

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

HEARING February 24, 2016

DISTRICT 4

CASE P15RZ00008 Landmark Title Tr 18294-T – E. Whitehouse Canyon Rd Rezoning

REQUEST Rezone from RH (BZ) (Rural Homestead – Buffer Overlay) zone to the CR-1 (BZ) (Single Residence – Buffer Overlay) zone (36.62 acres)

OWNER Landmark Title Tr 18294-T
Attn: Klipp Family Trust
2200 E. River Road, Suite 105
Tucson, AZ 85718-6516

APPLICANT The Planning Center
Attn: Tim Craven
110 S. Church Ave., Suite 6320
Tucson, AZ 85701

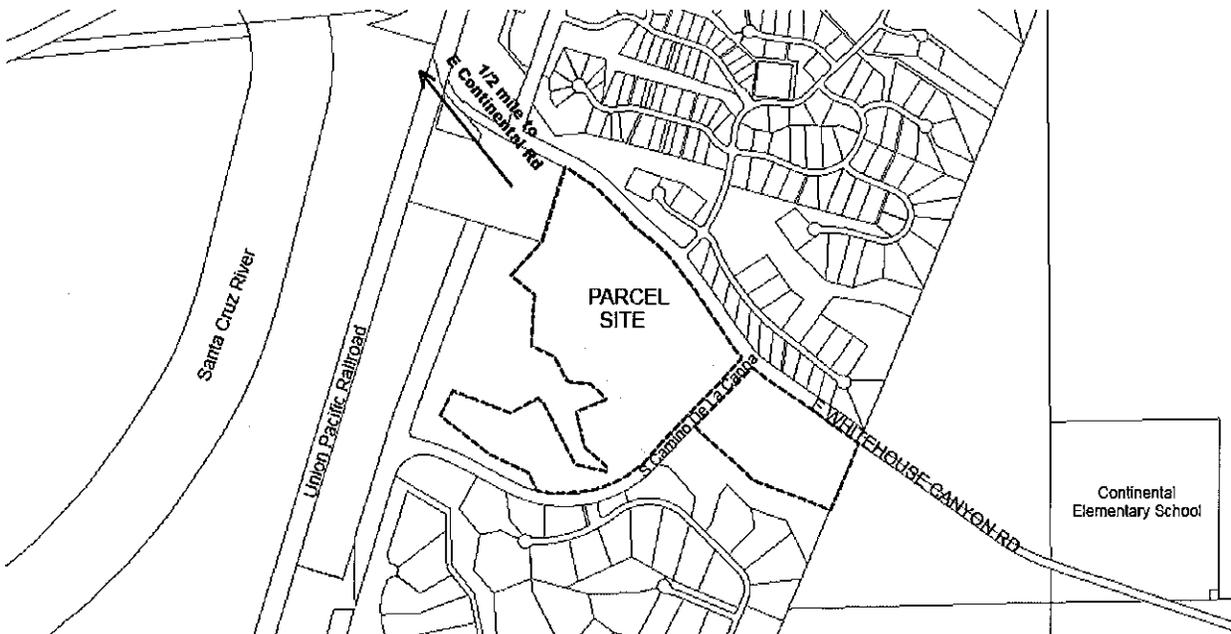
APPLICANT'S PROPOSED USE

A cluster subdivision with 23 single family detached residential homes.

APPLICANT'S STATED REASON

The proposed subdivision project will feature the CR-1, Cluster Development Option, in order to buffer the existing neighborhoods as well as protect the most sensitive natural features of the site.

LOCATION MAP



COMPREHENSIVE PLAN DESIGNATION

Pima Prospers (Pima County Comprehensive Plan) designates the 36.62-acre rezoning site as Low Intensity Urban-1.2 (LIU-1.2), approximately 18.58 acres; and Low Intensity Rural (LIR), approximately 18.04 acres. The subject rezoning site is a portion of a larger 70.27-acre parcel (#304-18-9760) that is split by Camino De La Canoa. The remaining acreage not being considered for rezoning is designated as LIR.

The requested CR-1 zone and proposed Preliminary Development Plan (PDP) for the subject site conform to the LIU-1.2 and LIR comprehensive plan designations. LIU-1.2 allows a maximum density of 1.2 residences per acre (RAC). The objective of LIU is to designate areas for low density residential and other compatible uses while providing incentives for more natural open space. The RAC for the proposed development is 0.6 and is comprised of 8.8 acres, or 24% of the site, due to its cluster layout. All proposed lots are located in the LIU-1.2 comprehensive plan land use area. Approximately 76%, or 27.82 acres, of the subject site is committed to natural open space. The intention of LIR is to designate areas for residential uses at densities consistent with rural and resource-based characteristics. All acreage within the LIR designation is dedicated to open space. A map and descriptions for LIU-1.2 and LIR are attached.

Special Area Policy:

Special Area Policy S-11, GVH applies to the site which limits building heights to 24'. The PDP conforms to this policy and indicates single-story homes at a maximum height of 14'.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-1	Madera Reserve - Single family residential (0.7 RAC)
South:	RH	Vacant/Madera Foothills Estates - Single family residential (0.4 RAC)
East:	RH	Vacant
West:	RH	Un-subdivided residential / Union Pacific Railroad / Community-medical center /Airport

PREVIOUS REZONING CASES ON PROPERTY

None

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

In 2014, approximately 1,095 acres located east of Interstate 19, southwest of Whitehouse Canyon Road, spanning both sides of Continental Road, were approved for rezoning from RH to SP (Specific Plan, Continental Farms). The Continental Farms Specific Plan is a 1,095 acre master planned community and is a companion to the Sahuarita Farms Specific Plan, a 5,678 acre master planned community within the Town of Sahuarita. The Continental Farms Specific Plan proposes a target of 1,500 residential units.

Past activity:

The Madera Reserve subdivision to the north of the subject rezoning site was rezoned from RH to CR-1 in 1995. The subdivision was designed utilizing the CR-1, Cluster Development Option and is limited to a maximum of 320 dwelling units.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL with conditions**. The applicant proposes a CR-1 (Single Residence), Cluster Development Option, rezoning of a 36.62-acre site on vacant property located at the southwest corner of Whitehouse Canyon Road and Camino De La Canoa, approximately ½

miles east of the Union Pacific Railroad tracks and Continental Road. The proposed cluster development consists of 23-detached single family residences within a subdivision representing a 0.6 RAC, which is consistent with surrounding development and the LIU-1.2 comprehensive plan land use category.

