

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

**HEARING**     November 26, 2014

**DISTRICT**     1

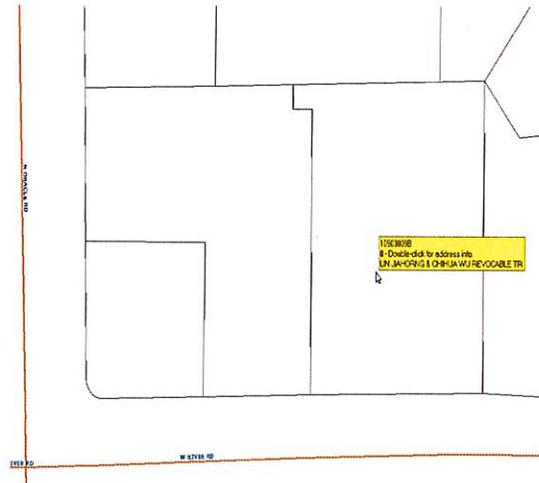
**CASE**         Co9-14-09    LIN JIANG  
                         AND CHIHUA WU  
                         REVOCABLE TR. – W.  
                         RIVER ROAD REZONING

**REQUEST**     CR-4 (Mixed Dwelling  
                         Type) to CB-1 (Local  
                         Business)

**SIZE**            2.3 Acres

**OWNER**        Lin Jiahornng & Chihua Wu  
                         Revocable Trust  
                         8 Brockton  
                         Irvine, CA

**AGENT**        The WLB Group  
                         Attn: Paul Oland  
                         4444 E Broadway Blvd  
                         Tucson, AZ 85711  
                         881-7480



**APPLICANT'S PROPOSED USE**

An expansion to the existing River Village Shopping Center

**APPLICANT'S STATED REASON**

The Development will provide additional commercial retail and office space in the area resulting in convenience to nearby residents and increase tax revenue to the County.

**STAFF REPORT SUMMARY**

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. There are no significant constraints on the site, the request is generally consistent with the Comprehensive Plan designation and rezoning policies, and the development standards of CB-1 should provide adequate mitigation of the use of the property.

**COMPREHENSIVE PLAN DESIGNATION**

The subject property is designated as NAC (Multi-Functional Corridor) by the Pima County Comprehensive Plan. A rezoning request to the CB-1 zone complies with the NAC designation. The property is subject to, and is consistent with Rezoning Policy

122 and Special Area Policy 2 with proposed rezoning conditions. Attached is a letter from the applicant that addresses conformance with Rezoning Policy 122.

**MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)**

The subject property is located outside the MMBCLS.

**SURROUNDING LAND USES/GENERAL CHARACTER**

|       |           |  |
|-------|-----------|--|
| North | RX-1/CR-1 | Residential (City of Tucson and County zoning)             |
| South | TH        | The Friendly Village Mobile Home Park is across River Road |
| East  | CR-4      | Residential, low density                                   |
| West  | CB-1      | The existing River Village Shopping Center                 |

**PUBLIC COMMENT**

Staff has received no comments in response to this request.

**PREVIOUS REZONING CASES ON PROPERTY**

NA

**PREVIOUS REZONING CASES IN GENERAL AREA**

There are no recent rezoning cases in the area.

| <b>CONCURRENCY CONSIDERATIONS</b>    |  |                       |
|--------------------------------------|--|-----------------------|
| <i>Department</i>                    | <i>Concurrency Considerations Met: Yes / No / NA</i> | <i>Other Comments</i> |
| TRANSPORTATION                       | Yes  | None                  |
| FLOOD CONTROL                        | Yes  | None                  |
| WASTEWATER/<br>ENVIRONMENTAL QUALITY | Yes  | None                  |
| PARKS AND RECREATION                 | NA   | None                  |

**PLANNING REPORT**

The residential properties to the north are at a much higher elevation and should only be minimally affected by this shopping center expansion. The residential property to the east is planned NAC and was part of the Comprehensive Plan amendment approved in 2009. Approval of this rezoning request will result in development consistent with adjoining land uses. Essentially, this project represents an "in-fill" opportunity. Accommodating the needs of this use will encourage economic development as an expansion to an existing shopping center.

