

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

HEARING November 25, 2015

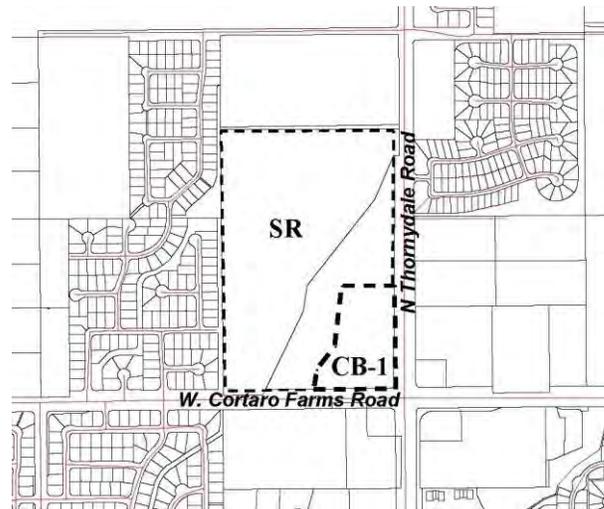
DISTRICT 1

CASE P15RZ00005
Pacific International
Properties, LLP – North
Thornydale Road Rezoning

REQUEST Rezone 8.19 acres from SR
(Suburban Ranch) zone to CB-1
(Local Business) zone; 46.76-acre
balance to remain undeveloped SR
(Restricted)

OWNER Pacific International Properties, LLP
Attn: Lawrence Leung
8710 N. Thornydale Road
Tucson, AZ 85742

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



APPLICANT'S PROPOSED USE

Neighborhood shopping center on 8.19 acres, with the balance of the site, 46.76 acres, remaining in its present state.

APPLICANT'S STATED REASON

Commercial infill development on two major transportation corridors will make efficient use of existing public and utility infrastructure, and be consistent with intensity of existing commercial uses in the immediate context and appropriate at a major arterial street intersection.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL subject to standard and special conditions**. The applicant requests CB-1 (Local Business) rezoning of an 8.19-acre site at the northwest corner of the Thornydale / Cortaro Farms intersection. The proposed rezoning will leave the 46.76-acre balance of the site zoned SR ® (Suburban Ranch – Restricted) and undisturbed – this preserves just over 80 percent of the total site as natural open space, meeting the Conservation Guidelines for the Maeveen Marie Behan Conservation Lands System (MMBCLS) designations under which the site is located. The rezoning would provide both commercial infill at the intersection and contiguous open space for conservation properties to the north. The rezoning also meets elements of the Arizona Growing Smarter Acts, and the intent of the Pima Prospers Comprehensive Plan update for increased commercial uses at that intersection.

COMPREHENSIVE PLAN DESIGNATION

In 2013, a Comprehensive Plan amendment (Co7-13-04) was approved for the entire site to change the land use designation from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU) and Neighborhood Activity Center (NAC). *Pima Prospers*, the 2015 Comprehensive Plan Update, down-planned the MIU portion of the site back to LIU 0.3 but left the requested NAC portion intact. Pima Prospers also increased the acreage of, and up-planned other portions of the Thornydale / Cortaro Farms intersection to High Intensity Urban (HIU) and Community Activity Center (CAC). The requested CB-1 zone conforms to the amended NAC land use designation; as the remainder of the site will remain zoned SR and undeveloped, the down-planning from MIU to LIU 0.3 is not significant from a land use perspective.

The objective of the NAC land use designation is for lower intensity mixed uses that provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. NACs are generally less than 25 acres in area and should provide direct pedestrian and bicycle access to surrounding neighborhoods. Rezoning requests need not propose mixed-use development, but projects should demonstrate a mixed-use character for the activity center as a whole.

Comprehensive Plan amendment Co7-13-04 was approved by the Board of Supervisors in February 2014 (Resolution 2014-115 is attached), with the following Rezoning Policies (RP-135):

- A. Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.

- B. Future development shall be in full compliance with the Special Species Management Areas conservation objectives as established by the Conservation Lands System – Regional Environmental Element. Subsequent rezoning(s) will be considered in conformance with this policy when all of the following are met:
 - 1. Natural open space set-asides will be provided entirely within the amendment area;
 - 2. The site areas of plan amendment cases Co7-13-03, -05, and -06 are not eligible to serve as off-site set-asides;
 - 3. The approximate minimum total natural open space (NOS) set-aside is 46 acres; the approximate minimum off-site NOS set-aside is 0 acres.

These policies are reflected in Regional Flood Control District and Environmental Planning Rezoning Conditions, below.

Surrounding Land Uses / General Character

North:	SR	Undeveloped (Tucson Audubon Society site)
South:	CR-5 (Multiple Residence), CB-1, SR	Rental housing, convenience store, undeveloped
West:	CR-4 (Mixed Dwelling)	Single family subdivision
East:	CR-5, CB-1, SR	Single family subdivision, convenience store, undeveloped

Previous Rezoning Cases on the Property

A rezoning was requested on the site in 1993 (Co9-93-076) but subsequently withdrawn.

Previous Rezoning Cases in General Area

There has been no recent rezoning activity around the Thornydale / Cortaro Farms intersection. With the exception of the 20-acre Tucson Audubon Society parcel to the north and two 4½-acre parcels to the east, the parcels immediately surrounding the site were rezoned from SR to their current zoning (CR-4, CR-5 and CB-1 on about 50 acres each) through the 1980s and early 1990s. There are about 12 acres of commercially rezoned land remaining undeveloped at the Thornydale / Cortaro Farms intersection.

This request was submitted with three other rezoning requests located in the same vicinity. Each of these undeveloped sites is about 20 acres in area and is requesting rezoning from SR to CR-5 (Multiple Residence) zone. One site is about 2000 feet south on Thornydale Road, one is about 5000 feet to the north also on Thornydale Road, and one is 1300 feet to the east off Hardy Road.

Planning Analysis

This request proposes rezoning just over 8 acres to CB-1. This will consist of about 102,000 square feet of commercial retail space and associated parking, consistent with the NAC Comprehensive Plan land use designation and other development at the Thornydale / Cortaro Farms intersection. The remainder of the site will remain zoned SR (Restricted) and remain undeveloped to meet MMBCLS Conservation Guidelines for Special Species Management Areas. This is also consistent with the LIU 0.3 land use designation on this portion of the site.

The rezoning site is surrounded by medium- to high-density residential development (single family residences, townhomes) to the south, east and west; commercial services and retail to the southeast; and, undeveloped land to the north and east. The undeveloped 20 acres immediately to the north is the Mason Center, owned and managed by the Tucson Audubon Society for sustainable living and environmental education. The proposed open space set-aside would provide buffering and adjacent functional habitat area for this facility.

The 55-acre site is undeveloped desert and mostly undisturbed, with the exception of a network of trails that cross the property. The site slopes gently to the southwest (about 1% slope) and consists of natural Sonoran Desert Upland vegetation. The Site Analysis states there are almost 1,000 saguaro cactus (*Carnegiea gigantea*) and just over 600 ironwood trees (*Olneya tesota*) on the site; about 250 saguaros and almost 100 ironwoods are located on the 8-acre area proposed for development. A single mapped wash (500-1000 CFS volume) crosses the site from the northeast to the southwest and supports slightly more dense vegetation than the surrounding desert.

The commercial development proposed under the rezoning request meets a number of the Arizona Growing Smarter Acts. The proposed development is confined to the southeastern portion of the site; the remainder of the site would be undeveloped and abuts other open space to the north. The proposed development utilizes existing infrastructure located along Thornydale and Cortaro Farms Roads. While Thornydale is a major north-south route in northwest Tucson, it is currently only served by a single SunTran shuttle route; however, there are a number of residential developments within walking distance to the proposed commercial development.

Additionally, the Pima Prospers 2015 Comprehensive Plan Update increased the area of commercially-designated land use areas (Community Activity Center) at the Thornydale / Cortaro Farms intersection from about 25 acres to around 40 acres in area. Pima Prospers identifies this area for providing additional retail and commercial uses to serve surrounding residential areas.

Concurrency Considerations		
Department / Agency	Concurrency Met	Comments
Transportation	Yes	Secondary concerns with over-capacity; future road improvements are funded / scheduled
Flood Control	Yes	No objection - no adverse impact to groundwater-dependent ecosystems
Wastewater Reclamation	Yes	No objection - capacity currently available
Parks & Recreation	n/a	No comments submitted
Marana Unified School District	n/a	No expected change in school enrollments
Metropolitan Water District	Yes	Letter of intent to serve, July 14, 2015
Northwest Fire District	n/a	No comments submitted

Department of Transportation

The subject property is located on the north side of Cortaro Farms Road, west of Thornydale Road. The rezoning is proposing a neighborhood shopping center on 8.2 acres, ideally with a grocery store anchor tenant occupying 40,000 SF. The gross floor area is approximately 102,000 SF. The balance of the rezoning site (46 acres) is presented as natural open space. Three access points are shown, one on Cortaro Farms Road, and two on Thornydale Road. A traffic impact study will be required during the development plan review. Necessary off-site improvements will be determined at that time. At build-out this site could generate approximately 4,300 ADT.