The 36.62-acre development site lies mostly within the Conservation Lands System (CLS) Multiple Use Management Area (MUMA), with approximately 7 acres along Whitehouse Canyon Road falling outside the CLS. Of the proposed developed 8.8 acres, 6.3 acres are within CLS and designated MUMA. As noted by the Environmental Planning Report on pages 5-6, Conditions #9 A-E includes a requirement for a minimum of 27 acres on-site as natural open space and a bufferyard masonry brick wall no less than 72" in height for Lots 1-14. According to the PDP, the proposed project provides 27.8 acres of natural open space out of the 36.62-acre site. Additionally, a riparian corridor crosses the site and is regulated by the Regional Flood Control District as a Class C Xeroriparian. This wash directly connects to a culvert that conveys flow under the 2-lane Camino De La Canoa and is dimensionally suitable to accommodate the passage of larger wildlife species. The Arizona Game & Fish Department recognizes the area between the rezoning site and the Santa Cruz River as a Wildlife Movement Area. Therefore, the 72" bufferyard masonry brick walls are essential in the shielding of wildlife flow through the xeroriparian corridor.

The rezoning site also contributes to important landscape connectivity between the Santa Cruz River and the Santa Rita Mountains. With the exception of past cattle grazing, the site appears to be relatively undisturbed and in a natural condition. The wash and associate slopes within the parcel are key connective features that are buffered by surrounding vacant properties and low density rural residential land uses to the south and cluster residential development north of Whitehouse Canyon Road. There are slopes greater than 15% located throughout the site. The proposed developed area is generally flatter with a small proportion of steep slopes in the areas that will remain undisturbed. There are no saguaro cacti or ironwood trees located within the site boundaries.

Overall, the compact development meets the intention of the CR-1, Cluster Development Option and Buffer Overlay zoning ordinances and preserves the most sensitive areas of the site for wildlife and landscape connectivity. The PDP provides additional housing compatible with existing subdivisions. A 20' bufferyard and 4' screening wall along Whitehouse Canyon Road and a 60' bufferyard and 4' screening wall along Camino De La Canoa are proposed to mitigate any negative impacts on visibility, privacy, and noise. The proposed development will generate approximately 230 trips per day. The project will have one access point located on Camino De La Canoa in order to reduce traffic impacts on Whitehouse Canyon Road. Camino De La Canoa and Whitehouse Canyon Road are currently under-capacity.

Continental Elementary/Middle School (Pre-K – 8) is located 2/3 of a mile east of the subject site on Whitehouse Canyon Road. High schools serving the site, Sahuarita and Walden Grove, are within the Sahuarita School District and the Continental School District provides transportation for these students. A shared-use path from the adjacent Madera Reserve subdivision to the Continental School accommodates pedestrian and bicycle traffic. A Sun Shuttle stop for Route #421 is located within a mile off of Continental Road. Whitehouse Canyon Road, Camino De La Canoa, and Continental Road are all designated bicycle routes. Commercial and community services are available in the Continental Road/Old Nogales Highway vicinity, less than a mile away. Further shopping is located 1.5 miles at the shopping center northwest corner of I-19 and Continental Road; and north up I-19 towards Duval Mine and Sahuarita Roads.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	N/A	N/A
SCHOOLS	N/A	N/A

TRANSPORTATION REPORT

Concurrency considerations for the proposed rezoning have been met, as all roadways in the vicinity are functioning below capacity. The rezoning proposes 23 single family residential lots, which will generate approximately 230 ADT. Access to the site is off Camino de La Canoa. The subdivision will be gated with a private road.

The current traffic count for Camino de La Canoa is 360 ADT and the capacity is 15,930 ADT. The current traffic count for Whitehouse Canyon Road is 2,761 ADT and the capacity is 13,122 ADT. The nearest arterial roadway is Continental Road which is ¼ of a mile northwest of the site. Continental Road has a current traffic count of 9,792 ADT and a capacity of 15,930 ADT.

Improvements to Continental Road and Old Nogales highway are listed in the PAG 2040 Regional Transportation Plan; however, they are not currently scheduled for funding. Bike lanes are also planned for Whitehouse Canyon Road adjacent to the project site; however, they are not currently funded.

The Department of Transportation has no objection to the rezoning request subject to conditions.

FLOOD CONTROL REPORT

The Regional Flood Control District (District) has no objection and finds that the project meets concurrency requirements for flood control and water demand purposes. The District has the following comments:

- Floodplains and riparian habitat have been avoided.
- As required staff has conducted the Water Resources Impact Assessment (WRIA as follows:
 - The site is to be served by the Farmer's Water Company and does not have access to renewable supplies as they pump and deliver groundwater.
 - Per the ADWR Well Inventory the wells shown on the map contained in the PIWMP at the Continental School approximately 1 mile uphill from the site had depths to groundwater of 242 feet when tested in 1982. The wells downhill from the site near the railroad had depth to groundwater over 150 feet in the 1980s. Per the Tucson Active Management Area Safe Yield Task Force: Between the years 2010 and 2025 groundwater depth is predicted to decline between 30 to 50 feet by 2025. The local water table depth in 2025 is projected to be between 251 and 350 feet. It should be noted that these maps are rasterized and visually interpolated to the project site.
 - Neither the site nor closest Farmer's Water Company wells are located within a mapped subsidence zone.
 - Neither the site nor closest Farmer's Water Company wells is within 5 miles of a Groundwater-Dependent Ecosystem.
 - The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1600-4800 feet. The range is broad due to the site straddling two isopleths.

Pima County's Water Resources Impact Assessment finds that, under existing conditions, the proposed project **will not have access to renewable water**. **However**, based upon projections provided in the PIWMP, the location of the site and supply wells in relation to subsidence and shallow groundwater areas **adverse impacts are not expected**. Furthermore appropriate conservation measures will be required as noted above.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request and have no objection to the rezoning.

ENVIRONMENTAL PLANNING REPORT

Site Conservation Values and Landscape Context

- The 36.6-acre rezoning site is a portion of a 54.8-acre parcel (304-18-9760) that lies mostly within the CLS Multiple Use Management Area (MUMA); approx. 7 acres of the rezoning site along Whitehouse Canyon Road falls outside the CLS.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, Pima pineapple cactus, or the cactus ferruginous pygmy-owl.
- On-site resource conditions: One riparian corridor crosses the site and is regulated by RFCD as Class C Xeroriparian. This wash directly connects to the culvert that conveys flow under the 2-lane Camino de la Canoa. This culvert appears to have dimensions suitable to accommodate the passage of larger wildlife species. Site inventory resulted in no saguaros or ironwood trees. The site appears to be relatively undisturbed and in a natural condition.
- The site is not within nor is it adjacent to any Pima County Preserve properties. Canoa Ranch is the closest County Preserve and it's over 3 miles away. It does, however, lie within about 1,000 feet of the Santa Rita Experimental Range.
- The site is not identified for acquisition under the 2004 Open Space Conservation Bond Program.
- Landscape context: The rezoning site is undeveloped and contributes to landscape connectivity between two important landscape resources – the Santa Cruz River and the Santa Rita Experimental Range/Santa Rita Mts. The wash and associate uplands within Parcel 304-18-

9760 are key connective features and are buffered by undeveloped uplands and low density rural residential land uses to the south and CR-1 residential development north of Whitehouse Canyon Road. Research indicates that these areas of residential development to the north and south are also compatible with wildlife movement. Additionally, the Arizona Game & Fish Dept. recognizes the area between parcel 304-18-9760 and the Santa Cruz River as a Wildlife Movement Area. Significantly, other recent land use approvals have incorporated measures to support this connectivity between the Santa Cruz River and the Santa Rita Experimental Range/Santa Rita Mts. The Continental Farms Specific Plan (approved 3/2014) establishes a 295-acre block of natural open space to protect the Santa Cruz River. The wash that extends from the rezoning site flows into this block of natural open space.

