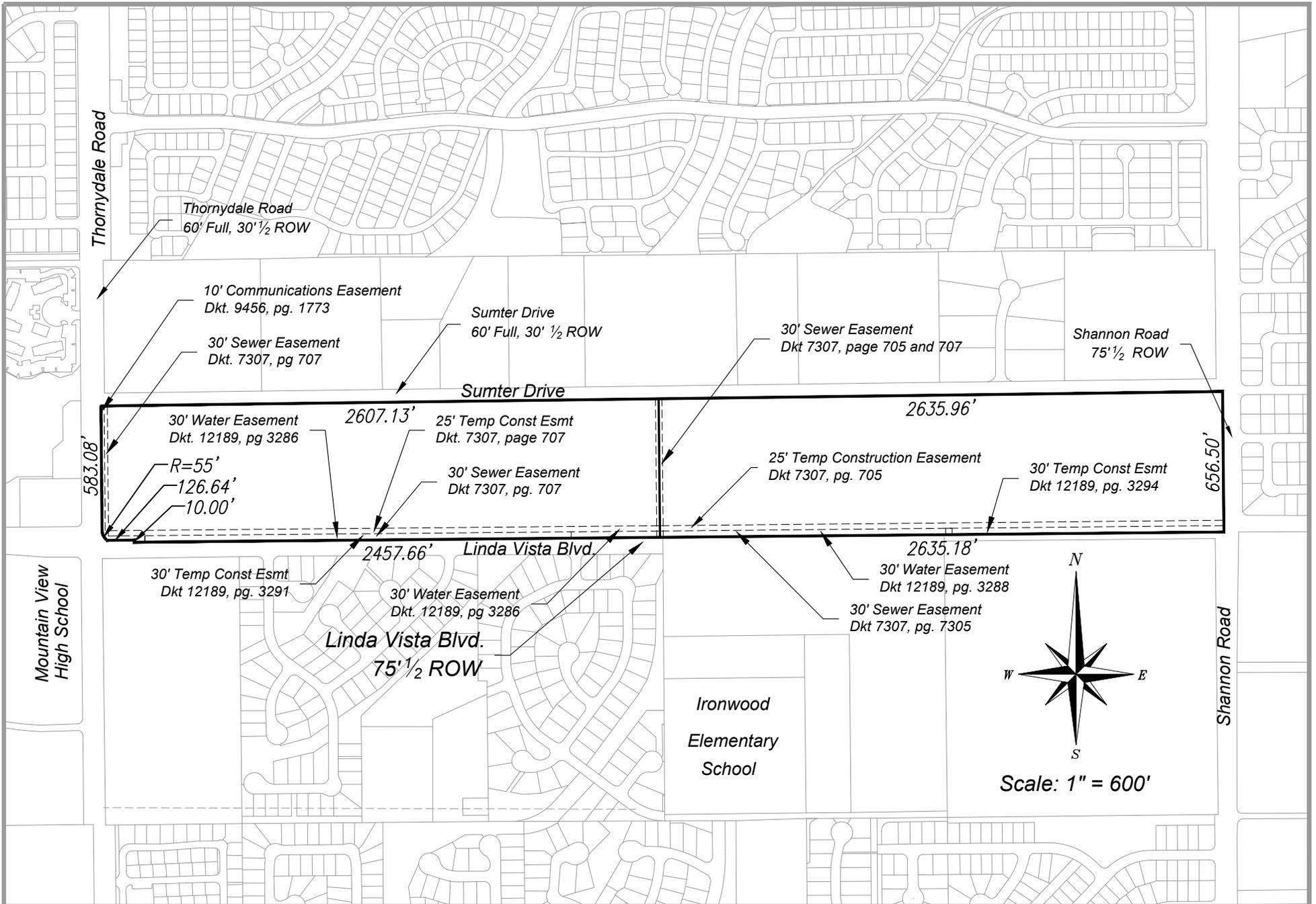
**Exhibit #1**  
**Location Map**

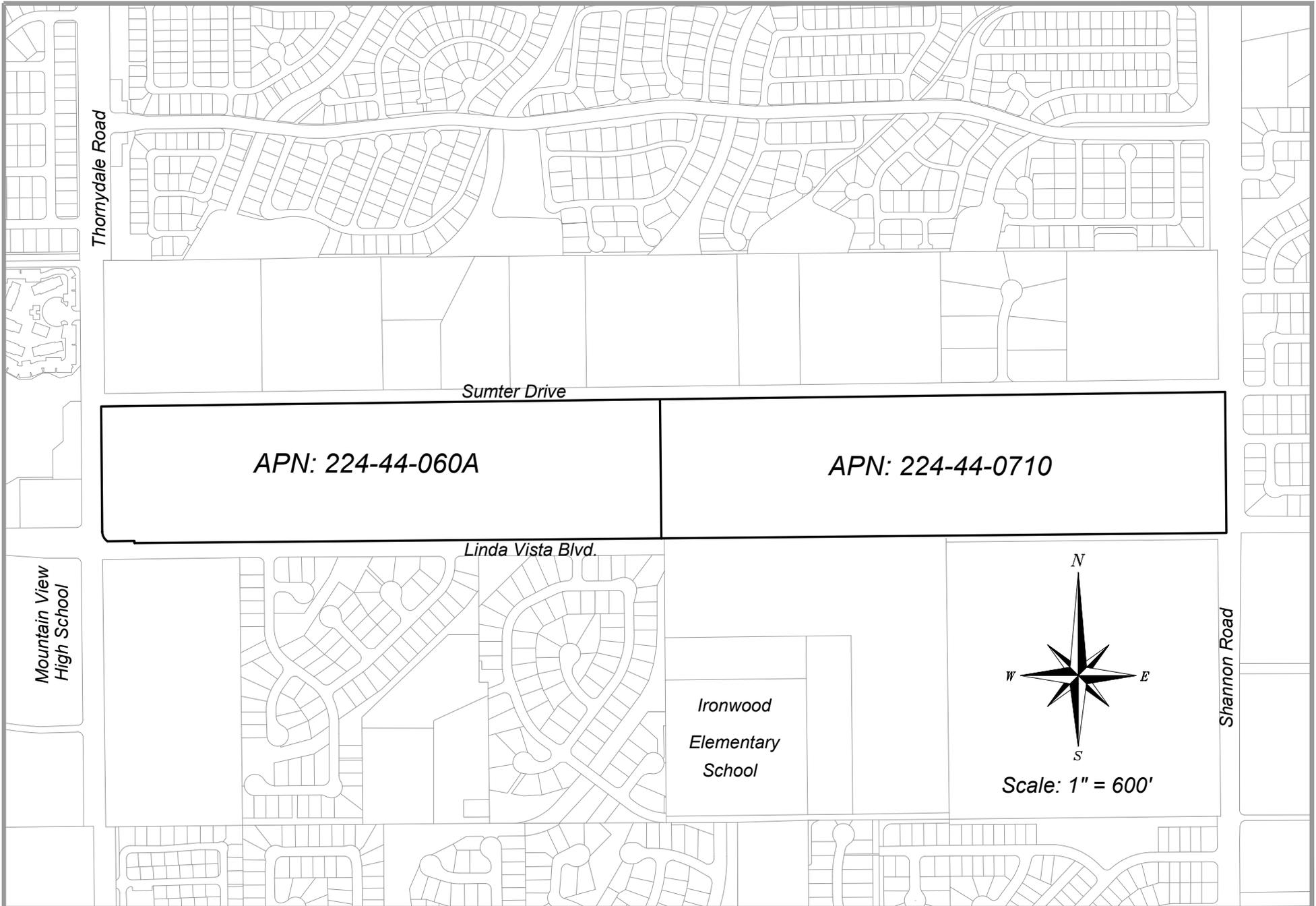