Both Thornydale Road and Cortaro Farms Road are medium-volume arterials on the Pima County Major Streets and Scenic Routes Plan with 150 feet of planned right-of-way. Both roads have the full 150 feet of right-of-way, with the exception of a 280-foot strip along the far western frontage of Cortaro Farms Road, and a 190-foot strip along the northern frontage of Thornydale Road.

Cortaro Farms Road east of Thornydale Road has been built to its full cross section including curbs, sidewalks, medians and bike lanes. West of Thornydale Road, it is a two-lane, uncurbed cross section. Thornydale Road is a four-lane roadway south of Cortaro Farms Road with curbs, sidewalks, or bike lanes. The posted speed is 35 MPH, with a capacity estimated at 30,000 ADT. The most recent traffic count is 23,093 ADT for the segment south of Cortaro Farms Road.

Other significant roadways in the vicinity of this project include Lambert Lane (current count 5,610 ADT, capacity 13,122 ADT), Overton Road (current count 6,701 ADT, capacity 14,000 ADT), Linda Vista Boulevard (current count 10,675 ADT, capacity 14,000 ADT), Camino de Oeste (current count 4,441 ADT, capacity 13,122 ADT), Shannon Road (current count 10,220 ADT, capacity 13,122 ADT), Magee Road (current count 6,257 ADT, capacity 16,000ADT), and La Cholla Boulevard (current count 11,905 ADT, capacity 35,820 ADT).

There is a secondary transportation concurrency concern for this rezoning due to the over-capacity of Thornydale Road north of Cortaro Farms, and of Cortaro Farms Road west of Thornydale (the road segments adjacent to the rezoning site). Major roadway projects in the vicinity of this project include the widening of Thornydale Road north of Cortaro Farms Road to Linda Vista. This project was approved through the RTA bond, and will fully reconstruct the road into a four-lane divided urban cross section with curbs, sidewalks, landscaped medians, and bike lanes in both directions. Construction is tentatively scheduled to start in 2018. Cortaro Farms Road improvements west of Thornydale to Camino de Oeste are under design. This project will widen the road to a four-lane cross section with bike lanes, curb, sidewalk and a landscaped median. Both projects will increase the capacity to the respective road ways to 30,000 ADT.

The Department of Transportation has no objection to this request, subject to Rezoning Conditions #4A-4C, below.

Regional Flood Control District

The Regional Flood Control District (RFCD) reviewed the proposed rezoning request and has the following comments:

1. As shown on the PDP, floodplains including Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat are to be avoided. This conforms to RP-135: "Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan." Furthermore, per Pima Prospers, post development floodplains and Pima County Regulated Riparian Habitat including mitigation areas will be included in the Pima Prospers Regional Hydrology Maps.
2. A Preliminary Integrated Water Management Plan (PIWMP) has been included. In addition to meeting the Site Analysis Requirements, and in order to address the Pima Prospers Water Element, the applicant included Metropolitan Water's "Annual Water Level Monitoring Report" dated March 9, 2015. This report provided well location and more detailed groundwater trends information. This information facilitates the following staff review for compliance with the Water Policy.
3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is within the Metropolitan Water District service area. They *do not utilize a renewable source*.
 - b. Per the ADWR Well Inventory, those wells within 1 mile of the site had depths to groundwater between 187-416 feet; however, dates tested range from 1982-1989. Per "Mason, Dale, 2014, Technical Memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment model projection, Arizona Department of Water Resources", between the years 2010 and 2025 groundwater depth at the site is predicted to change between minus 10 to plus 10 feet and be 351-400 feet below the surface by 2025.
 - c. The site is within a mapped subsidence zone. Between 1987 and 2005, 0-1 inch of subsidence was detected.
 - d. The nearest Groundwater-Dependent Ecosystem to the site is the perennial section of the Santa Cruz River, 3.17 miles away.
 - e. The site is within the Tucson Hydrogeologic Basin; depth to bedrock is 1600- 3200 feet.

Pima County's Water Resources Impact Assessment finds that the proposed project **will not have access to renewable water**. However, based upon use projections provided (5.2 acre-feet/year) in the PIWMP, the overall site design, and the distance to shallow groundwater areas, the additional water use **is not likely to have significant adverse impacts on groundwater dependent ecosystems**. Per Resolution 2008-72, RFCD does not recommend denial. Per Pima Prospers Policy 9c & 9d, additional offsets would be required to reduce the increased water use to that of existing zoning. This method has not yet been formalized and use of conservation measures committed to and identified on Table B accomplishes this offset under current policy.

In conclusion RFCD finds that the project meets concurrency requirements and has no objection to the proposed rezoning subject to Rezoning Conditions #5A-5C, below.

Regional Wastewater Reclamation Department

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced submittal and offers the following comments.

The rezoning area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. Capacity for this development is currently available in the 21-inch public sewer G-87-140 along Thornydale Road, downstream from manhole 4877-01 (Type I, 2015-128, June 22, 2015). An option is also proposed by the applicant to connect to the 8-inch public sewer G-2006-086 located near the southwest corner of the property in the Cortaro Farms Road right-of-way. Should the development connect to this sewer, a Type I Capacity Letter will need to be obtained from the PCRWRD to confirm that capacity is available in the downstream conveyance system.

The PCRWRD has no objection to the rezoning and requests Rezoning Conditions #6A-6F, below.

Environmental Planning Division

Rezoning Site Conservation Values and Landscape Context:

- The entire 54.9-acre site lies within the MMBCLS; designations are Multiple Use Management Area with Special Species Management Area overlay.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, or Pima pineapple cactus. It does lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl.
 - On-site resource conditions: A myriad of trails crisscross the site and impact upland and riparian areas. Two riparian areas cross the site and are regulated by RFCD as Class C Xeroriparian. Saguaros (974) and ironwood trees (614) occur on the site in significant numbers.
- The site is not within nor is it adjacent to any Pima County Preserve properties. The County owns and manages two properties in this area for conservation – Arthur Pack Regional Park and an approx. 20-acre PCDOT mitigation property. The subject site lies approx. 1.1 miles northeast of the PCDOT mitigation property and approx. 750' south of Arthur Pack Regional Park; it is adjacent to the Tucson Audubon Society's Mason Center which lies between the subject site and Arthur Park Regional Park.
- The site is identified for acquisition under both the 2004 Open Space Conservation Bond Program and the proposed 2015 Open Space Conservation Bond Program.
- Landscape context: Land uses in the vicinity of the subject property are predominantly residential with some business uses along Thornydale. Save for the subject site, the intersection of Thornydale and Cortaro is devoted to commercial uses. Other land uses in the area are a mixture of high intensity residential uses, low intensity residential uses that are more compatible with retaining native biological resources, and properties preserved as open space. Residential uses south of Cortaro Farms are more intense in nature with most areas built out at CR-4 and CR-3. Resources of the subject property are physically connected to open space properties in the area. In this regard, the subject property makes a positive contribution to landscape permeability for biological resources.

Potential Impact to Biological Resources and MMBCLS:

According to the PDP, approx. 46.7ac will be retained as natural open space and includes all of the riparian area, 74% of the saguaros (including 42 of the 53 saguaros over 18' tall) and 85% of the ironwood trees. Impacts to these on-site resources will occur at later stages in the development process. Namely, impacts to native vegetation and specifically saguaros and ironwood trees will be addressed when the proposed development is subject to the applicability of the Native Plan Preservation Ordinance (Title 18; Ch. 18.72).

The Rezoning Policies established for this proposed project call for a minimum of 46 acres of natural open space to be provided on-site. The PDP proposes on-site natural open space of approx. 46.7 acres.

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 MMBCLS.

Should the Board of Supervisors approve this rezoning request, the Environmental Planning Division recommends Special Conditions #7A-7B, below.

Cultural Resources and Historic Preservation Division

The subject property is located in a high archaeological sensitivity zone, per the Sonoran Desert Conservation Plan. The Division recommends Rezoning Condition #8, below.

Natural Resources, Parks and Recreation Department

No comments were received.

US Fish and Wildlife Service

US Fish and Wildlife Service (USFWS) comments and concerns on this proposed rezoning remain the same as submitted for the proposed Comprehensive Plan Amendment related to this parcel. It appears that the applicant is in compliance with the MMBCLS requirements as outlined in our original comments. However, it is important to clarify that compliance is adequate for this parcel only, and should not be applicable to the other three rezonings along Thornydale Road submitted concurrently by the applicant. The remaining 3 parcels should also be individually in compliance with the MMBCLS guidelines.