Potential Impact to Biological Resources and CLS

According to information provided in the Site Analysis and on the PDP, the proposed project fully conforms to CLS natural open space (NOS) set-aside objectives:

- Approx. 8.8 acres out of the 36.6 acre site will be developed.
- Of the 8.8 acres, only 6.3 acres are designated MUMA.
- The project provides 23.3 acres of MUMA-NOS which exceeds the MUMA conservation MUMA-NOS objective of 12.6 acres (2 acres of NOS for each developed acre).

However, there is potential for the project to impact biological resources. Although the proposed project provides a significant amount of NOS that includes the on-site wash, the lot layout narrows the breadth of NOS as it approaches the culvert. Introducing a more immediate human presence here will create indirect effects such as artificial lighting and noise that can compromise the wash's contribution to landscape connectivity and wildlife movement between the Santa Cruz River and the Santa Rita Experimental Range/Santa Rita Mts.

In summation, given the site's on-site resources, landscape context, and the on-site set-aside of natural open space in conjunction with the following recommended Special Conditions, this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS.

CULTURAL RESOURCES REPORT

The site analysis is considered complete as it includes all the appropriate cultural resources sections (including an ASM records check) and has correctly stated the current cultural resources status of the subject property. A review of the subject property (parcel 304-18-9760) shows that it is located within close proximity to multiple archaeological sites.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation have no comments or conditions.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

U.S. Fish and Wildlife Service have no comments.

FARMERS WATER CO. (FWC)

FWC have no comments, but has provided comments to the applicant and their letter is attached to this report.

PUBLIC COMMENT

As of the writing of this staff report, staff has received two (2) letters of protest. The letters are attached to this report.

Neighborhood Meeting Summary:

A preliminary neighborhood meeting was held in November 2014 for the purpose of introducing the project and garner feedback from neighbors. All neighbors within 1,000 feet and all neighborhood associations within one-mile were invited to this meeting. Initially the project plans included 29 residential lots. Feedback from neighbors, especially those neighbors directly adjacent to Whitehouse Canyon Road to the north of the subject property, led to the reduction in the number of lots to 23.

Residents of the properties to the south of the proposed development voiced concern with the increased traffic congestion at the intersection of Camino De La Canoa and Whitehouse Canyon Road brought on by the development. A meeting with the Pima County Department of Transportation in February 2015 was held in order to discuss the traffic concerns. A potential solution to the traffic congestion came in the form of a roundabout being installed at the intersection in order to keep traffic flowing during peak travel times. This solution is being considered by County DOT officials.

At a meeting on April 30, 2015, the Green Valley Council's Planning and Architecture Committee (letter attached) voted to approve the proposed project and recommends Pima County approve the application for rezoning.

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 the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. 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.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
 - A. The rezoning is limited to one access on Camino De La Canoa as indicated on the Preliminary Development Plan (PDP).
 - B. No access on to Whitehouse Canyon Road will be permitted without approval of the Board of Supervisors.
7. Flood Control conditions:
 - A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces associated with the roads. This requirement shall be made a condition of the Site Construction Permit.
 - B. Floodplains and Pima County Regulated Riparian Habitat shall be contained in open space as shown on the PDP.
 - C. 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

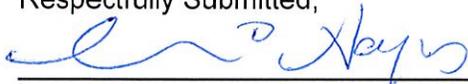
- approval at the time of development.
8. Wastewater Reclamation conditions:
- A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer 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 enter into a written agreement addressing the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner/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.
9. Environmental Planning conditions:
- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a minimum of 27 acres on-site as natural open space. The approximate location and configuration of this natural open space will conform to that shown on the approved PDP.
 - B. The total outdoor light output for an individual lot shall not exceed 4 – 550 lumens (40 watt incandescent or 9 watt compact florescent); no unshielded luminaires are allowed.
 - C. As shown on the approved PDP, bufferyard walls for Lots 1-14, will be no less than 72 inches in height and will be constructed of masonry brick.
 - D. Points of ingress or egress from individual lots into areas of natural open space are prohibited.
 - E. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. 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.

Invasive Non-Native Plant Species Subject to Control

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

10. Cultural Resources condition:
Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.8.
11. Adherence to the Preliminary Development Plan as approved at public hearing.
12. 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)."
13. 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.

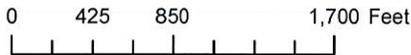
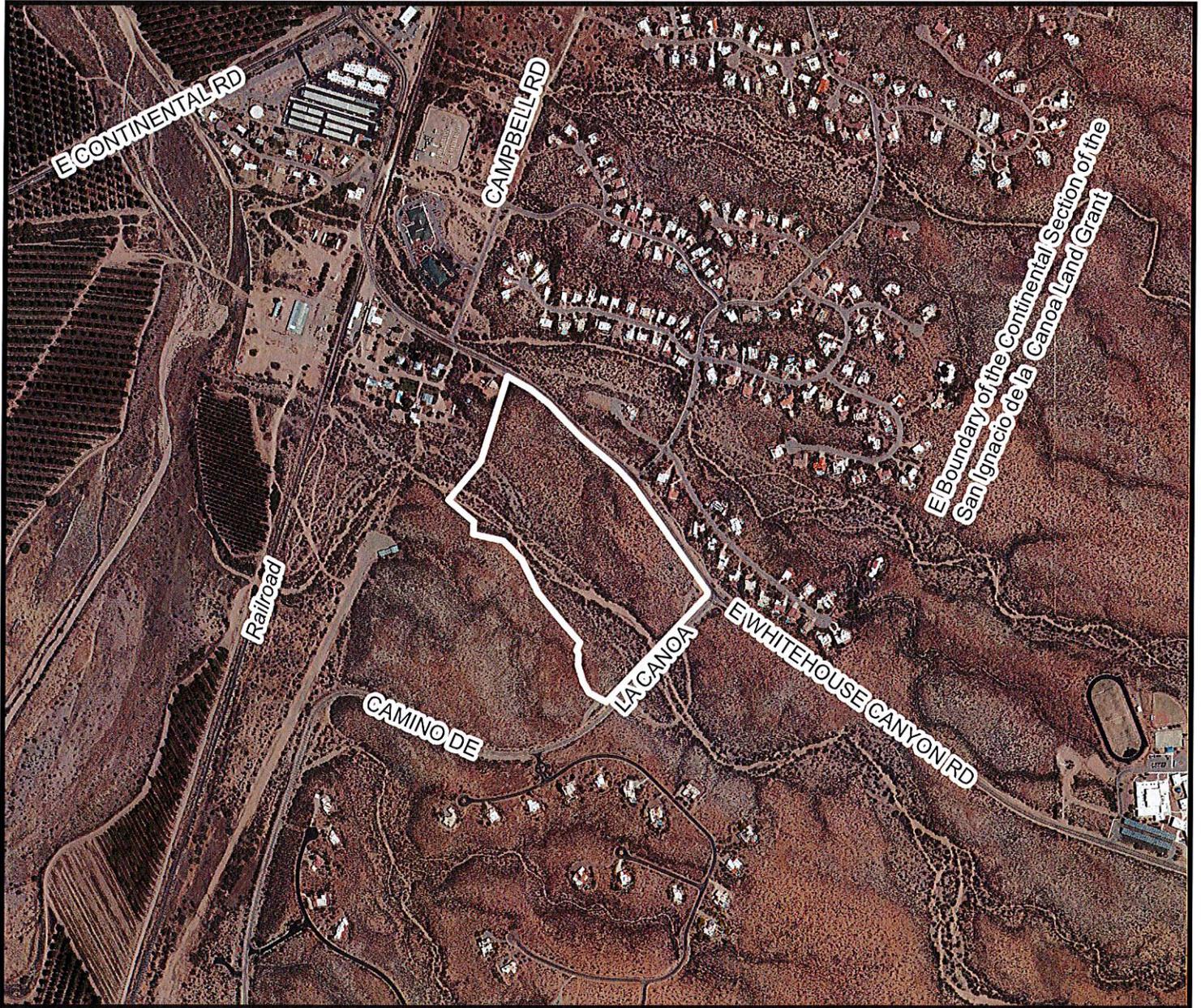
Respectfully Submitted,