**Note:**  
 No rezoning or special area  
 policies on the subject property.



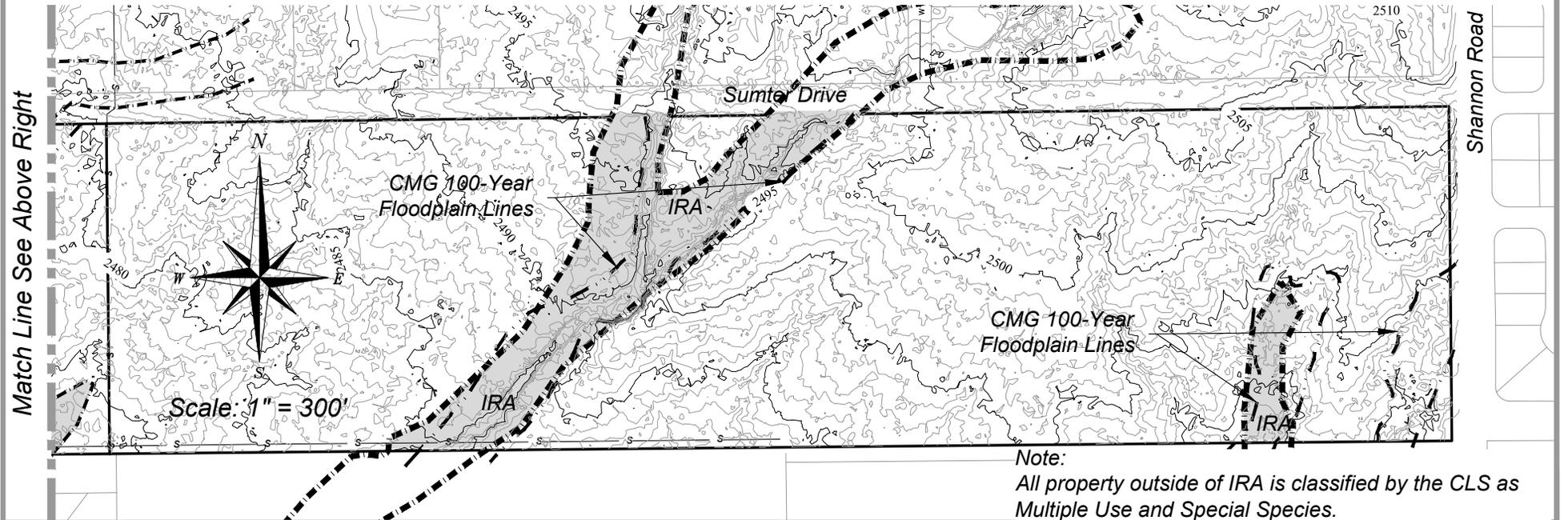
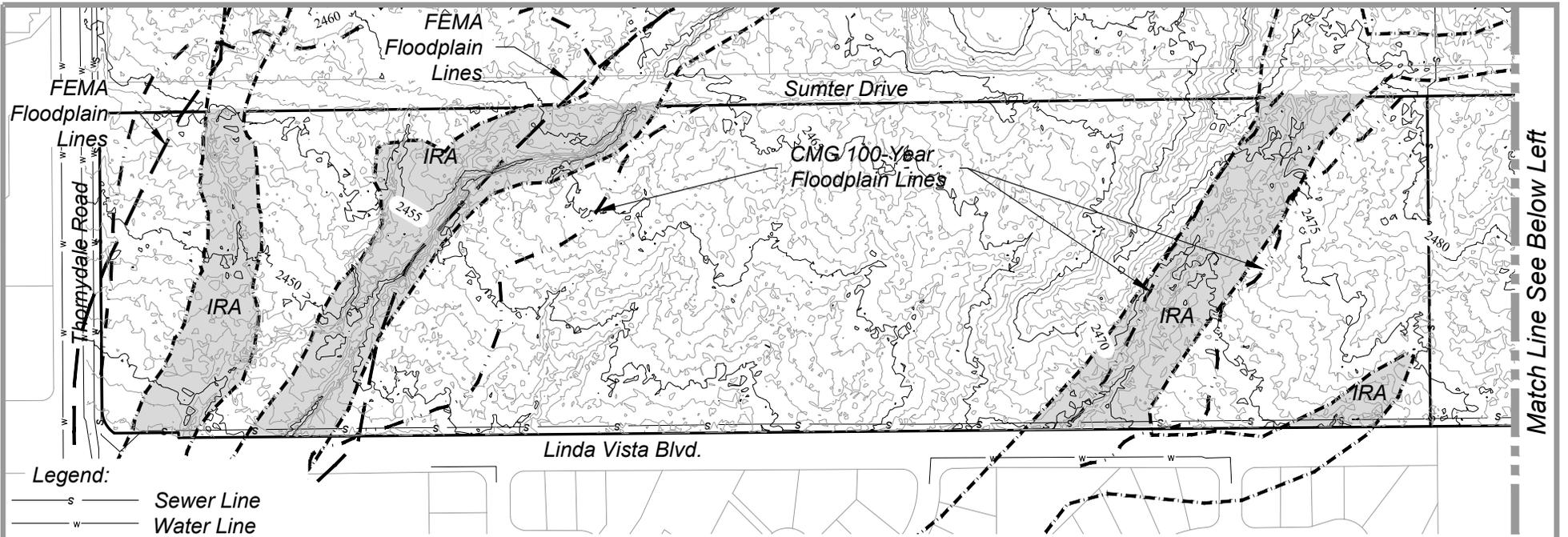




**MJMM** CONSULTING, INC.  
Land Planning and Development Services  
7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