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 covered under Pima County's Multi-Species Conservation Plan (MSCP). The proposed rezoning occurs in an area where lesser long-nosed bats have been documented foraging and moving between roosts and foraging areas. It is USFWS recommendation that, if there are saguaros or agaves occurring within the parcel, they be preserved in place or salvaged and replanted within the parcel. 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. The proposed rezoning has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County's MSCP and this area is a Special Species Management Area for the pygmy-owl under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the MMBCLS and Comprehensive Plan be applied to this parcel if the rezoning is granted, 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. USFWS recommends that this rezoning request complies with the MMBCLS guidelines for the Special Species Management Area designation.

Metropolitan Water District

Metropolitan Water District did not provide comments regarding the proposed rezoning, but a letter

of intent to serve from the District dated July 14, 2015, effective for 2 years, was included in the Site Analysis.

Marana Unified School District

The School District has no concerns, as the proposed development will bring about little change in school enrollment.

Northwest Fire District

No comments were received.

Public Comment

As of the writing of this staff report, staff has received no public comment regarding this rezoning. Tucson Audubon Society (adjacent open space property owner) was directly solicited for comment but had provided none at the time this report was submitted.

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. The owner shall:
 - A. Submittal of a development plan if determined necessary by the appropriate County agencies.
 - B. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provision of development related assurances as required by the appropriate agencies.
 - D. 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.
2. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
3. Adherence to the preliminary development plan as approved at public hearing.
4. Transportation conditions:
 - A. The property is limited to 3 access points as depicted on the preliminary development plan.
 - B. The property owner / developer shall dedicate 45 feet of right-of-way for Cortaro Farms Road.
 - C. The property owner / developer shall dedicate 45 feet of right-of-way for Thornydale Road.
5. 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. This requirement shall be made a condition of the Site Construction Permit.
 - B. Post development floodplain and Pima County Regulated Riparian Habitat shall be contained in permanently protected on-site Natural Open Space identified for the

rezoning site under Maeveen Marie Behan Conservation Lands System conservation guidelines and shall be identified on the development plan.

- 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 Plan shall be submitted to the District for review and approval at the time of development.

6. 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.

7. 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 46 acres on-site as Natural Open Space (NOS). Prior to the approval of the Development Plan, the 46-acre on-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those 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

8. 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.

9. 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)."

10. 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,

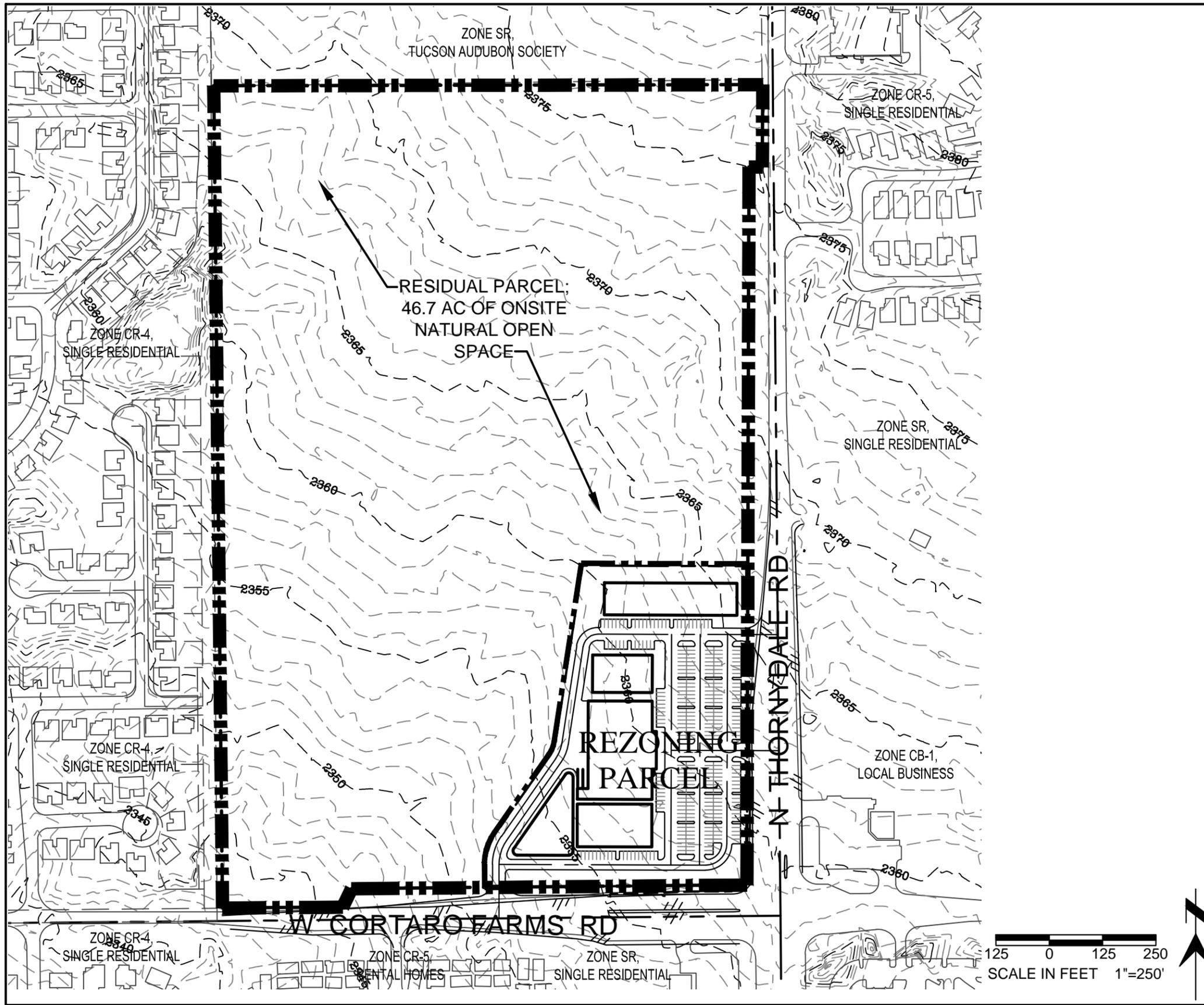


Mark Holden, AICP
Principal Planner

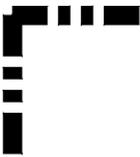
cc: Pacific International Properties, LLP, Attn: Lawrence Leung, 8710 N Thornydale Road, Tucson, AZ 85742
Projects International, Inc., Attn: Jim Portner, AICP, 10836 E. Armada Lane, Tucson, AZ 85749

**P15RZ00005 Pacific International Properties, LLC – North Thornydale Road Rezoning
Aerial Photograph**





LEGEND

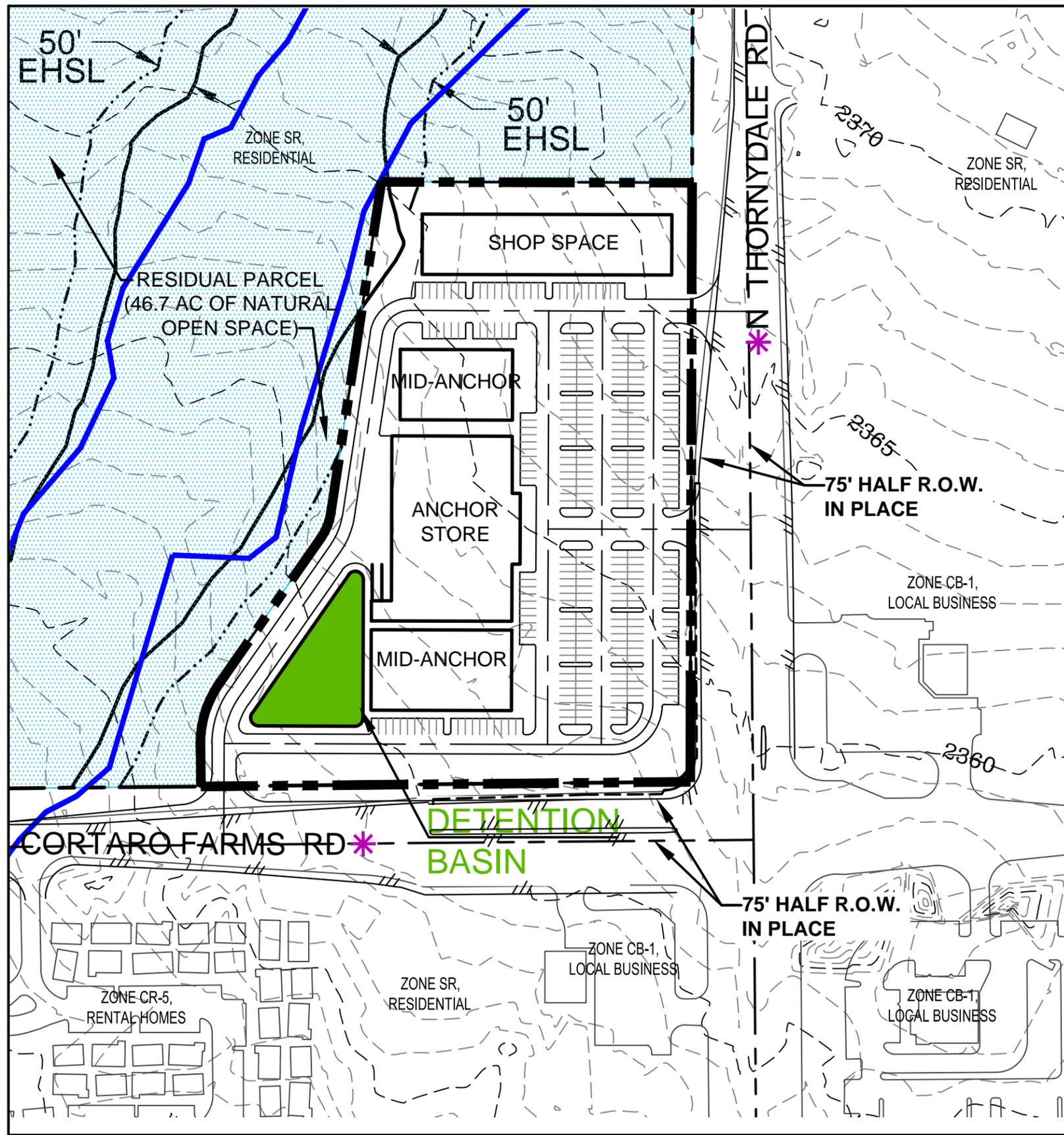
 PDP Boundary & Limit of Rezoning Parcel