Artemio Hoyos, AICP
Case Planner

Cc: The Planning Center, Attn: Tim Craven, 110 S. Church Ave, Suite 6320, Tucson, AZ 85701

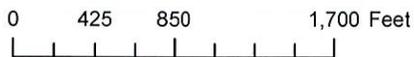
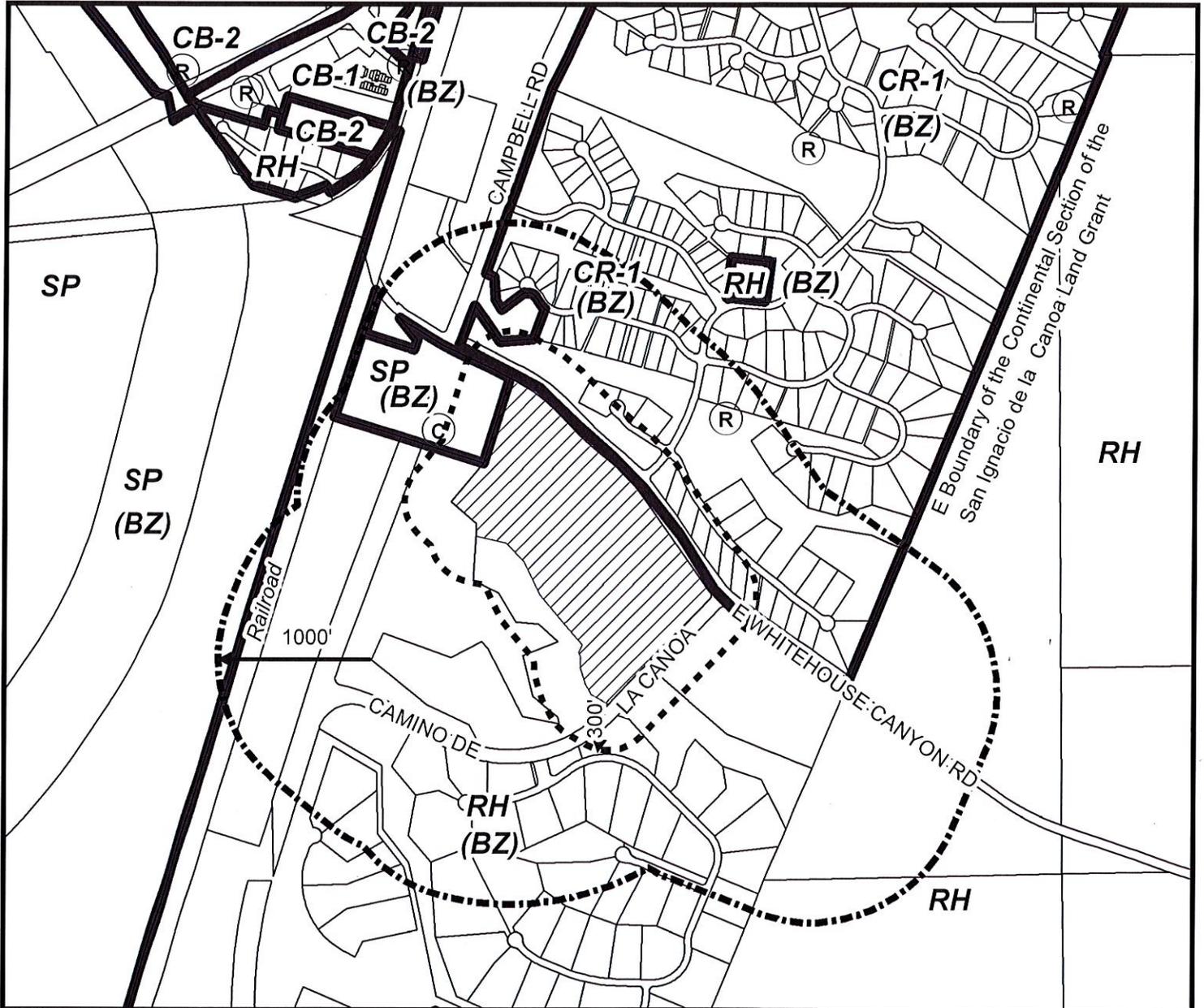
Case #: P15RZ00008
 Case Name: LANDMARK TITLE TR 18294 -
 E WHITEHOUSE CANYON ROAD REZONING
 Tax Code(s): Portion 304-18-9760



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Planning & Zoning Hearing: 2/24/16 (scheduled)		
	Base Map(s): 886	Map Scale: 1:12,000	

Case #: P15RZ00008
 Case Name: LANDMARK TITLE TR 18294 -
 E WHITEHOUSE CANYON ROAD REZONING
 Tax Code(s): Portion 304-18-9760



Area of proposed rezoning from RH (BZ) to CR-1 (BZ)



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 2/24/16 (scheduled)

Base Map(s): 886

Map Scale: 1:12,000

Map Date: 2/02/2016



PRELIMINARY DEVELOPMENT PLAN (PDP)