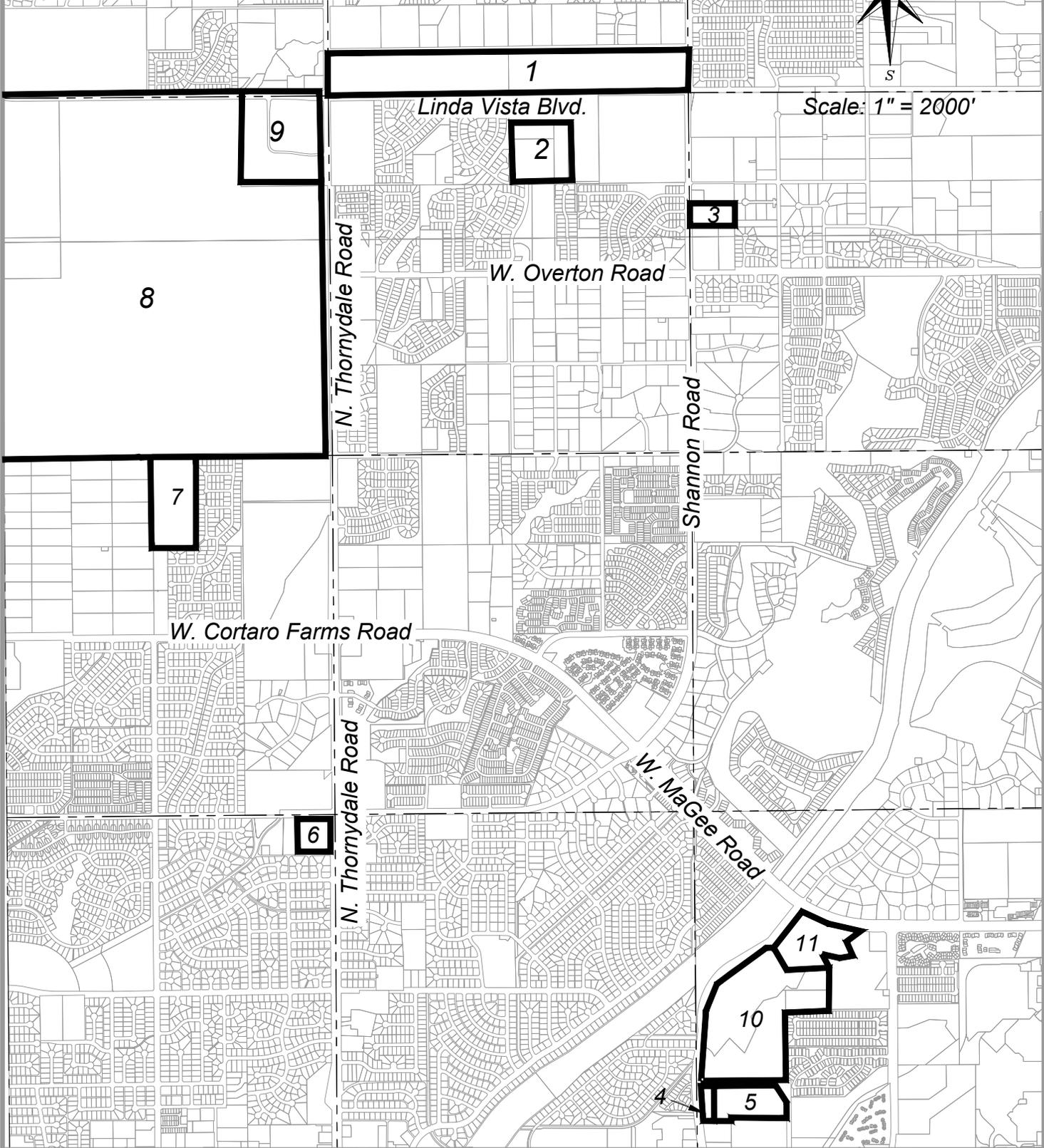
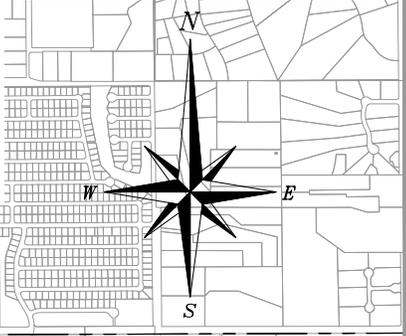
Wong- Sumter Drive  
APN: 224-44-060A and 224-44-0710  
Section 17, T 12S, R 13E, G&SRM  
Pima County, Arizona

