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

HEARING September 30, 2015

DISTRICT 4

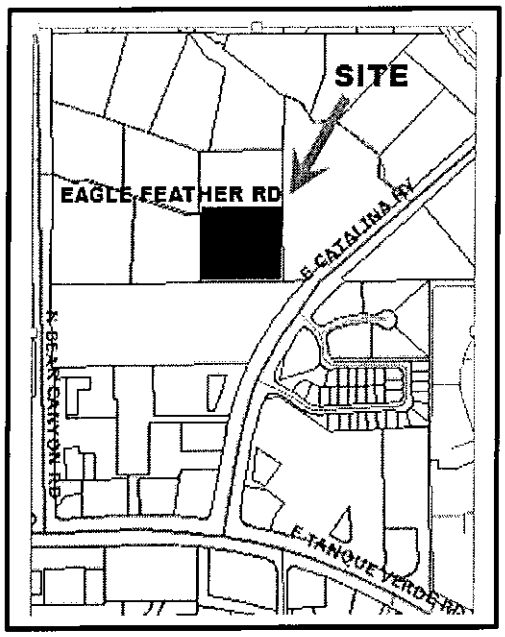
CASE Co9-15-005 JT RP LLC - East Eagle Feather Road (Easement) Rezoning

REQUEST Rezone from SR (Suburban Ranch) to CR-1 (Single-Family Residential) (3.81acres)

LOCATION 9062 East Eagle Feather Road (Easement) Approx. 800 feet East of North Bear Canyon Road
Parcel 114-51-1790

OWNER JT RP LLC (Agent Rita Pizarro) – 4802 East Ray Rd #23-339, Phoenix, AZ 85044

APPLICANT Kathy Gormally
1215 N. Wentworth Road
Tucson, AZ 85749



LOCATION MAP
T13S-R15E-S34

APPLICANT'S PROPOSED USE
The property is proposed to be split into four residential lots.

APPLICANT'S STATED REASON
"Develop highest use" for the property

COMPREHENSIVE PLAN DESIGNATION
The land use designation of the subject site is Low Intensity Urban 1.2 (LIU-1.2) under the Pima County Comprehensive Plan, Co7-00-20. The recent update of the Pima County Comprehensive Plan also known as Pima Prospers was adopted by the Board of Supervisors on August 17, 2015 The current land use designation for this site per Pima Prospers is Low Intensity Urban 0.3 (LIU-0.3). The rezoning for this site will be processed as LIU-1.2 under the Pima County Comprehensive Plan (Co7-00-20) that was in effect at the time of submittal. There is no special area or rezoning policies associated with the site.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR (Suburban Ranch) Residential
South:	City of Tucson – Bear Canyon Condominiums
East:	SR (Suburban Ranch) Residential
West:	SR (Suburban Ranch) Residential

PREVIOUS REZONING CASES ON PROPERTY

There is no previous rezoning request on the property.

PREVIOUS REZONING CASES IN GENERAL AREA

There have been three similar rezoning cases within the vicinity of the site. The requests were to rezone single parcels from SR (Suburban Ranch) zone to CR-1 (Single-Family Residence). There have been no rezoning requests in the area since October of 2001. The rezoning cases were not approved.

1. Co9-84-40 – Request was for the third lot west of the site on the north side of East Eagle Feather Road (Easement).

The following two rezoning cases were requests on the same parcel three lots northeast of the project site.

2. Co9-94-010
3. Co9-00-58

The City of Tucson has annexed the area on generally three sides of the project area. The City of Tucson City Limits is the approximately 1,000 feet north, 800 feet west at Bear Canyon Road and south along the site boundary.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL with conditions**. The owner proposes to split the 3.81 acre property into four one acre single-family lots. The residential lots will rely on an existing well and connection to the sewer. The site is not located within the Maeveen Marie Behan Conservation Lands System (MMBCLS).