- GENERAL NOTES**
- PROJECT AREA: 36.6 ACRES
 - DEVELOPED AREA: 8.8 AC / 24%
 - OPEN SPACE AREA: 27.8 AC / 76%
 - EXISTING ZONING: RH (RURAL HOMESTEAD)
 - PROPOSED ZONING: CR-1 (CLUSTER SUBDIVISION)
 - NUMBER OF LOTS: 23
 - RESIDENCES PER ACRE: 0.6 RAC
 - BUILDING HEIGHT: MAX. 34' (TWO STORIES)
 - SETBACKS: FRONT 30', REAR 40', SIDE YARDS 10'
 - RECREATION REQUIREMENT: IN LIEU FEE

LEGEND

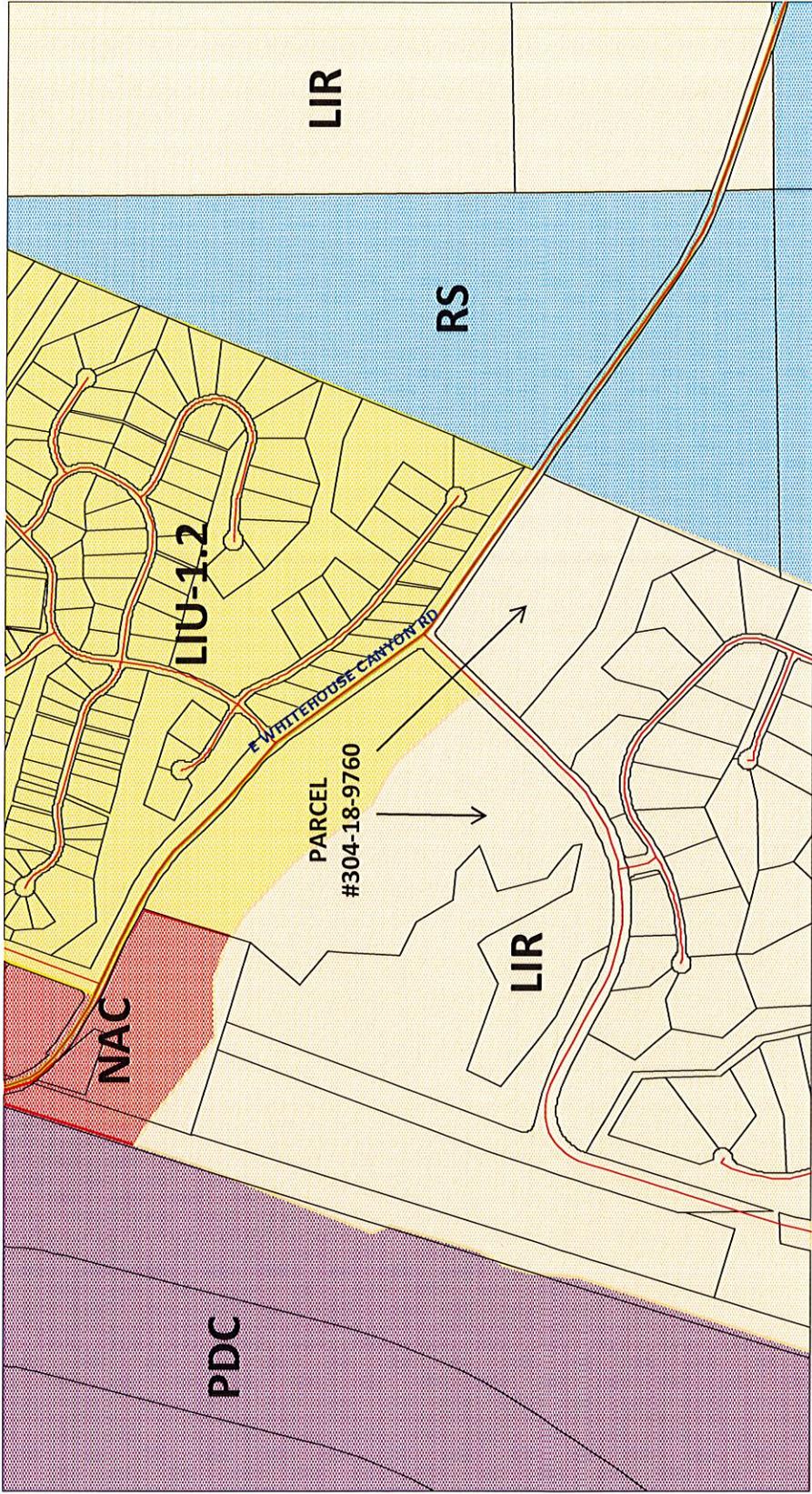
- SITE BOUNDARY
- XERORIPARIAN C
- TRAIL - ROAD TRAIL
- TRAIL - SHARED USE
- PUBLIC RIGHT-OF-WAY
- LOTS
- 100 YEAR FLOODPLAIN
- EROSION HAZARD SETBACK
- SURFACE FLOW DIRECTION
- OPEN SPACE



WHITEHOUSE CANYON

COMPREHENSIVE PLAN MAP

P15RZ00008 LANDMARK TITLE TR 18294-T – E. WHITEHOUSE CANYON ROAD REZONING



COMPREHENSIVE PLAN LAND-USE CATEGORY DEFINITION

Low Intensity Urban (LIU)

Objective: To designate areas for 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.

A. *Low Intensity Urban 1.2 (LIU-1.2)*

1. Residential Gross Density:
 - a. Minimum – none
 - b. Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following options:
 - i. Gross density of 2.5 RAC with 45 percent open space; or
 - ii. Gross density of 4 RAC with 60 percent open space.
2. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs). Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
 - a. Minimum density – none
 - b. Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following option:
 - i. Gross density of 2 RAC with 50 percent open space.

Low Intensity Rural (LIR)

Objective: To designate areas for residential uses at densities consistent with rural and resource-based characteristics.

- A. Residential Gross Density:
 1. Minimum – none
 2. Maximum - 0.3 RAC
- B. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
 1. Minimum – none
 2. Maximum – 0.3 RAC

COMPREHENSIVE PLAN SPECIAL AREA POLICY

S-11 Green Valley Height Policy

Description

The policies associated with this Special Area will guide the protection of the community's character. The policies are derived in part from the Green Valley Community Plan of March 21, 1989 (Area modified by Co7-06-01, Resolution 2007-40).

Policies

- A. Building height will not exceed 24 feet.
- B. Architectural design shall promote the Southwestern style. Colors will blend with their desert surroundings and the existing built environment.

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING**

Landmark Title Tr 18294 2200 E River Rd. Ste 150, Tucson, AZ 85718/tklipp@terramarproperties.net / 520-577-7800

Owner	Mailing Address	Email Address/Phone daytime / (FAX)
The Planning Center	110 S. Church, Suite 6320 Tucson, Az 85701	tcraven@azplanningcenter.com/623-6146
Applicant (if other than owner)	Mailing Address	Email Address/Phone daytime / (FAX) Legal
See attached legal description (assessors)		304-18-9760
description / property address		Tax Parcel Number
36.6	RH (Rural Homestead) CR-1 Cluster Option	Upper Santa Cruz/LIU 1.2/BOZO
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.