**Exhibit #6**  
**Assessor's Map**



**Legend:**

- |  |                                  |
|--|----------------------------------|
| 1. Subject Property                      | 6. Post Office                   |
| 2. Ironwood Elementary School            | 7. Tortolita Middle School       |
| 3. Mountain Vista Fire Station           | 8. Arthur Pack Regional Park     |
| 4. ADOT MVD                              | 9. Mountain View High School     |
| 5. Sheriff Substation and Public Library | 10. Pima Community College (PCC) |
|  | 11. YMCA                         |



Book-Map-Parcel: 224-44-060A

[Oblique Image](#)

Tax Year:

Tax Area: **0673**

**Property Address:**

Taxpayer Information:  
 WONG FAMILY LP  
 3855 N CAMINO BLANCO  
 TUCSON AZ

Property Description:  
 S2 S2 SW4 EXC N30' W30' & EXC SPNDRL  
 37.99 AC SEC 17-12-13

85718- 7237

**Valuation Data:**

	2015				2016			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$436,885	16.0	\$69,902	Vacant/Ag/Golf (2)	\$417,928	15.0	\$62,689
IMPR FCV		\$0				\$0		
TOTAL FCV	Vacant/Ag/Golf (2)	\$436,885	16.0	\$69,902	Vacant/Ag/Golf (2)	\$417,928	15.0	\$62,689
LIMITED VALUE	Vacant/Ag/Golf (2)	\$436,885	16.0	\$69,902	Vacant/Ag/Golf (2)	\$417,928	15.0	\$62,689

**Property Information:**

Section: 17  
 Town: 12.0  
 Range: 13.0E  
 Map & Plat: /  
 Block:  
 Tract:  
 Rule B District: 2  
 Land Measure: 37.99A  
 Group Code:  
 Census Tract: 4611  
 Use Code: 0012 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED )  
 File Id: 1  
 Date of Last Change: 12/17/2012

**Valuation Area:**

Condo Market: 11  
 DOR Market: 43  
 MFR Neighborhood: Tortolita\_Foothills\_Undefined  
 SFR Neighborhood: 20463106  
 SFR District: 3

**Supervisor District:**

(1) ALLY MILLER

**Recording Information:**

Sequence No.	Docket	Page	Date Recorded	Type
96152419	10373	1717	9/5/1996	
0	8648	482	10/23/1989	

**Petition Information:**

Tax Year	Owner's Estimate	Petition	SBOE
2016	\$500	<a href="#">link</a>	
2015	\$500		
2014	\$500		
2013	\$500		
2012	\$500		
2011	\$500		
2010	\$200,000		
2008	\$1,000,000		

Parcel Note: Click to see/expand 6 note(s)

Book-Map-Parcel: 224-44-0710

[Oblique Image](#)

Tax Year:

Tax Area: 0673

**Property Address:**

**Taxpayer Information:**  
 WONG FAMILY LP  
 3855 N CAMINO BLANCO  
 TUCSON AZ

**Property Description:**

S2 S2 SE4 EXC N30' 38.75AC SEC 17-12-13

85718-7237

**Valuation Data:**

	2015				2016			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$445,625	16.0	\$71,300	Vacant/Ag/Golf (2)	\$426,289	15.0	\$63,943
IMPR FCV		\$0				\$0		
TOTAL FCV	Vacant/Ag/Golf (2)	\$445,625	16.0	\$71,300	Vacant/Ag/Golf (2)	\$426,289	15.0	\$63,943
LIMITED VALUE	Vacant/Ag/Golf (2)	\$445,625	16.0	\$71,300	Vacant/Ag/Golf (2)	\$426,289	15.0	\$63,943

**Property Information:**

Section: 17  
 Town: 12.0  
 Range: 13.0E  
 Map & Plat: /  
 Block:  
 Tract:  
 Rule B District: 2  
 Land Measure: 38.75A  
 Group Code:  
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(1) ALLY MILLER

**Recording Information:**

Sequence No.	Docket	Page	Date Recorded	Type
0	8648	482	10/23/1989	

**Petition Information:**

Tax Year	Owner's Estimate	Petition	SBOE
2016	\$500	<a href="#">link</a>	
2015	\$500		
2014	\$500		
2013	\$500		
2012	\$500		
2011	\$500		
2010	\$200,000		
2008	\$1,000,000		

Parcel Note: Click to see/expand 6 note(s)

# ASSESSOR'S RECORD MAP

## SECTION 17, TOWNSHIP 12 SOUTH, RANGE 13 EAST

224-44

-45

MOUNTAIN VISTA F.D.