The 2009 Comprehensive Plan amendment rezoning policies promote mixed-uses. This request is a portion of the larger amendment area and is exclusively for commercial and office uses. When the remaining portions of the planning amendment to the east are rezoned, the expectation is that they are developed as residential uses compatible with this proposed commercial use. As a result staff is recommending conditions that the development provide for pedestrian access to future residential uses to the east, and all new buildings be constructed with four-sided architecture to also be more compatible with the future residential uses.

### **TRANSPORTATION REPORT**

Forthcoming

### **REGIONAL FLOOD CONTROL DISTRICT (RFCD)**

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

Further correspondence from RFCD is attached.

### **WASTEWATER MANAGEMENT REPORT**

The PCRWRD has no objection to the proposed rezoning request subject to the rezoning conditions (listed below).

Further correspondence from PCRWRD is attached.

### **CULTURAL RESOURCES REPORT**

Cultural Resources have reviewed the rezoning application for Co9-14-09 West River Road Rezoning located on the northwest corner of River and Oracle Roads in T13S, R13E, Section 13. According to Pima County records, no previously identified archaeological sites on the property. Although the property has never been surveyed, it is unlikely the proposed development will impact significant cultural resources.

The following condition applies to this rezoning:

A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-

4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial.

**NATURAL RESOURCES, PARKS AND RECREATION REPORT**

No objection to the request.

**UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

No comment.

**TUCSON WATER REPORT**

No comment.

**FIRE DISTRICT REPORT**

Northwest Fire District in review of the proposed re-zoning has no objection to approval of this request by the Pima County Board of Supervisors. Northwest Fire District will require submittal of any development plans for review directly to Northwest Fire District as a condition of this approval.

**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 property owner shall:
  - A. Submit 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 of residential development without the written approval of the Board of Supervisors.
3. Transportation Conditions: Forthcoming
4. Regional Flood Control District Conditions:
  - A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. These requirements shall be made a condition of the Site Construction Permit.
  - B. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where

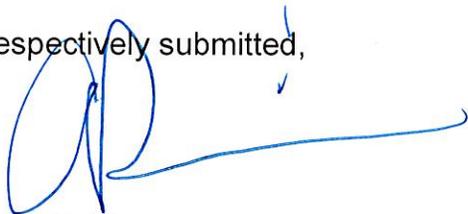
necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management Plan shall be submitted to the District for review and approval at the time of development.

5. 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.
6. Cultural Resources Condition: In the event that cultural resources are revealed during ground-disturbing activities, all construction shall cease, and consultation shall be initiated with Arizona State Museum (ASM) to assess the potential significance of any unearthed materials (ARS §41-841). If human skeletal remains or funerary objects are discovered, ASM will be contacted immediately (ARS §41-865 & §41-844).
7. Adherence to the preliminary development plan as approved at public hearing, however per Policy S-2 no building shall exceed 24 feet in height. Per Rezoning Policy 122 the buildings shall be constructed with four-sided architecture, and

direct pedestrian access shall be provided for property to the east in addition to any required sidewalk along River Road.

8. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the current any future 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.
9. 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.
10. The property owner shall execute and record the following disclaimer regarding Proposition 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(l)."

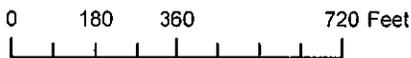
Respectively submitted,



Chris Poirier  
Assistant Planning Director

Case #: Co9-14-009 LIN JIAHORNG AND CHIHUA WU REVOCABLE TR -  
W. RIVER ROAD REZONING

Tax Code(s): 105-03-009B (portion)