Jim Portner, Agent for Owner
 PROJECTS INTERNATIONAL, INC.
 10836 E. ARMADA LANE
 TUCSON, ARIZONA 85749
 520 850-0917



Red Point Development, Inc.
 NWC CORTARO & THORNYDALE ROADS
 (Ownership Entity: Pacific International Properties, LLP)
 REZONING: SR to CB-1

EXHIBIT II-A
 KEY MAP OF REZONING SITE &
 RESIDUAL AREA
 PAGE 54

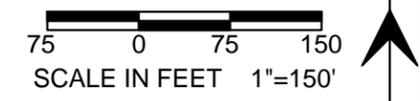


LEGEND

- PDP Boundary & Limit of Rezoning Parcel
- Existing Condition Topographic Contour (1' Interval)
- CLS Set-Aside Area (Natural Open Space)
- Approximate 100-Year Post-Development Floodplain Limit
- Erosion Hazard Setback Limit
- Detention Basin
- Edge of Existing Street Pavement
- Mapped Riparian Habitat -- Xeroriparian "C"

NOTES:
 The entire subject property is shown on RFCO Flood Hazard maps as a sheet flow zone with an average depth of 0.5 feet.

* Thornydale Road and Cortaro Farms Road are designated Major Streets and Scenic Routes.



PROJECT AREA

Overall/Original Subject Property:	54.9 AC (Approximate)
Rezoning Parcel:	8.2 AC (Approximate)
Residual Parcel:	46.7 AC (Approximate)

PROJECT PARTICULARS

Existing Zoning:	SR
Proposed Zoning of Rezoning Parcel:	CB-1
Proposed Zoning of Residual Parcel:	SR (No Change)
Comprehensive Plan Designation (Rezoning Parcel):	NAC
Comprehensive Plan Designation (Residual Parcel):	MIU

PROPOSED USE (REZONING PARCEL)
 A Commercial Shopping Center containing a primary anchor, supporting mid-size/junior anchors and shop space. Total Retail Area is estimated at approximately 102,000 sf.
NOTE: The PDP layout presented here is conceptual in nature and subject to change and refinement at the time actual anchors and tenants emerge. The intent of this rezoning and PDP is to depict a conventional anchored shopping center with accompanying and supporting retail uses and complimentary neighborhood services.

PROPOSED USE (RESIDUAL/REMAINING PARCEL)
 The remaining 46.7 ac of the original subject property lying outside of the rezoning parcel shall remain as Natural Open Space.

BUILDING HEIGHT
 Maximum 39' Permitted. Proposed commercial buildings will be at or below this prescribed CB-1 height.

PARKING & LOADING
 Parking will be in accordance with Sec. 18.75, Parking & Loading Standards. Final design and compliance with same will be demonstrated at the time of Site Development Package review.

BUFFER YARDS
 Bufferyard "D" required along north and west boundaries, and along Thornydale and Cortaro frontages.

CONSERVATION LANDS SYSTEM (CLS)

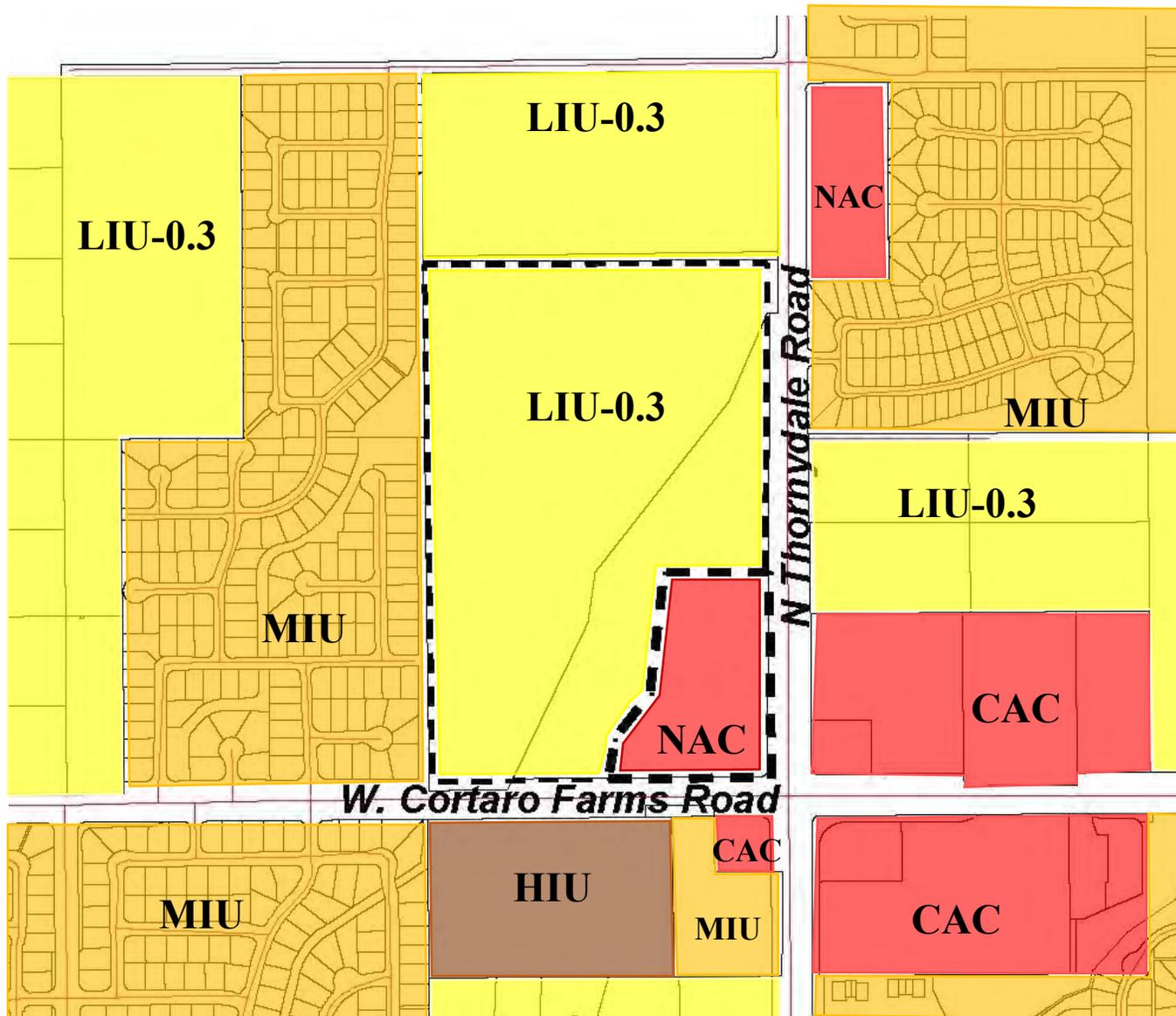
On-Site Natural Open Space on Rezoning Parcel:	0.0 AC
On-Site Natural Open Space on Residual Parcel:	46.7 AC

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
 10836 E. ARMADA LANE
 TUCSON, ARIZONA 85749
 520 850-0917

Red Point Development, Inc.
 NWC CORTARO & THORNYDALE ROADS
 (Ownership Entity: Pacific International Properties, LLP)
 REZONING: SR to CB-1

EXHIBIT II-B.1a-p
 PRELIMINARY DEVELOPMENT
 PLAN
 PAGE 55

**P15RZ00005 Pacific International Properties, LLC – North Thornydale Road Rezoning
Pima Prosper Comprehensive Plan Land Use Designations**



**P15RZ00005 Pacific International Properties, LLC – North Thornydale Road Rezoning
Pima Prospers Comprehensive Plan**

Neighborhood Activity Center Land Use Designation

Objective: To designate lower-intensity mixed use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example, a grocery market may be the principal anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are located on arterials. Smaller mixed use centers may contain medium-density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed use project; however, the application must demonstrate how the project serves to create or enhance the mixed use character of the designated activity center as a whole.