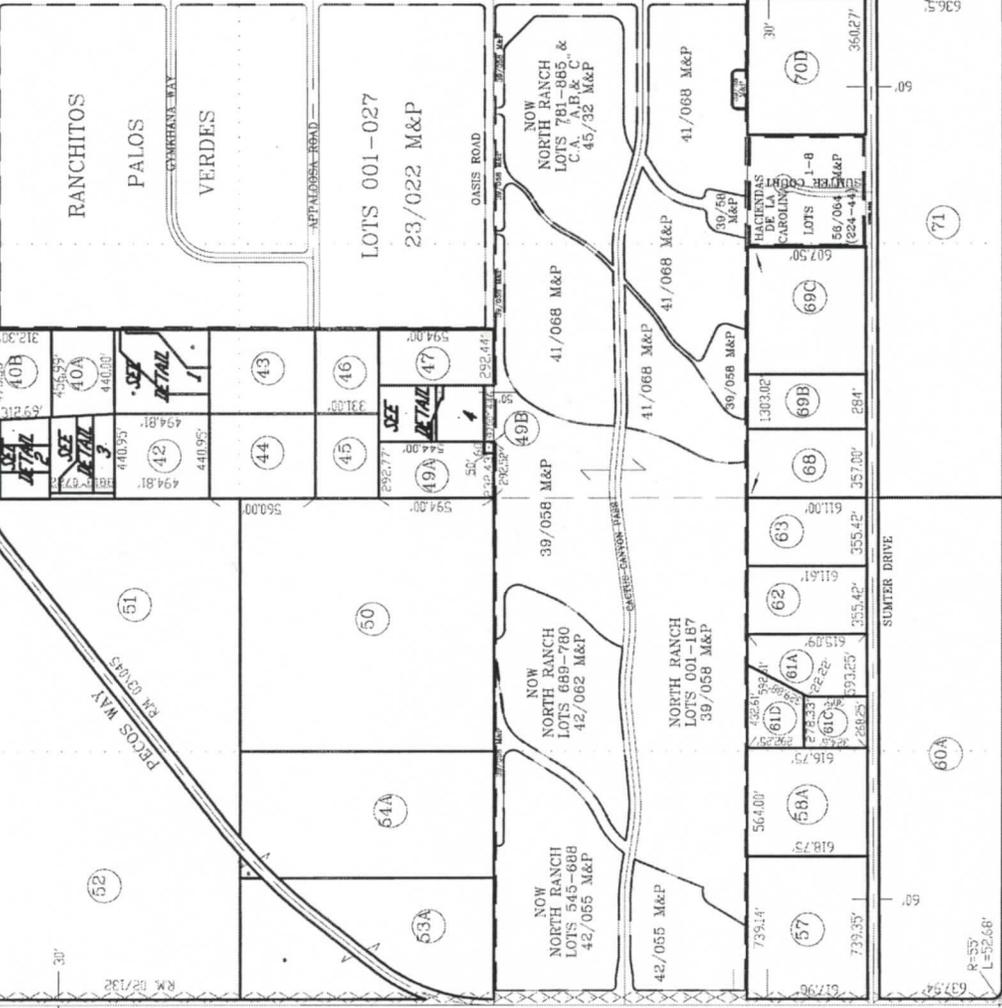
FORMERLY  
203-30

LAMBERT LANE

(CLD) 5273.40' W

(CLD) 5273.40' W

(CLD) 5273.40' W



April 6, 2016

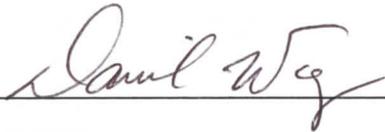
Chris Poirier  
Planning Official  
Pima County Department of Development Services -  
Planning Division  
201 N. Stone, 2<sup>nd</sup> Floor  
Tucson, AZ 85710

Re: Property at the southeast corner of Thornydale Road & Sumter Drive

Mr. Poirier:

Please consider Michael Marks, AICP of MJM Consulting, Inc. as duly authorized to act on behalf of the ownership in processing a plan amendment application for the property southeast of Thornydale Rd & Sumter Dr. If you have any questions please do not hesitate to call. Thanks.