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION



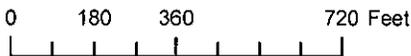
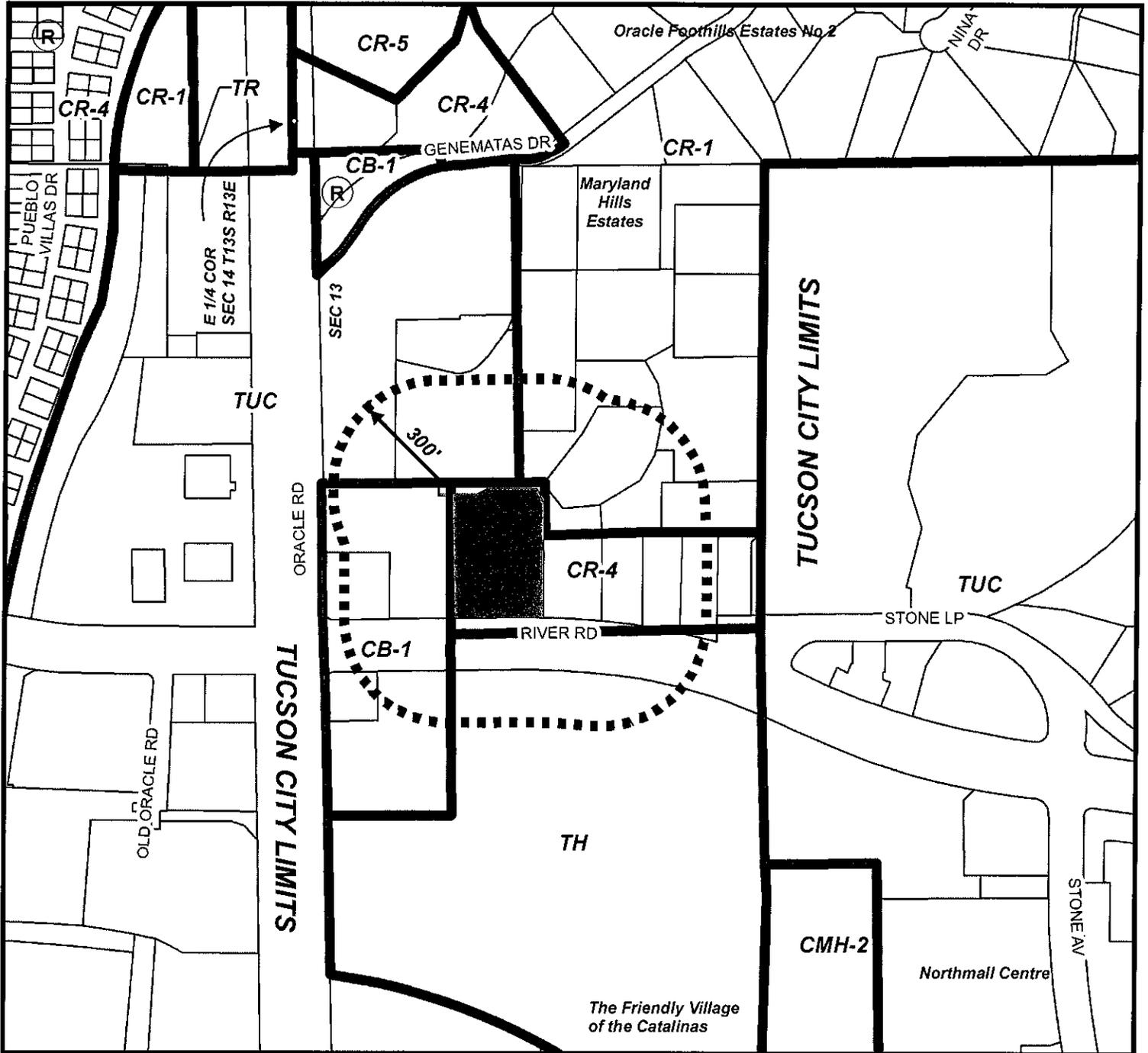
2014 Pictometry

Map Scale: 1:5,000

Map Date: 11/06/2014



Case #: Co9-14-009 LIN JIAHORNG AND CHIHUA WU REVOCABLE TR -  
 W. RIVER ROAD REZONING  
 Tax Code(s): 105-03-009B (portion)



Area of proposed rezoning from CR-4 to CB-1



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION



Notes: Ordinance map requires boundary adjustment - see legal description.  
 Ref: Co7-08-11 Jiahong Lin and Chihua Wu Rev Tr. et al - River Road Plan Amendment

Planning & Zoning Commission Hearing: 11/26/14

Board of Supervisors Hearing: 01/15 (projected)

Base Map(s): 46

Map Scale: 1:5,000

Map Date: 11/03/2014



**PLAN SUMMARY:**

EXISTING SITE:  
 SHOPPING CENTER 22,148 S.F.  
 RESTAURANT 5,000 S.F.  
 TOTAL 27,148 S.F.