8/28/15
Date


Signature of Applicant

FOR OFFICAL USE ONLY

Co9-

Case name				
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District
Conservation Land System category				
Cross reference: Co9-, Co7-, other		Comprehensive Plan Subregion / Category /Policies		
Received by	Date	Checked by	Date	

July 30, 2015

Pima County
Development Services Department
Planning Division
201 North Stone
Tucson, AZ 85701

Subject: **Whitehouse Canyon Rezone**
Parcel ID 304-18-9760
TPC Job No. TPI-05

To Whom It May Concern:

As representative of Landmark Title Tr. 18294-T Attn: Klipp Family Trust, owner of the above referenced tax parcel, I hereby authorize The Planning Center to act as our agent throughout the rezoning application process.

Very Truly Yours,

By: 
Terry Klipp, Authorized Representative

Landmark Title Tr. 18294-T
Attn: Klipp Family Trust
2200 East River Road, #105
Tucson, AZ 85718

* E RECORDING * Page 1 of 3



SEQUENCE: 20152390166
 No. Pages: 3
 8/27/2015 10:57 AM

F. ANN RODRIGUEZ, RECORDER
 Recorded By: LW(e-recording)



SPACE ABOVE THIS LINE FOR RECORDER'S USE

AFFIDAVIT

STATE OF ARIZONA)
)
 County of Pima)

JOYCE M. RODDA, being duly sworn upon oath, deposes and says:

1. That I am the duly appointed and acting Trust Officer of Landmark Title Assurance Agency of Arizona LLC, [an Arizona limited liability company] and fully authorized to make this Affidavit for and on behalf of said corporation.
2. That Landmark Title Assurance Agency of Arizona LLC is the Trustee under that certain Trust Agreement dated July 31, 2009 , which Trust has been designated as Trust No. 18294-T in the records of the Trustee.
3. That Landmark Title Assurance Agency of Arizona LLC as Trustee under it's Trust No. 18294-T hold the record title to the following described real property situate in the County of Pima, State of Arizona.

Legal Description attached hereto and made a part hereof

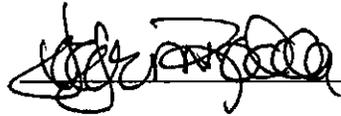
EXCEPT those parcels which may have previously been conveyed by the Trustee.

4. That the names and the addresses of all of the Beneficiaries of Landmark Title Assurance Agency of Arizona LLC Trust no. 18294-T are as follows:

Name	Address
------	---------

Beneficiary's name and address attached hereto

Further Affiant sayeth not.



State of [Arizona]
County of [Pima]

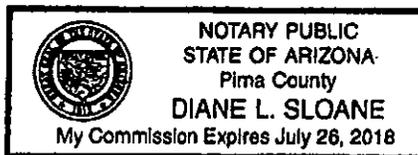
} SS

This Affidavit was subscribed and sworn before me this 27th day of August, 2015 by Joyce M. Rodda, the Trust Officer of Landmark Title Assurance Agency of Arizona LLC, [an Arizona limited liability company], as the act of said corporation, as Trustee[



Notary Public

My commission will expire 7/26/18



BRAND, CASSANDRA L.
2200 E. RIVER ROAD - SUITE 105
TUCSON, AZ 85718

GRACE, MICHELLE M.
15443 N. 19TH WAY
PHOENIX, AZ 85022

HAYT JR, SUZANNE HYAT TSTEEES & LESTER
FAM TRUST DTD 7-20-95
1133 E. HAMPTON ST.
TUCSON, AZ 85719

HAYT, ANTHONY D.
2200 EAST RIVER ROAD - SUITE 105
TUCSON, AZ 85718

KLIPP, TERRY L. & JANE TRUSTEES OF
FAMILY TRUST DATED 6-30-97
2200 E. RIVER ROAD - SUITE 105
TUCSON, AZ 85718

LEWIS, COREY J.
2200 EAST RIVER ROAD - SUITE 105
TUCSON, AZ 85718

LEWIS, NANCY J.
2137 E. SHEA BLVD
PHOENIX, AZ 85028

MORKEN FAMILY TRUST DTD 9/20/99
5255 GLENEAGLES DRIVE
TUCSON, AZ 85718

Exhibit A.4: Water Supply Letter:



1525 E. Sahuarita Road, PO Box 7, Sahuarita, AZ 85629
Phone: 520.879.7474 * Fax: 520.791.2853 * www.farmerswaterco.com

June 26, 2014

Tim Craven
The Planning Center
110 S. Church, Ste. 6320
Tucson, AZ 85701

Re: Rezoning for 20 Acres at Whitehouse Canyon Road and Camino de la Canoa; Water Service to Parcel No. 304-18-9760

Dear Mr. Craven:

Farmers Water Co. (FWC) is providing the following information in response to your inquiry dated June 17, 2014, regarding the above-referenced parcel:

- Parcel No. 304-18-9760 is located within FWC's Certificate of Convenience and Necessity; therefore, FWC has the exclusive franchise to serve water to this parcel.
- Parcel No. 304-18-9760 currently has no water service distribution lines leading into the parcel from FWC's existing service area
- FWC has 8" transmission mains fronting Parcel No. 304-18-9760, first on the north side of Whitehouse Canyon Road from Madera Reserve Drive to Camino de la Canoa, and second on the east side of Camino de la Canoa.
- Any request for water service to Parcel No. 304-18-9760 will require satisfaction of FWC's New Development Procedures.

Feel free to contact me about FWC's New Development Procedures, and, specifically FWC's design standards, when this project approaches the design phase.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Bailey".

Matthew Bailey
Executive Vice President



Exhibit III.P.1: Green Valley Council Letter

TPI-05



Green Valley Council

555 N. La Cañada Drive, Suite 117 • Green Valley, AZ 85614
(520) 648-1936 • Fax (520) 648-5079 • e-mail: info@gvccouncil.phxcoxmail.com • web site: www.gvccc.org

June 25, 2015

Elva Pedregu
Development Services Department
Pima County
201 N. Stone Ave.
Tucson, AZ 85701

Re: Whitehouse Canyon Road Rezoning

Dear Elva:

At its meeting on April 30, the Green Valley Council's Planning and Architecture Committee heard a presentation by The Planning Center on the Whitehouse Canyon Road Rezoning. The request is to rezone 8.8 acres from R11 to CR-1, as shown on the attached Preliminary Development Plan, dated 3/30/15, to allow the development of 23 lots for single family homes.

Based on the presentation, the Planning & Architecture Committee approved the project rezoning and recommends Pima County approve the application for rezoning.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'William D. O'Malley'. The signature is written in a cursive style and is positioned above the printed name.