Sincerely,

 4/6/16

---

Daniel Wong  
Manager of the Wong Family Limited Partnership

RECORDING REQUESTED BY:

Fee No. \_\_\_\_\_

Recorders Stamp:

WHEN RECORDED MAIL TO:

Thomas K. Wong  
3855 N. Camino Blanco  
Tucson, Az. 85718

AFFIDAVIT EXEMPT UNDER ARS 42-1614 B-8

Escrow No. N/A

WARRANTY DEED

For the consideration of Ten and NO/100 Dollars, and other valuable considerations, I or we,

GRANTORS AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF: the GRANTOR

do hereby convey to

THE WONG FAMILY LIMITED PARTNERSHIP the GRANTEE  
an Arizona Limited partnership

the following described real property situate in Pima County, Arizona

LEGAL DESCRIPTION ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF:

SUBJECT TO: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

And the Grantor does warrant the title against all persons whomsoever, subject to the matters above set forth.

DATED: October 17, 19 89

Daniel K. Wong  
Daniel K. Wong, as Trustee of  
The Daniel K. Wong Irrevocable Trust  
dated 8/1/89

Darryl K. Wong  
Darryl K. Wong, as Trustee of The  
Darryl K. Wong Irrevocable Trust dated  
8/1/89

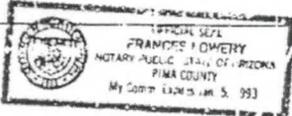
STATE OF ARIZONA )  
County of Pima ) ss.

Debbie M. Wong  
Debbie M. Wong, as Trustee of The  
Debbie M. Wong Irrevocable Trust  
dated 8/1/89

This instrument was acknowledged and executed before me this 20th day of October, 19 89 by Daniel K. Wong, as Trustee of The Daniel K. Wong Irrevocable Trust dated 8/1/89, and by Debbie M. Wong, as Trustee of The Debbie M. Wong Irrevocable Trust dated 8/1/89

Thomas L. Lowery  
Notary Public

My commission expires



STATE OF ARIZONA )  
County of Pima ) ss.

This instrument was acknowledged and executed before me this 20th day of October, 19 89 by Darryl K. Wong, as Trustee of The Darryl K. Wong Irrevocable Trust dated 8/1/89

Thomas L. Lowery  
Notary Public

My commission expires

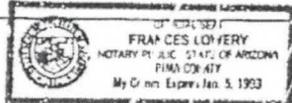


EXHIBIT "A"

GRANTORS:

DANIEL K. WONG, as Trustee of The Daniel K. Wong Irrevocable Trust dated 08/01/89, as to an undivided one third interest;

DARRYL K. WONG, as Trustee of The Darryl K. Wong Irrevocable Trust dated 08/01/89, as to an undivided one third interest;

DEBBIE M. WONG, as Trustee of The Debbie M. Wong Irrevocable Trust dated 08/01/89, as to an undivided one third interest;

ARS 33-404 DISCLOSURE:

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of The Daniel K. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3855 Camino Blanco, Tucson, AZ 85718. Daniel K. Wong, 3855 Camino Blanco, Tucson, AZ 85718 is the named remainderman beneficiary of the trust. Additional beneficiaries are referred to in the trust by class but not by name.

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of The Darryl K. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3855 Camino Blanco, Tucson, AZ 85718. Darryl K. Wong, 3855 Camino Blanco, Tucson, AZ 85718 is the remainderman beneficiary of the Trust. Additional beneficiaries are referred to in the trust by class but not by name.

Pursuant to the provisions of ARS 33-404, the current income beneficiaries of the Debbie M. Wong Irrevocable Trust named as a Grantee in this instrument are Thomas K. and Lillian Q. Wong, 3855 Camino Blanco, Tucson, AZ 85718. Debbie M. Wong, 3855 Camino Blanco, Tucson, AZ 85718 is the named remainderman beneficiary of the trust. Additional beneficiaries are referred to in the trust by class but not by name.

8648 483

Exhibit "B"

Legal descriptions:

"Sumpter Property"

The West half of the South half of the South half of the South half of Section 17, Township 12 South, Range 13 East, of the Gila and Salt River Base and Meridian, EXCEPT any portions thereof lying in Thornydale Road and Sumpter Drive.

The East half of the South half of the South half of the South half of Section 17, Township 12 South, Range 13 East, of the Gila and Salt River Base and Meridian, EXCEPT any portion thereof lying in Sumpter Drive.

Tax Parcel Nos. 224 44 07109 and 224 44 06006

"Overton Property"

The North half ~~of the South half~~ of the West half of the following described property: The Northwest quarter of the Southwest quarter of Section 20, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

EXCEPT all coal and other minerals as reserved in Patent from the United States of America.