COMBINED SITE:  
 SHOPPING CENTER 56,708 S.F.  
 RESTAURANT 5,000 S.F.  
 TOTAL 61,708 S.F.

(General Retail) Sheds (retail parking at 3.5 spaces per 1,000 sq. ft. gross floor area per Table 18.75-1 Parking Spaces (Pima County Zoning))

(Restaurants: require 10 spaces per 1,000 s.f. of gross floor area per Table 18.75-1 Parking Spaces (Pima County Zoning))

Calculation used:  
 3.5:1000 ratio for shopping plaza  
 10:1000 ratio for Denrys

PARKING SPACES REQUIRED:  
 SHOPPING CENTER 197  
 RESTAURANT 60  
 TOTAL PARKING SPACES REQUIRED 247

PARKING SPACES PROVIDED:  
 SHOPPING CENTER 174  
 RESTAURANT 61  
 TOTAL PARKING SPACES PROVIDED 235

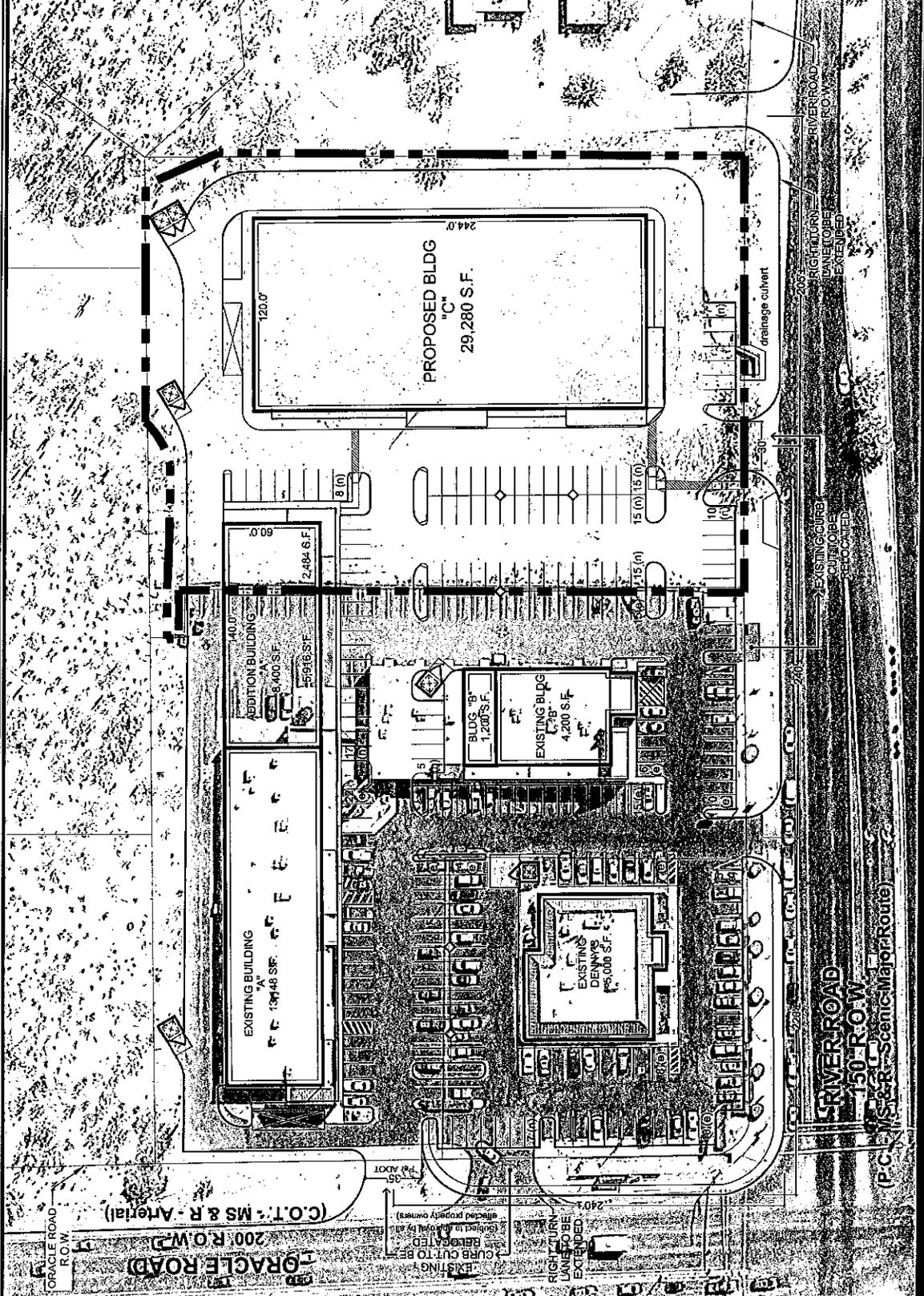
LOADING ZONE (LOW INTENSITY PER BLDG) LESS THAN 10,000 S.F. 1  
 10,000 TO 29,999 S.F. 1  
 TOTAL REQUIRED 2  
 TOTAL PROVIDED 2