William D. O'Malley
Chair
GVC Planning & Architecture

Cc: Linda Morales, The Planning Center
Eddie Peabody, GVC
Don Weaver, GVC

WDO:lmc



Whitehouse Canyon Rezone PROJECT INFORMATION SHEET

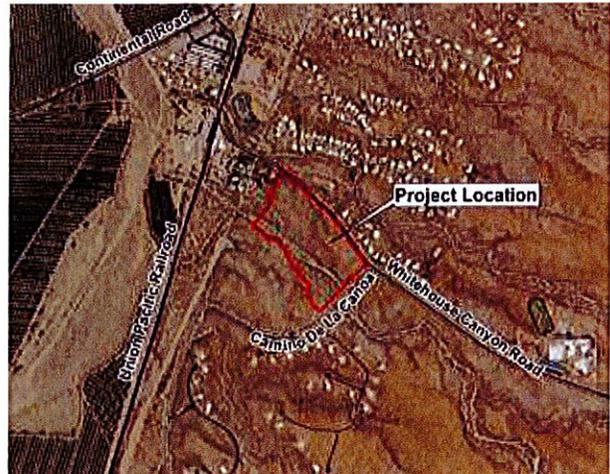
Site Acreage: Approximately 36.6

Existing Land Use: Vacant

Proposed Land Use: 23 Single-Family Homes

Existing Zoning: RH (Rural Homestead)

Proposed Zoning: CR-1 (Cluster Development)

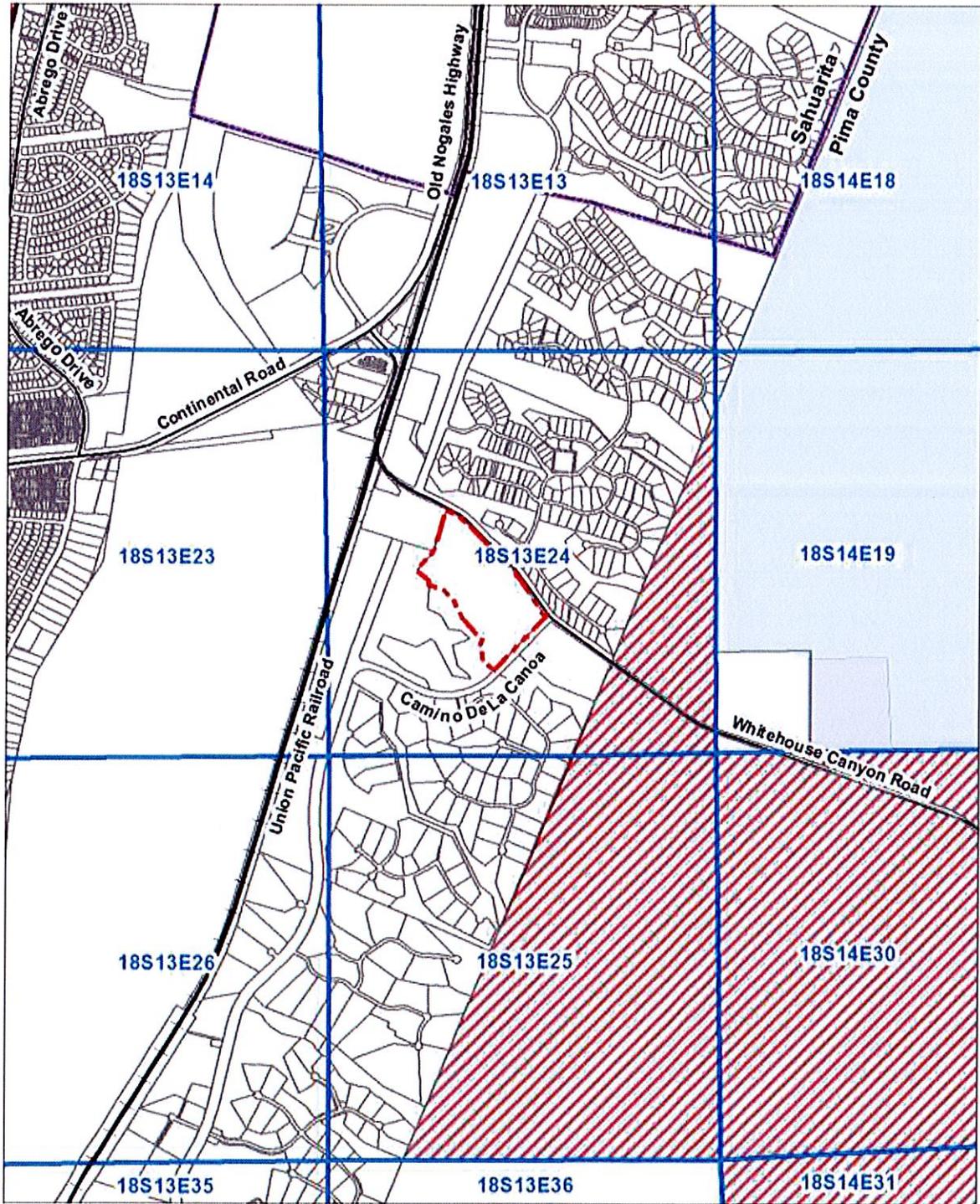


The proposed rezoning to a Specific Plan includes a portion of parcel #304-18-9760. The area of the entire parcel is approximately 54.8 acres, and the subject property of this application is for 36.62 acres of that parcel. The site is located in Green Valley, in southeastern Pima County, at the southwest corner of Whitehouse Canyon Road and Camino De La Cano.

- Is in conformance with the Pima Prospers Comprehensive Plan
- Provide for the protection of nearly 28 acres as permanent natural open space, and protecting this valuable natural resource from future development
- Will provide 23 single-family, high quality, semi-custom "1st move-down" residences
- Will utilize sensitive design and mitigation techniques that respond to unique site characteristics and character of the surrounding area
- Provide a gated and walled enclave for residents

For additional information, please contact:

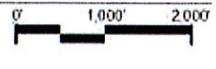
The Planning Center
Tim Craven
110 South Church, Suite 6320
Tucson, Arizona 85701
(520) 623-6146
tcraven@azplanningcenter.com



LEGEND

-  Site Boundary
-  Jurisdictions
-  Township, Range, & Section
-  Parcels
-  Arizona State Trust
-  BLM
-  Santa Rita Experimental Range