FURTHER excepting the West 30 feet of the Northwest quarter of the Southwest quarter of Section 20.

Tax Parcel No. 225 02 027C3

"Naranja Property"

83.2% of the following described property: The West half of the Northwest quarter of Section 12, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

Tax Parcel No. 224 28 00102

"Lotus Garden"

Lot 1, and the East 16.10 feet of lot 2 in Block 2 of CATALINA HEIGHTS, Pima County, Arizona, according to the plat thereof of record in the Office of the County Recorder of Pima County, Arizona, in Book 4 of Maps and Plats at Page 19, EXCEPT the North 20 feet; and FURTHER EXCEPTING all that part lying within widened Speedway as shown on road map recorded in Book 4 of Road Maps at page 80.

Tax Parcel No. 221 07 0140

8648 484

**DATE:** August 22, 2016



**TO:** Donna Spicola, DSD

**FROM:** Greg Saxe, M.R.P. Ph.D.  
Env. Plg. Mgr.

**SUBJECT:** P16CA00002 – Wong Family Limited Partnership – Plan Amendment

I have reviewed the request and have **no objection or policy recommendations**, and offer the following comments:

1. The FEMA and proposed floodplains, and riparian habitat designated as Important Riparian Area have been shown on the special features exhibit. Per Pima Prospers Section 4.9 Goal 1 these areas are to be avoided. The FEMA floodplain is designated as Zone A, indicating that the floodplain boundaries are approximate. The applicant has provided more accurate floodplain delineation based upon better topography and existing conditions and is planning to avoid this area. Riparian habitat boundary modifications, per District Technical Policy 104, may be allowed to adjust map accuracy but not to reduce the net area. A rezoning condition will be recommended at the time of rezoning to ensure this occurs.
2. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
  - a. The site is adjacent to the Tucson Water Obligated Service Area.
  - b. Per the ADWR Well Inventory the closest Tucson Water observation well located immediately downstream of the site had depths to groundwater of 375 in 2008 and 379 feet in 2012. Other nearby wells have similar depths with the exception of one immediately upstream which had water depths of 184 feet in 1982.
  - c. The site is not located within a covered subsidence zone.
  - d. The nearest Groundwater-Dependent Ecosystem is the perennial section of the Santa Cruz River 3.7 miles away.
  - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1600-3200 feet.

In conclusion, the distance to groundwater and proximity to the Tucson Water service area suggests the project is not likely to have adverse impacts on groundwater dependent ecosystems. At the time of rezoning the applicant must identify their provider and proposed yield in order to confirm that there will be no impact on shallow groundwater dependent ecosystems. Policy is in place to ensure this occurs.

cc: File



---

# MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

---

DATE: May 31, 2016

TO: United States Fish and Wildlife Service  
201 N. Bonita Ave., Suite 141  
Tucson, AZ 85745

FROM: Donna Spicola, Case Planner

SUBJECT: Pima County Comprehensive Plan Transmittal for your review and comments  
Case: P16CA00002 Wong Family LP – W. Sumter Road Plan Amendment

=====

## USFWS

Reviewer: Scott Richardson

Address: 201 N. Bonita Ave., Suite 141 Tucson, AZ 85745

Phone: (520) 670-6144 x 242

E-mail: scott\_Richardson@fws.gov

No Concerns relating to the subject property

Yes Concerns relating to the subject property

### Description of species impacted, concerns and suggested mitigation measures:

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

With regard to the pygmy-owl, this parcel occurs in an area where various design elements have been incorporated into existing roadways and developments to reduce impacts to and facilitate movement by pygmy-owls. This parcel has significant ironwood and saguaro resources that not only have value to the pygmy-owl, but is also a sensitive and valuable vegetation community. Without on-site or off-site natural open space set asides as required by the CLS guidelines, the proposed rezoning has the potential to render these actions ineffective. It appears, based on Attachment B, Reason 3, of the documents provided, that the owner does intend to acquire and provide off-site mitigation. The pygmy-owl is a proposed covered species under Pima County's MSCP and this area is a special species management area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the CLS and Comprehensive Plan be applied to this parcel if this Comprehensive Plan

amendment is approved, with no more than 20% of the parcel developed and the remaining 80% configured as natural open space in a way that maintains habitat connectivity as anticipated through existing development and transportation facilities. We recommend that this parcel complies with the CLS guidelines for the special species management designation through either on-site or off-site natural open space set asides. Given the proposed configuration of potential development on this site, it appears that off-site natural open space set asides will need to be included.