**MINIMUM SETBACK REQUIREMENTS:**

FRONT: 25'  
 SIDE: 0'  
 REAR: 29'  
 BUILDING HEIGHT: MAXIMUM: 39'

**NOTES:**

- THERE ARE NO AREAS OF THE SITE THAT ARE AFFECTED BY THE BUILDING DEVELOPMENT OVERLAY ZONE.
- RECONFIGURATION OF EXISTING SHOPPING CENTER SHOWN FOR INFORMATION PURPOSES ONLY, AND IS NOT A PART OF THIS APPLICATION.

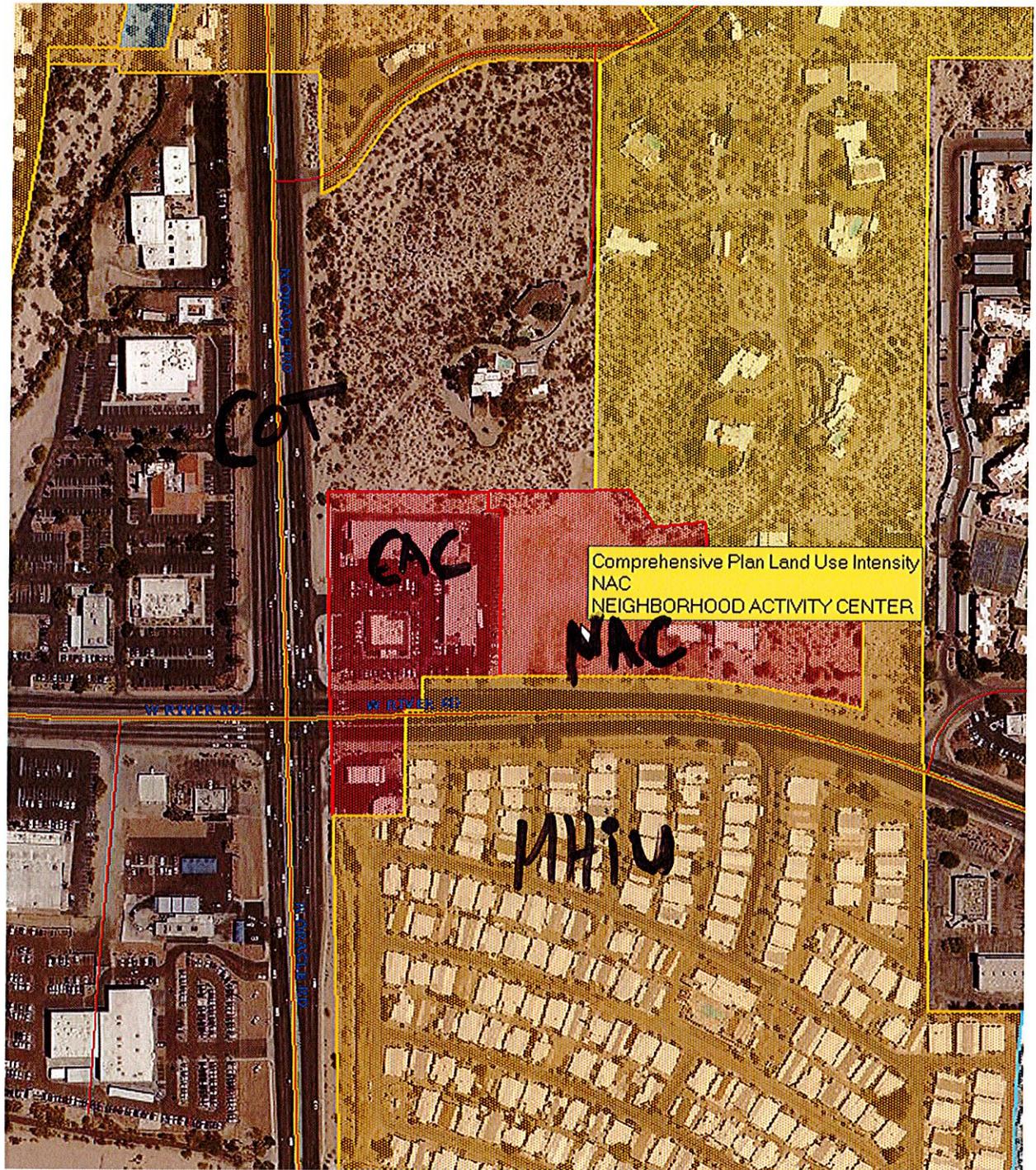


**RIVER VILLAGE SHOPPING CENTER EXPANSION**  
**EXHIBIT II-H: DRIVEWAY SPACING**

IN ASSOCIATION WITH  
**WLB** ARCHITECTURAL DESIGN GROUP, INC.



2014.10.28  
 WLB No. 162325-001



this plan amendment, the owner/developer acknowledges that adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner/developer and other affected parties.

5. A letter of intent to serve from a water service provider shall be submitted as part of any subsequent rezoning application. If the letter of intent to serve is from a water service provider that does not have access to a renewable and potable water supply, the applicant will provide documentation as to why a water service provider with access to a renewable and potable water source is not able to provide service.

#### **RP-122 W. River Road / N. Oracle Road (CF)**

##### General location

On the north side of W. River Road approximately 350 feet east of N. Oracle Road, in Section 13 of Township 13 South, Range 13 East (Ref. Co7-08-11).

##### Policies

- A. The plan amendment shall be implemented under a single Development Plan promoting mixed-use development appropriate to its location on a major transportation corridor.
- B. The developers of the property shall consult with the Pima County Green Building Program to identify and incorporate energy conservation practices which exceed current Code requirements into the site design, balanced with specific user needs and constraints, and economics. Example measures may include, but are not limited to:
  1. Solar orientation of buildings;
  2. Landscape design to enhance shading of buildings and reduce urban heat island effects;
  3. On-site rainwater harvesting with the goal of augmenting or meeting irrigation needs; and
  4. Achieve Leadership in Energy and Environmental Design (LEED) Silver Certification or equivalent performance.
- C. The developers of the property shall endeavor to incorporate a vertical mixing of land uses into the design of the property. Any non-residential use at the ground level may have residential uses on floors above. No more than 65% of the gross floor-area of the development may be of a purely retail nature.
- D. The development shall include shared parking for mixed land uses in order to reduce the overall amount of parking necessary to serve the development.
- E. The development shall not include medical offices due to the high parking requirements of such establishments.
- F. If the development includes a hotel, it shall be designed so as to appear to be integrated into the overall site rather than as a stand-alone development.