SEQUENCE : 20143380188
NO. PAGES : 3
RES 12/04/2014
13:21
PICK UP
AMOUNT PAID: \$0.00

P0230
PIMA CO CLERK OF THE BOARD
PICKUP

RESOLUTION 2014- 115

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 54.95 ACRES LOCATED AT THE NORTHWEST CORNER OF N. THORNYDALE ROAD AND W. CORTARO FARMS ROAD, IN SECTION 30 OF TOWNSHIP 12 SOUTH, RANGE 13 EAST, IN THE NORTHWEST SUBREGION.

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

Section 1. The Pima County Comprehensive Plan Land Use Map, Northwest Subregion, is hereby amended to change the planned land use intensity category for approximately 54.95 acres, as referenced in Co7-13-04 Pacific International Properties, L.L.P. – N. Thornydale Road Plan Amendment, located at the northwest corner of N. Thornydale Road and W. Cortaro Farms Road, in Section 30, Township 12 South, Range 13 East, as shown on the map attached to this Resolution as Exhibit A and incorporated by this reference, from Low Intensity Urban 0.3 (LIU 0.3) to Neighborhood Activity Center (NAC) for approximately 8.0 acres and Medium Intensity Urban (MIU) for approximately 46.95 acres.

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

- A. Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan.
- B. Future development shall be in full compliance with the Special Species Management Areas conservation objectives as established by the Conservation Lands System – Regional Environmental Element. Subsequent rezoning(s) will be considered in conformance with this policy when all of the following are met:
 - 1. Natural open space set-asides will be provided entirely within the amendment area;
 - 2. The site areas of plan amendment cases Co7-13-03, 05, and 06 are not eligible to serve as off-site set-asides;
 - 3. The approximate minimum total natural open space (NOS) set-aside is 46 acres; the approximate minimum off-site NOS set-aside is 0 acres.

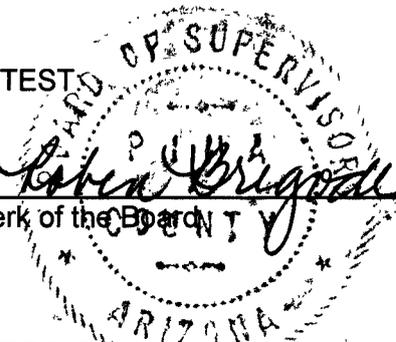
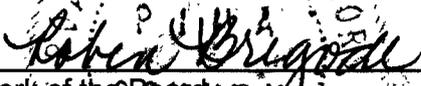
Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

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

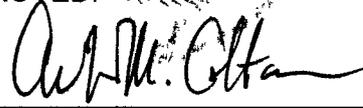
Passed and adopted, this 2nd day of Dec., 2014.



Chair, Pima County Board of Supervisors DEC 02 2014

ATTEST



Clerk of the Board

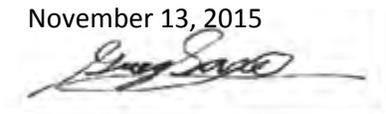
APPROVED:


Executive Secretary
Planning and Zoning Commission

APPROVED AS TO FORM:



Deputy County Attorney

DATE: November 13, 2015

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

TO: Mark Holden, DSD
Senior Planner

SUBJECT: P15RZ00005 Pacific International Properties, LLP - North Thornydale Road Rezoning

I have reviewed the request and have the following comments:

1. As shown on the PDP floodplains including Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat are to be avoided. This conforms to RP 135: "Post development floodplains and riparian habitat shall be preserved as open space and be identified on the rezoning preliminary development plan, subdivision plat, and development plan. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat or development plan." Furthermore as per Pima Prospers, post development floodplains and Pima County Regulated Riparian Habitat including mitigation areas will be included in the Pima Prospers Regional Hydrology Maps.
2. A Preliminary Integrated Water Management Plan (PIWMP) has been included. In addition to meeting the Site Analysis Requirements, and in order to address the Pima Prospers Water Element, the applicant included Metropolitan Water's "Annual Water Level Monitoring Report" dated March 9, 2015. This report provided well location and more detailed groundwater trends information. This information facilitates the following staff review for compliance with the Water Policy.
3. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is within the Metropolitan Water Company service area. They *do not utilize a renewable source*.
 - b. Per the ADWR Well Inventory those wells within 1 mile had depths to groundwater between 187' and 416' however dates tested range from 1982-1989. Per "Mason, Dale, 2014, Technical memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment model projection, Arizona Department of Water Resources", between the years 2010 and 2025 groundwater depth at the site is predicted to change between minus 10 to plus 10 and be 351 to 400 feet below the surface by 2025.
 - c. The site is within a mapped subsidence zone. Between 1987 and 2005, 0 - 1 inch of subsidence was detected.
 - d. The nearest Groundwater-Dependent Ecosystem to the site is the perennial section of the Santa Cruz River 3.17 miles away.
 - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 1600-3200 feet.

Pima County's Water Resources Impact Assessment finds that, the proposed **project will not have access to renewable water**. However, based upon use projections provided (5.2 ac ft/yr) in the PIWMP, the overall site design and the distance to shallow groundwater areas the additional water use **is not likely to have significant adverse impacts on groundwater dependent ecosystems**. Per Resolution 2008-72 the District does not recommend denial.. Per Pima Prospers Policy 9c & 9d additional offsets would be required to reduce the

increased water use to that of existing zoning. This method has not yet been formalized and use of conservation measures committed to and identified on Table B accomplishes this offset under current policy.

In conclusion the District finds that the project **meets concurrency requirements and has no objection subject to the recommended conditions.**

- a. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. This requirement shall be made a condition of the Site Construction Permit.
- b. Floodplain and 95% of Pima County Regulated Riparian Habitat shall be contained in permanently identified open space through easement or dedication, and shall be preserved as open space and be identified on the development plan. This open space shall be protected by covenant and management responsibility shall be identified on the development plan.
- 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.

Please feel free to contact me with any questions or concerns on these comments.

GS/AM/ES

cc: File



DEPARTMENT OF TRANSPORTATION
201 NORTH STONE AVENUE, FOURTH FLOOR
TUCSON, ARIZONA 85701-1207

PRISCILLA S. CORNELIO, P. E.
DIRECTOR

(520) 724-6410
FAX (520) 724-6439

Memorandum

Date: October 27, 2015
To: Mark Holden, Principal Planner, Pima County Development Services
From: Jeanette DeRenne, AICP, Principal Planner, Pima County Department of Transportation
Subject: P15RZ00005 Cortaro Farms Road Rezoning

There is a secondary transportation concurrency concern for this case due to the over capacity nature of Thornydale Road and Cortaro Farms Road. The subject property is located on the north side of Cortaro Farms Road, west of Thornydale Road. The rezoning is proposing a neighborhood shopping center on 8.2 acres, ideally with a grocery store anchor tenants occupying 40,000 sq/feet. The gross floor area is approximately 102,000 sq/ft. The balance of the rezoning site (46 acres) is presented as natural open space. Three access points are shown, one on Cortaro Farms Road, and two on Thornydale Road. A traffic impact study will be required during the development plan review. Necessary off-site improvements will be determined at that time. At build out this site could generate approximately 4,300 ADT.

Both Thornydale and Cortaro Farms Road are medium volume arterials on the Pima County Major Streets and Scenic Routes Plan with 150 feet of planned right-of-way. Both roads have the full 150 feet of right-of-way, with the exception of a 280 foot strip along the far western frontage of Cortaro Farms Road, and a 190 foot strip along the northern frontage of Thornydale Road.

Cortaro Farms Road has been built to its full cross section including curbs, sidewalks, medians and bike lanes east of Thornydale road. West of Thornydale Road, it is a two-lane, uncurbed cross section. Thornydale Road is a four-lane roadway south of Cortaro Farms Road with curbs, sidewalks, or bike lanes. The posted speed is 35 mph, with a capacity estimated at 30,000 ADT. The most recent traffic count is 23,093 ADT for the segment south of Cortaro Farms Road.

Other significant roadways in the vicinity of this project include Lambert Lane (current count 5,610 ADT, capacity 13,122 ADT), Overton Road (current count 6,701 ADT, capacity 14,000 ADT), Linda Vista Boulevard (current count 10,675, capacity 14,000 ADT), Camino de Oeste (current count 4,441 ADT, capacity 13,122 ADT), Shannon Road (current count 10,220 ADT, capacity 13,122 ADT), Magee Road (current count 6,257 ADT, capacity 16,000ADT), and La Cholla Boulevard (current count 11,905 ADT, capacity 35,820 ADT).