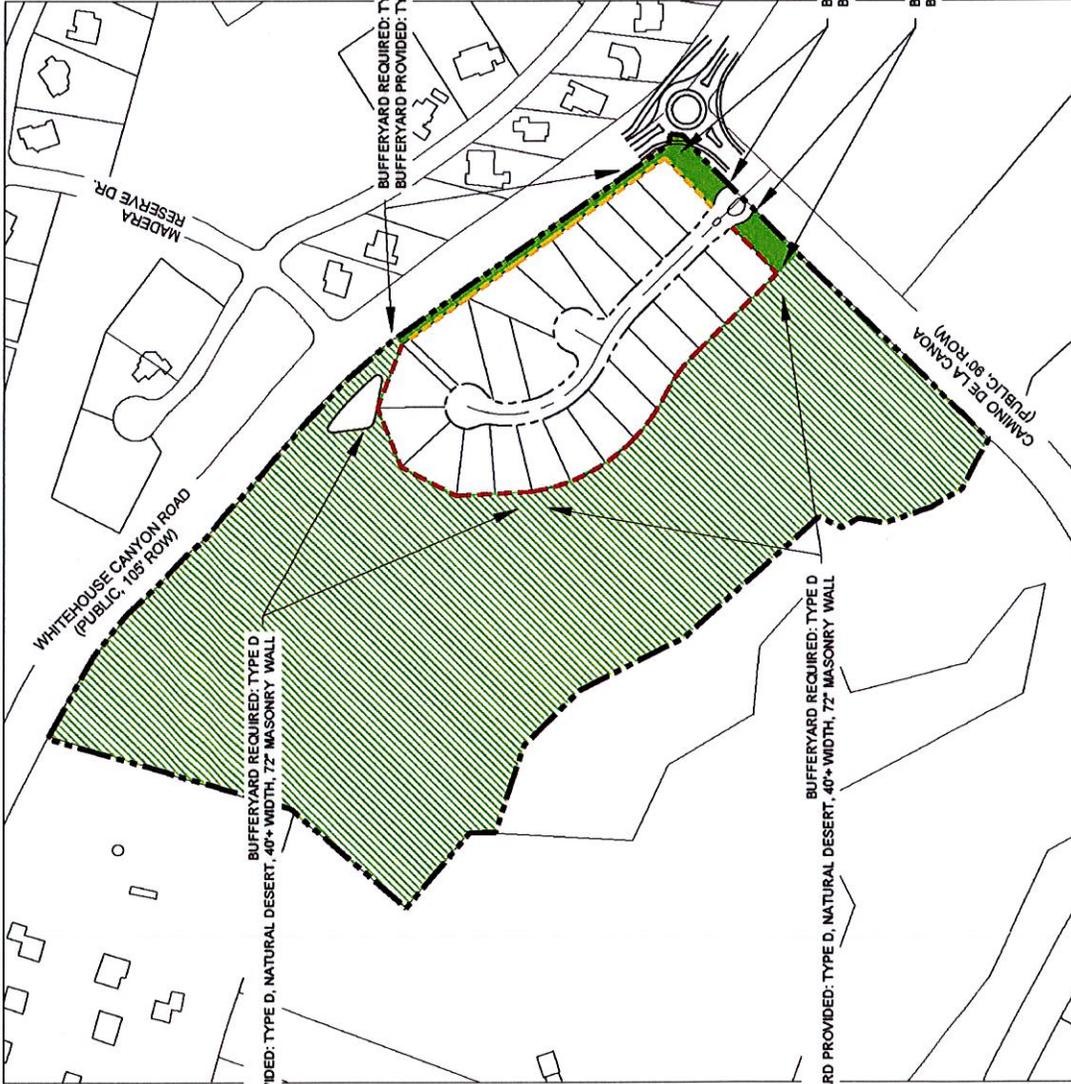
Project Site Location:
 Township 18S, Range 13E, Section 24
 Acreage: Approx. 36.6 AC
 Parcel ID: 304189760

 NORTH

 FILE NAME: TP105_Location_6x8.mxd
 SOURCE: Pima County GIS, 2015



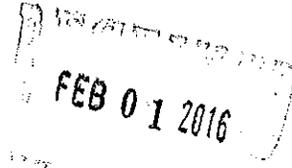
LEGEND

- SITE BOUNDARY
- PARCEL BOUNDARY
- - - 72" MASONRY WALL
- - - 48" MASONRY WALL
- BUFFERYARD
- ▨ BUFFER - NATURAL DESERT



January 25, 2016

Supervisor Ray Carroll
Pima County, AZ
District 4
130 W. Congress 11th Floor
Tucson, AZ 85701



Dear Supervisor Carroll,

This letter is another written request that you please **deny the request for rezoning by TPC Group for the parcel of land located on Whitehouse Canyon Road in Green Valley, directly across from my home.**

This land was NOT intended for the development they plan. It would be an eyesore and seriously devalue my property. This land is and always has been zoned for Rural Homestead and the owners of the property knew that when they purchased it. They are now trying to have it rezoned so they can build a housing development that is not intended for this area. Please, please deny their request. There are already too many homes for sale in the Green Valley area, including mine. A development such as this would only bring more unwanted traffic to the area. **PLEASE DENY THE REQUEST. Please abide by the original zoning for this parcel of land and see that it remains rural homestead.**

Thank you for your understanding.

Jill M. Carter
818 E. Sawmill Canyon Place
Green Valley, AZ 85614
520-725-9358 – home
520-237-1237 – cell

Cc: Pima County Planning & Zoning Commission
1st Floor Hearing Room
130 W. Congress St.
Tucson, AZ 85701

Lynn County Planning Division

Submission on

P15RZ 0008 LANDMARK TITLE TR 1829-T-E. WHITEHOUSE
CANYON ROAD REZONING. REQUEST OF LANDMARK TITLE TR 18294-T

Due Feb-12, 2016 NOON

FAX : 520.623.5411

Feb 12, 2016

Lima County Planning Commission:

The rezoning of 36.2 acres from RH to CR-1 clearly demonstrates the power of money.

I received the notice for submissions less than 24 hrs before they were due. The vote by Green Valley's Council was taken before a meeting with the citizens. The map and projection of the subdivision is grossly inaccurate and out of scale: it portrays the lots to be double the size of those in Madras Reserve, when in fact they are far smaller. It suggests it sits far off the road when in fact it almost on the road and the driveway to enter is ~~about~~ ^{erected} by several hundred feet. The numbers they state for the future home sales price is not attainable - not even close and can be proven with real numbers and real sales. There is no demand for the product either. None. Within 3 miles there are new units being developed in Sahavita, for buyers with children which is what this will attract. Which is exactly what we don't need in Green Valley.

As we struggle to regain our property values, we need to do whatever we can to preserve the attraction to Green Valley as a Premier retirement community as it is intended. Seniors the zoning as helps to insure that desirability. Any subdivision such as this, that attracts families with children, will begin the inevitable destruction of a retirement community. It will reduce all property values as it attracts less and less retirees and more families. ~~People~~ People live there because there are only retirees, it's safe and unique.

The only benefit here is to the developer. The land is mostly a wash. This is the ONLY place on our com. ~~land~~

2

Please visit the site or see an accurate video of the entire 36 acres - not just the fragmented presentation of the developer and his associates. And ask for the real numbers on the lot sizes they could not or would not give us. And the real scenario of the entrance - how traffic will be affected.

The rezoning benefits the developer at the expense of not only the surrounding homeowners initially, but eventually all of Green Valley. Please ~~vote~~ NO to this and support Green Valley, instead of for the financial gain of a few, already wealthy, individuals.

Respectfully,

Cindy Saunders

Lot 69

Madera Reserve, Green Valley AZ