- G. The development shall be designed in a manner that integrates pedestrian connectivity throughout the site and to the existing commercial center to the west.
- H. The existing access road serving Maryland Hills subdivision residents immediately to the north may be re-located, provided subdivision residents are actively engaged in its location and design. The developer shall ensure that the access road provides private and safe physical and legal access to the residences.
- I. A Master Drainage Report shall be submitted during the rezoning process for Flood Control District to identify local floodplains, 100-year water surface elevations, erosion hazard setbacks and to analyze detention/retention requirements, as well as on- and off-site improvements including those associated with River Road.
- J. The owner/developer shall construe no 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.
- K. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department 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, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the Pima County Regional Wastewater Reclamation Department.
- L. A letter of intent to serve from a water service provider shall be submitted as part of any subsequent rezoning application. If the letter of intent to serve is from a water service provider other than Tucson Water, the applicant will provide documentation as to why Tucson Water is not able to provide service.
- M. Notwithstanding the Neighborhood Activity Center (NAC) Planned Land Use Intensity category, the maximum allowable residential density for the amendment area shall be 24 residences per acre (RAC).

**RP-123 E. Edwin Road (NW)**

General location

On the south side of E. Edwin Road, east of N. Oracle Road in the community of Catalina, in Section 4 of Township 11 South, Range 14 East (Ref. Co7-09-03).

Policy

Notwithstanding the Low Intensity Urban 3.0 (LIU 3.0) designation, a rezoning application to the TR Transitional Zone for an assisted living center with a maximum of 24 residents is allowed.

## **2. SPECIAL AREA PLAN POLICIES**

Special Area Policies (S) apply to sites typically composed of multiple parcels that share a unique physical feature or location over a relatively large area. Special area policies overlay larger areas such as transportation gateways into metro Tucson, significant floodplains, or areas covering a significant portion of a planning subregion carried forward from a previous (rescinded) area, neighborhood, or community plan. Special area policies act as guidelines for rezoning conditions and are labeled as "S" and numbered individually on the Planned Land Use Subregion maps.

### **S-1 Catalina Highway / Snyder Road (CF) [2-02]**

#### General location

At the intersection of E. Catalina Highway and E. Snyder Road, in Section 24 of Township 13 South, Range 15 East, and Section 18 of Township 13 South, Range 15 East.

#### Description

Due to the importance of this site as a "gateway" to the Catalina Mountains and the Catalina Highway and its unique, rural character, special design standards are suggested to protect the rural and scenic qualities of this area.

#### Policies

- A. Development shall be limited to one story building height and shall not exceed 24 feet.
- B. Natural landscaping will be promoted and used to buffer commercial development including parking areas from the road and from adjacent neighborhoods.
- C. Architectural design, materials, signage and colors shall be such that they blend with the natural desert landscape and topography of the area. Muted colors are acceptable for use on building exteriors and may include ranges of brown, such as rusts, sepia, sand, tans and buffs and some gray tones. Other tones and colors may be used for trim.
- D. Buildings shall have reduced front setbacks with parking lots located to the rear or side of buildings.
- E. Construction methods that result in minimal site disturbance shall be used.
- F. Architectural design, materials, landscaping, color and signage shall be approved by the Pima County Design Review Committee.



### **S-2 Catalina Foothills (CF) [2-19]**

#### General location

North of E. River Road, west of Sabino Creek, south of Coronado National Forest, and east of N. Oracle Road and N. Northern Avenue.

#### Policy

No construction of building exceeding 24 feet in height shall be permitted without specific authorization from the Board of Supervisors. The Board of Supervisors reserves the right to limit construction to one story.