Major roadway projects in the vicinity of this project include the widening of Thornydale Road north of Cortaro Farms Road to Linda Vista. This project was approved through the RTA bond, and will fully reconstruct the road into a four-lane divided urban cross section with curbs, sidewalks, landscaped medians, and bike lanes in both directions. Construction is tentatively scheduled to start in 2018. Cortaro Farms Road west of Thornydale to Camino de Oeste is under design. This project will widen the road to a four lane cross section with bike lanes, curb, sidewalk and a landscaped median. Both projects will increase the capacity to the respective road ways to 30,000 ADT.

The Department of Transportation has no objection to this request subject to the following conditions:

- The property is limited to 3 access points as depicted on the preliminary development plan.
- The property owner/developer shall dedicate 45 feet of right-of-way for Cortaro Farms Road.
- The property owner/developer shall dedicate 45 feet of right-of-way for Thornydale Road.

Mirela Hromatka
Pima County Regional Wastewater Reclamation Department

Comments

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced rezoning request and offers the following comments for your use. Approval of the rezoning would allow for the construction of a neighborhood shopping center at the northwest corner of Thornydale and Cortaro Farms Roads.

The PCRWRD has no objection to the rezoning request but adds the following rezoning conditions:

REZONING CONDITIONS

Should the Board of Supervisors be inclined to approve this rezoning, the Pima County Regional Wastewater Reclamation Department (PCRWRD) recommends the following conditions:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

If you wish to discuss the above comment, please contact me at 724-6488.

Sherry Ruther

Environmental Planning Division, Office of Sustainability and Conservation

Site Conservation Values and Landscape Context

- The entire 54.9-acre site lies within the CLS; designations are Multiple Use Management Area with Special Species Management Area overlay.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, or Pima pineapple cactus. It does lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl.
- On-site resource conditions: A myriad of trails crisscross the site and impact upland and riparian areas. Two riparian areas cross the site and are regulated by RFCD as Class C Xeroriparian. Saguaros (974) and ironwood trees (614) occur on the site in significant numbers.
- The site is not within nor is it adjacent to any Pima County Preserve properties. The County owns and manages two properties in this area for conservation – Arthur Pack Regional Park and an approx. 20-acre PCDOT mitigation property. The subject site lies approx. 1.1 miles northeast of the PCDOT mitigation property and approx. 750' south of Arthur Pack Regional Park; it is adjacent to the Tucson Audubon Society's Mason Center which lies between the subject site and Arthur Park Regional Park.
- The site is identified for acquisition under both the 2004 Open Space Conservation Bond Program and the proposed 2015 Open Space Conservation Bond Program.
- Landscape context: Land uses in the vicinity of the subject property are predominantly residential with some business uses along Thornydale. Save for the subject site, the intersection of Thornydale and Cortaro is devoted to commercial uses. Other land uses in the area are a mixture of high intensity residential uses, low intensity residential uses that are more compatible with retaining native biological resources, and properties preserved as open space. Residential uses south of Cortaro Farms are more intense in nature with most areas built out at CR-4 and CR-3. Resources of the subject property are physically connected to open space properties in the area. In this regard, the subject property makes a positive contribution to landscape permeability for biological resources.

Potential Impact to Biological Resources and CLS

According to the PDP, approx. 46.7ac will be retained as natural open space and includes all of the riparian area, 74% of the saguaros (including 42 of the 53 saguaros over 18' tall) and 85% of the ironwood trees. Impacts to these on-site resources will occur at later stages in the development process. Namely, impacts to native vegetation and specifically saguaros and ironwood trees will be addressed when the proposed development is subject to the applicability of the Native Plan Preservation Ordinance (Title 18; Ch. 18.72).

The Rezoning Policies established for this proposed project call for a minimum of 46 acres of natural open space to be provided on-site. The PDP proposes on-site natural open space of approx. 46.7 acres.

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.

Recommendations

Should the Board of Supervisors approve this rezoning request, the following should be included as Special Conditions:

- The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a minimum of 46 acres on-site as Natural Open Space (NOS). Prior to the approval of the Development Plan, the 46-acre on-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
- 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

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

Courtney Rose

Cultural Resources and Historic Preservation Division, Office of Sustainability and Conservation

The subject property is located in a high archaeological sensitivity zone (SDCP). The following condition applies:

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.



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

DATE: October 27, 2015

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

FROM: Mark Holden, Principal Planner

SUBJECT: Rezoning Application request for your review and comments
Case: P15RZ00005 Pacific International Properties, LLC - N. Thornydale Road Rezoning

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:

FWS comments and concerns on this proposed rezoning remain the same as submitted for the proposed Comp Plan Amendment related to this parcel. It appears that the applicant is in compliance with the CLS requirements as outlined in our original comments below. However, it is important to clarify that compliance is adequate for this parcel only, and should not be applicable to the other three parcels along Thornydale Road submitted concurrently by Red Point. The remaining 3 parcels should also be individually in compliance with the CLS guidelines.

“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 covered 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 there are saguaros or agaves occurring within the parcel, that they be preserved in place or salvaged and replanted within the parcels. 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. The proposed Comprehensive Plan amendment has the potential to render these actions ineffective. The pygmy-owl is a covered species under Pima County’s MSCP and this area is a special species management area for the pygmy-owl

under the existing Comprehensive Plan. We strongly recommend that the guidelines outlined within the CLS and Comprehensive Plan be applied to this parcel if the Comprehensive Plan amendment is granted, 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.”



July 14, 2015

Larry Kreis
Red Point Development, Inc.
8710 N. Thornydale Road, Suite 120
Tucson, AZ 85742

**Re: ±35.72 Acres and ±19.23 Acres at the NWC of Thornydale and Cortaro Roads
(PN 225-33-032A and PN 225-32-032D)
CAP15-04**

Dear Mr. Kreis,

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

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

If an improvement plan has not been submitted within 2 years after the date of this letter, a reevaluation and reissuance of this will-serve letter will be necessary.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy Dinkel".

Timothy Dinkel
Development Supervisor

TD/td

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

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

Exhibit II-K.1a (Page 1 of 2)
**Metropolitan Domestic Water Improvement District Will-Serve Letter &
District Context Map**

Section II - Land Use Proposal



Exhibit II-K.1a (Page 2 of 2)
Metropolitan Domestic Water Improvement District Will-Serve Letter & District Context Map

Wed 09/23/2015 7:10 AM

Federico, Russell R.A.Federico@maranausd.org

RE: Rezoning RZ00005 Pacific International Properties-N Thornydale Rd

To: Mark Holden Mark.Holden@pima.gov

Mark,

In regards to Rezoning RZ00005 Pacific International Properties-N Thornydale Rd we have no concerns since there will be little change in our enrollment impact from this move.

Russ

Russell Federico
Executive Director of Operational Support
Marana Unified School District
11249 W. Grier Rd. Suite 101
Marana, AZ 85653
520-682-4707
Fax 520-682-2514
r.a.federico@maranausd.org



FROM: Jim Portner, Projects International, Inc.
DATE: September 10, 2015
RE: **Invitation to Attend a Neighborhood Meeting Regarding a Proposed Rezoning 55 Acres at the Northwest Corner of Thornydale Road @ Cortaro Farms Road Pima County Rezoning Case No. P15RZ00005**

I'm sending you this information because you own property, or are a representative of a nearby homeowners or neighborhood association, within 1000' of a request we have filed with Pima County to rezone the vacant land at the northwest corner of Thornydale Road and Cortaro Farms Road. Our proposal involves rezoning only 8 acres at the immediate northwest corner of the street intersection for a small neighborhood shopping center, with the remainder of the property being preserved in its natural state.

I am the project manager for the rezoning, on behalf of Red Point Development, who have developed residential and commercial properties throughout the Tucson metropolitan region.

This same property was approved by the Board of Supervisors for an amendment to the Pima County Comprehensive Plan in early 2014. That approval designated the property as *Neighborhood Activity Center (NAC)*. Our rezoning application is the next step in the development process. If successful, it would then be followed by final site engineering and all related permitting, which requires a further significant amount of time. With all of the regulatory and permitting processes involved, any physical site development or actual construction on the property would likely not begin for at least two more years.

We have scheduled a neighborhood meeting on this rezoning application to provide a forum for your comments and for answering your questions. The meeting will take place as follows:

Tuesday, September 22, 2015
6:15 PM to 7:45 PM
Tortolita Middle School – School Cafeteria (The Cougar Café)
4101 W. Hardy Road (approximately ¼ mile west of Thornydale Road)
Tucson, AZ 85742

Enclosed you will also find a copy of the original *Framework Plan* that was submitted at the time of our comprehensive plan amendment. It shows the basic conceptual breakdown of the actual development area, set-aside and preservation areas, etc. As you can see, the vast majority of the original property is being preserved in its natural state. Also enclosed is a copy of the required *Preliminary Development Plan (PDP)* that is accompanying our current rezoning application. This provides a more detailed depiction of our development program for the property and demonstrates our consistency with the original *Framework Plan*.