### 3. Neighborhood Activity Center

#### 'NAC' on the Land Use Plan Maps

- a. Purpose: To designate low intensity mixed-use areas designed to provide convenience goods and services within or near suburban residential neighborhoods for day-to-day living needs.
- b. Objective: The center provides commercial services that do not attract vehicle trips from outside the immediate service area. A grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, church, and bank. The center may include a mix of medium density housing types. Neighborhood Activity Centers are generally less than fifteen acres in size.
- c. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
  - 1) Minimum - none
  - 2) Maximum - 10 RAC
- d. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's). Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements; however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.
  - 1) Minimum – 3 RAC
  - 2) Maximum – 5 RAC
- e. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
  - 1) CR-2 Single Residence Zone
  - 2) CR-3 Single Residence Zone
  - 3) CR-4 Mixed-Dwelling Type Zone
  - 4) CMH-1 County Manufactured and Mobile Home-1 Zone
  - 5) CMH-2 County Manufactured and Mobile Home-2 Zone
  - 6) TR Transitional Zone
  - 7) RVC Rural Village Center Zone
  - 8) CB-1 Local Business Zone
  - 9) CB-2 General Business Zone, provided however that the uses in such zone shall be limited to those set forth in Section 18.45.030B through 18.45.030C.



**DATE:** November 14, 2014

**TO:** Chris Poirier, DSD  
Assistant Planning Official

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

**SUBJECT:** Co9-14-09 Lin Jiahong & Chihua Wu Rev Tr – River Rd Rezoning

Pima County Regional Flood Control District (District) has reviewed the subject Site Analysis and finds it to be **complete** for the following reasons:

1. The site is impacted by a regulatory watercourse and has existing ponding as shown on Site Analysis Exhibit I-C2. Flow rates entering and leaving the site have been shown on Exhibit II-D.
2. There is no Pima County Regulated Riparian Habitat associated with the site.
3. No drainage complaints have been filed against the property. One complaint has been filed by an adjacent property owner regarding the impact of River Road improvements on their property.
4. Flow arrows entering, leaving and adjacent to the site have been provided and basin locations clarified.
5. As required by Pima County Board of Supervisors Resolution 2008-72, staff has conducted the Water Resources Impact Assessment (WRIA) as follows:
  - a. The site is within the Tucson Water Obligated Service Area although the required letter has not been provided. Tucson Water has access to renewable and potable water.
  - b. At the time of writing the ADWR Well Inventory was not available. 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” the project appears to be just within the “Active Model Boundary”. Between the years 2010 and 2025 groundwater depth is predicted to change between minus 10 to plus 10 and be 150 to 250 feet below the surface by 2025. It should be noted that scale and other factors make this map difficult to read accurately.
  - c. The site is within a mapped subsidence zone indicating between 1 and 2 inches of subsidence between 1987 and 2005.
  - d. The nearest mapped Groundwater-Dependent Ecosystem is the perennial section of the Santa Cruz River at Sweetwater approximately 3.2 miles to the west.
  - 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, under existing conditions, the proposed **project will have access to renewable and potable water**. Based upon projections provided in the PIWMP, the small scale of the project, it’s location relative to shallow groundwater areas and the availability of “renewable and potable” supplies from other basins the additional water **use is not likely to have significant adverse impacts on shallow groundwater areas**.

Chris Poirier, October 22, 2014

**Co9-14-09 Lin Jiahong & Chihua Wu Rev Tr – River Rd Rezoning**

Page 2 of 2

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

If you have any questions regarding these comments, please feel free to contact me at 724-4600.

GS/sm

cc: File



**PIMA COUNTY**

**REGIONAL WASTEWATER RECLAMATION DEPARTMENT**

201 NORTH STONE AVENUE  
TUCSON, ARIZONA 85701-1207

**JACKSON JENKINS**  
DIRECTOR

PH: (520) 724-6500  
FAX: (520) 724-9635

October 27, 2014

**TO:** Chris Poirier, Assistant Planning Director  
Planning Division  
Pima County Development Services Department

**FROM:** \_\_\_\_\_  
Mirela Hromatka, Program Manager  
Planning and Engineering Division  
Pima County Regional Wastewater Reclamation Department

**SUBJECT:** **Co9-14-09 River Road Rezoning**  
From CR-4 to CB-1  
APN: 105-03-009B

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

**The PCRWRD has no objection to the proposed rezoning request 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 comments/conditions, please contact me at 724-6488.

MH

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