Please be advised that a public hearing on this item will occur before the Planning & Zoning Commission during the month of October or November of this year. You will receive a separate notice on the hearing directly from Pima County once its final date is scheduled. After that, a second public hearing will be scheduled before the Board of Supervisors, who will make the final decision on this rezoning application.

I encourage you to attend the above neighborhood meeting or to, alternatively, call or email me with any questions you might have. My cell phone number is 850.0917 and my email is jportner@projectsintl.com.

Note: This mailing has been sent to a list of surrounding property owners that was generated using Pima County property-ownership information on file with the Pima County Assessor's Office. I apologize if the name or address information on your envelope is incorrect in any way.

LEGEND

Boundary of Subject Plan
Amendment Request



Limits of Xeroriparian "C" -- conservation measures to be established in site analysis during the rezoning process in coordination with the Pima County Regional Flood Control District (RFCD). See Note #5 below.

Access to Public Street
(Conceptual Location)



Additional Set-Aside Area

ZONE DESCRIPTIONS

Zone 1: Commercial Component with Neighborhood Activity Center (NAC) Designation. Area dedicated to non-residential use; this component is representative of a neighborhood-level, anchored shopping center (potentially a national grocer), together with complimentary retail goods and services, restaurants, shop spaces, and personal-service offices.

Zone 2: Set-Aside Area.

GENERAL NOTES

1. Building heights, perimeter setbacks, and perimeter landscape buffers will achieve an appropriate transition to established residential structures on adjacent developed properties.
2. The Zone 2 set-aside as shown herein will provide a material expansion of the established habitat reserves within Arthur Pack Regional Park and the Tucson Audubon Society.
3. Four-sided architecture to be utilized on all commercial buildings.
4. All mechanical equipment on commercial buildings to be screened by rooftop parapets or appropriate architectural/aesthetic means.
5. Final design will incorporate Xeroriparian "C" drainage courses as natural to the greatest extent possible. Any modification and/or alteration to same will be done in conjunction with an approved riparian habitat mitigation plan in accordance with RFCD's "Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines."
6. New perimeter landscape borders along the Cortaro Farms Road and Thornydale Road street frontages of the proposed NAC area will utilize salvaged native-desert tree and shrub specimens so as to achieve a mature character as rapidly as possible.
7. Xeroriparian "C" corridor to be incorporated as an amenity element, with specific conservation measures to be detailed in the Site Analysis accompanying the future rezoning process.
8. Conservation Lands System (CLS) mitigation to be accomplished on-site, off-site, or through a combination of the two in coordination with the Pima County Office of Sustainability & Conservation.

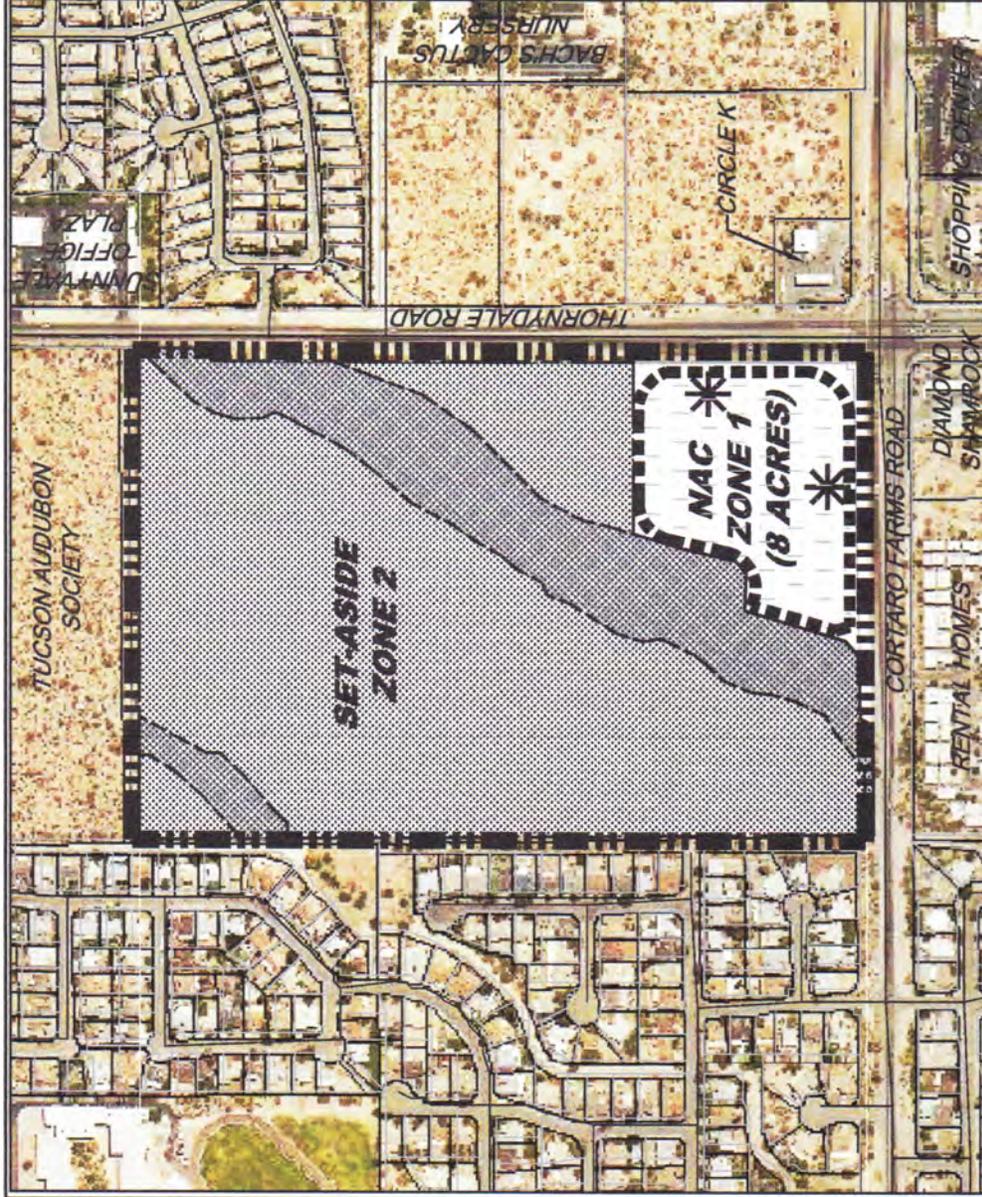
Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917

Red Point Development, Inc.

(Ownership Entity: Pacific International Properties, LLP)
COMPREHENSIVE PLAN AMENDMENT REQUEST: LIU TO MIU & NAC

FRAMEWORK PLAN

Revised 2-3-14



NOTE:
Subject Property and several surrounding properties are located with a FEMA designated sheet flow area (0.5' Depth).

NOTE:
Final delineation of regulatory floodplains will occur at time of rezoning.

11047 N. Cloud View Place
Tucson, AZ 85737
(520) 877-8037



PROJECT AREA
 Overall/Original Subject Property: 54.9 AC (Approximate)
 Rezoning Parcel: 8.2 AC (Approximate)
 Residual Parcel: 46.7 AC (Approximate)

PROJECT PARTICULARS
 Existing Zoning: SR
 Proposed Zoning of Rezoning Parcel: CB-1
 Proposed Zoning of Residual Parcel: SR (No Change)
 Comprehensive Plan Designation (Rezoning Parcel): NAC
 Comprehensive Plan Designation (Residual Parcel): MIU

PROPOSED USE (REZONING PARCEL)
 A Commercial Shopping Center containing a primary anchor, supporting mid-size/junior anchors and shop space. Total Retail Area is estimated at approximately 102,000 sf.
NOTE: The PDP layout presented here is conceptual in nature and subject to change and refinement at the time actual anchors and tenants emerge. The intent of this rezoning and PDP is to depict a conventional anchored shopping center with accompanying and supporting retail uses and complimentary neighborhood services.

PROPOSED USE (RESIDUAL/REMAINING PARCEL)
 The remaining 46.7 ac of the original subject property lying outside of the rezoning parcel shall remain as Natural Open Space.

BUILDING HEIGHT
 Maximum 39' Permitted. Proposed commercial buildings will be at or below this prescribed CB-1 height.

PARKING & LOADING
 Parking will be in accordance with Sec. 18.75, Parking & Loading Standards. Final design and compliance with same will be demonstrated at the time of Site Development Package review.

BUFFER YARDS
 Bufferyard "D" required along north and west boundaries, and along Thornydale and Cortaro frontages.

CONSERVATION LANDS SYSTEM (CLS)
 On-Site Natural Open Space on Rezoning Parcel: 0.0 AC
 On-Site Natural Open Space on Residual Parcel: 46.7 AC

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
 10836 E. ARMADA LANE
 TUCSON, ARIZONA 85749
 520 850-0917

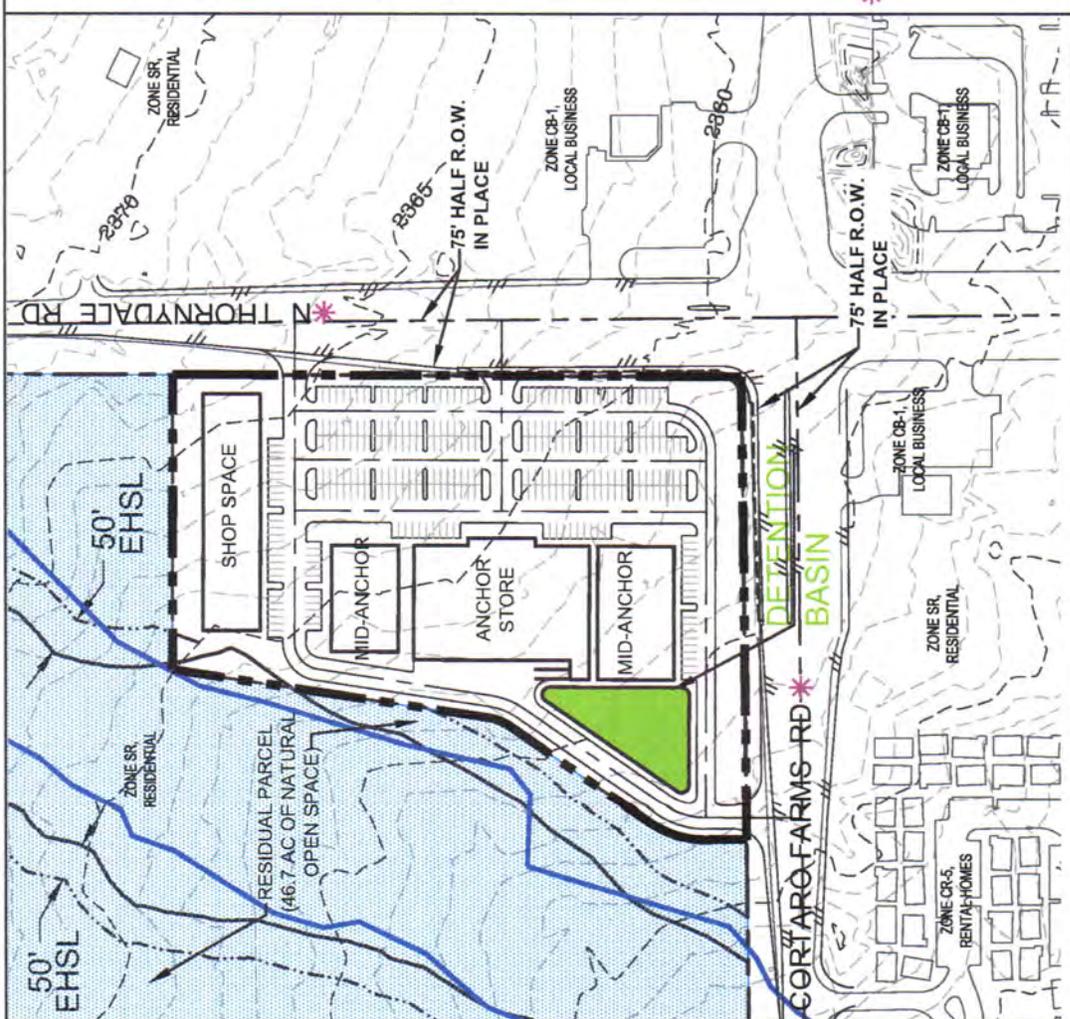
EXHIBIT II-B.1a-p
 PRELIMINARY DEVELOPMENT
 PLAN
 PAGE 54

LEGEND

- PDP Boundary & Limit of Rezoning Parcel
- Existing Condition Topographic Contour (1' Interval)
- CLS Set-Aside Area (Natural Open Space)
- Approximate 100-Year Post-Development Floodplain Limit
- Erosion Hazard Setback Limit
- Detention Basin
- Edge of Existing Street Pavement
- Mapped Riparian Habitat - Xeroriparian "C"

NOTES:
 The entire subject property is shown on RFCD Flood Hazard maps as a sheet flow zone with an average depth of 0.5 feet.
 Thornydale Road and Cortaro Farms Road are designated Major Streets and Scenic Routes.

SCALE IN FEET 1"=150'



Red Point Development, Inc.
 NWC CORTARO & THORNYDALE ROADS
 (Ownership Entity: Pacific International Properties, LLP)
 REZONING: SR to CB-1

GRS
 LANDSCAPE ARCHITECTS

PROJECTS INTERNATIONAL, Inc.
 STRATEGIC GUIDANCE
 ENVIRONMENTAL PROCESSING
 LOCAL ADVISORY & COUNSEL

Sign-In Sheet

Full-Notice Neighborhood Meeting

P15RZ00005 – Mandarin Associates – NWC Thornydale Road @ Magee Road

P15RZ00005 – Pacific International Properties, LLP -- NWC Thornydale Road @ Cortaro Farms Road

September 22, 2015 -- 6:15 PM to 7:45 PM

Tortolita Middle School (Cougar Café)

Name	Street Address	Phone Number	Email Address
Nancy Miller	3655 W. Sunbriant Dr.		
DENISE OMDAAL	8303 N. Freshwater Ln.	520 247-3865	
SUE + PETER KENTS	3086 W. QUASAR ST	744-4093	
Sharon Keown	4031 W. Bayou Pl.	744-9578	
Joe Reale	4051 W. Bayou Pl	579-8119	
Edw Kenyon	4145 W. PYRHOANTHA	744-2191	
Jan Kindwoman	8441 N. Bayou Dr.	744-5859	
HARRY KREIN	8042 N. Firethorn Ave	579-9433	
KRIS ISAVM	8100 W. PLACITA SUR DES TE	744-3747	

Sign-In Sheet

Full-Notice Neighborhood Meeting

P15RZ00005 – Mandarin Associates – NWC Thornydale Road @ Magee Road

P15RZ00005 – Pacific International Properties, LLP -- NWC Thornydale Road @ Cortaro Farms Road

September 22, 2015 -- 6:15 PM to 7:45 PM

Tortolita Middle School (Cougar Café)

Name	Street Address	Phone Number	Email Address
Linda Boettcher	8100 N Firethorn Ave	954-2037	lboettcher@swqaz.com

Neighborhood Meeting Summary

Rezoning Case No. P15RZ00005
Pacific International Properties, LLP – Thornydale Road Rezoning
NWC Thornydale Road @ Cortaro Farms Road

Meeting Date & Time: Tuesday, September 22, 2015; the meeting commenced at 6:20 PM.

Location: Tortolita Middle School (Cougar Café), 4101 W. Hardy Road

Meeting Invitation & Mailing: All properties within 1000' of the site (approximately 225 in number) were mailed: 1) an invitation & explanatory cover letter; 2) a color copy of the *Framework Plan* that accompanied the approved comprehensive plan amendment application in 2014; and 3) a color copy of the proposed rezoning *Preliminary Development Plan (PDP)*.

Attendance: Eleven (11) individuals (representing 10 properties) attended the meeting, accounting for approximately 5% of the properties that were noticed.

Synopsis: Jim Portner, as applicant and representative of the property owner, welcomed the attendees and introduced Mr. Larry Kreis (General Manager) and Mike Leung (Project Manager) of Red Point Development. Portner provided a historical overview, including exhibits showing the surrounding context of the property, a summary of the approved comprehensive plan amendment, and the proposed concept plan (*Preliminary Development Plan*) accompanying the rezoning. In doing so, he highlighted the various design particulars and demonstrated their consistency with the *Framework Plan* that accompanied the aforementioned comprehensive plan amendment approval. He also outlined the anticipated process and timeline for the rezoning, including the public hearings that would be held before the Planning & Zoning Commission and the Board of Supervisors. After all of the above, the meeting was thrown open for a general discussion of neighbor questions and issues/concerns.

Neighborhood Comment: The neighbor comments were generally accepting of the proposed project; there was a prevailing sentiment that a second neighborhood shopping center and grocer serving the area would be a positive development. The following issues were raised:

- *Preservation of majority of the property:* Those in attendance were pleased to confirm that the majority of the 55-acre property (more than 80%) would be preserved as natural open space and therefore significantly buffer their existing homes to the west.
- *Timing of development:* It was explained that, given the rezoning and subsequent engineering & permitting processes involved, actual site development of the project was likely two years or more in the future.
- *Drainage and protection of existing washes:* Again, the attendees were pleased to hear that the two existing washes would be maintained in their natural state, thereby facilitating both natural drainage and wildlife movement.
- *Traffic:* There was the natural concern as to traffic impacts upon Thornydale Road, which is only two lanes north of Cortaro Farms Road. It was explained that the RTA's four-lane expansion of Thornydale was now scheduled to commence in 2018 and that a four-lane widening of Cortaro Farms Road (west of Thornydale) was currently in design by DOT. It would be prudent to time the proposed development to be concurrent with these projects.

After discussing all of the above, those in attendance indicated they had no further questions. The meeting then concluded at approximately 7:15 PM.