Planning Analysis

This is a mixed residential area ranging from large single-family lots to condominium units. This request to rezone to CR-1 one acre lots is greater than the CR-1 minimum lot size of 36,000 sq.ft. Adjacent to the site are six SR (Suburban Ranch) lots and a 238-unit two-story condominium subdivision. There are four CR-1 subdivisions within a radius of 1,000 sq.ft. These four CR-1 subdivisions have minimum size CR-1 lots. The proposed one acre, 43,500 sq.ft. lots are considerably larger than the 36,000 sq.ft. subdivision lots. The four large lots can easily be buffered from the neighboring view sheds.

The property will be connected to sewer and has an existing well to serve the four lots. The vegetation on the site is mostly desert scrub. There are no washes onsite. Currently East Feather Road (Easement) is unpaved and dependent on maintenance by neighbors. The property owner will be required to pave (chip seal) the 800-foot easement from the project site to Bear Canyon Road. The 15-foot access easement for the four lots will also be paved (chip sealed) and utilities brought to the site. The individual driveways do not require paving. The property owner is responsible for utilities and prior to any ground disturbance will need to provide an archeological survey.

Concurrency of Infrastructure
Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
TRANSPORTATION	Yes	No objection subject to conditions
FLOOD CONTROL	Yes	No objection
WASTEWATER	Yes	No objection – subject to connecting to the adjacent sewer to the south and standard conditions
PARKS AND RECREATION	Yes	No objection

TRANSPORTATION REPORT
The Pima County Department of Transportation has no objection to the rezoning request. The additional four unsubdivided lots could generate approximately 30 ADT (Average Daily Trips). Traffic from these additional four lots will not impact the nearby arterial roads. Access to the site will be off of a private easement known as Eagle Feather Road (Easement). This easement is only site access via Bear Canyon Road into the City of Tucson/Pima County road network. Major arterial streets within proximity to this site are Bear Canyon Road, Catalina Highway, and Tanque Verde Road. Most trips leaving this site will travel west on Tanque Verde Road.

FLOOD CONTROL REPORT
The PCRFCD has no objections to this request.

WASTEWATER RECLAMATION REPORT
The PCRWRD has no objection to the proposed rezoning but adds the following comment: The applicant will be required to connect to the public sewer available from the South Bear Canyon Condominiums. The sewer improvements will be subject to the standard conditions of the PCRWRD.

NATURAL RESOURCES, PARKS AND RECREATION REPORT:
Staff has no objection.

CULTURAL RESOURCES REPORT: The site has never been surveyed for cultural resources. The subject property is located on the edge of the Tanque Verde Creek Priority Archaeological Site Complex (SDCP). There are 10 previously identified archaeological sites within a one-mile radius of the parcel. The property owner will be required to provide an onsite archeological survey and will be subject to standard conditions.

PUBLIC COMMENT: To date, September 22, 2015 staff has received six phone calls requesting further information. One letter and one email of opposition have been received. The property owner who sent the email has noted that there will be a letter with original signatures in the mail.

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. Recording of the necessary development related covenants as determined appropriate by the various County agencies.

2. Provision of development related assurances as required by the appropriate agencies.

3. 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.

4. Adherence to the sketch plan as approved at public hearing.

5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

6. Pima County Department of Transportation:
   Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.

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

G. Pima County Office of Sustainability:
An on-the-ground archaeological and historic site survey shall be conducted on the subject parcel(s) before any ground modifying activities occur. Any archaeological or historic sites that are recommended as eligible for Arizona or National Registers of Historic Places shall require cultural resources mitigation plan. The mitigation plan will need to be submitted to Pima County either before or at the time of the submittal of a site plan, tentative plat or development plan. Any cultural resource survey and/or mitigation plan shall be conducted by an archaeologist permitted by the Arizona State Museum or registered architect as appropriate. 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.

H. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (Pennisetum ciliare) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

I. 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)."

J. 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.

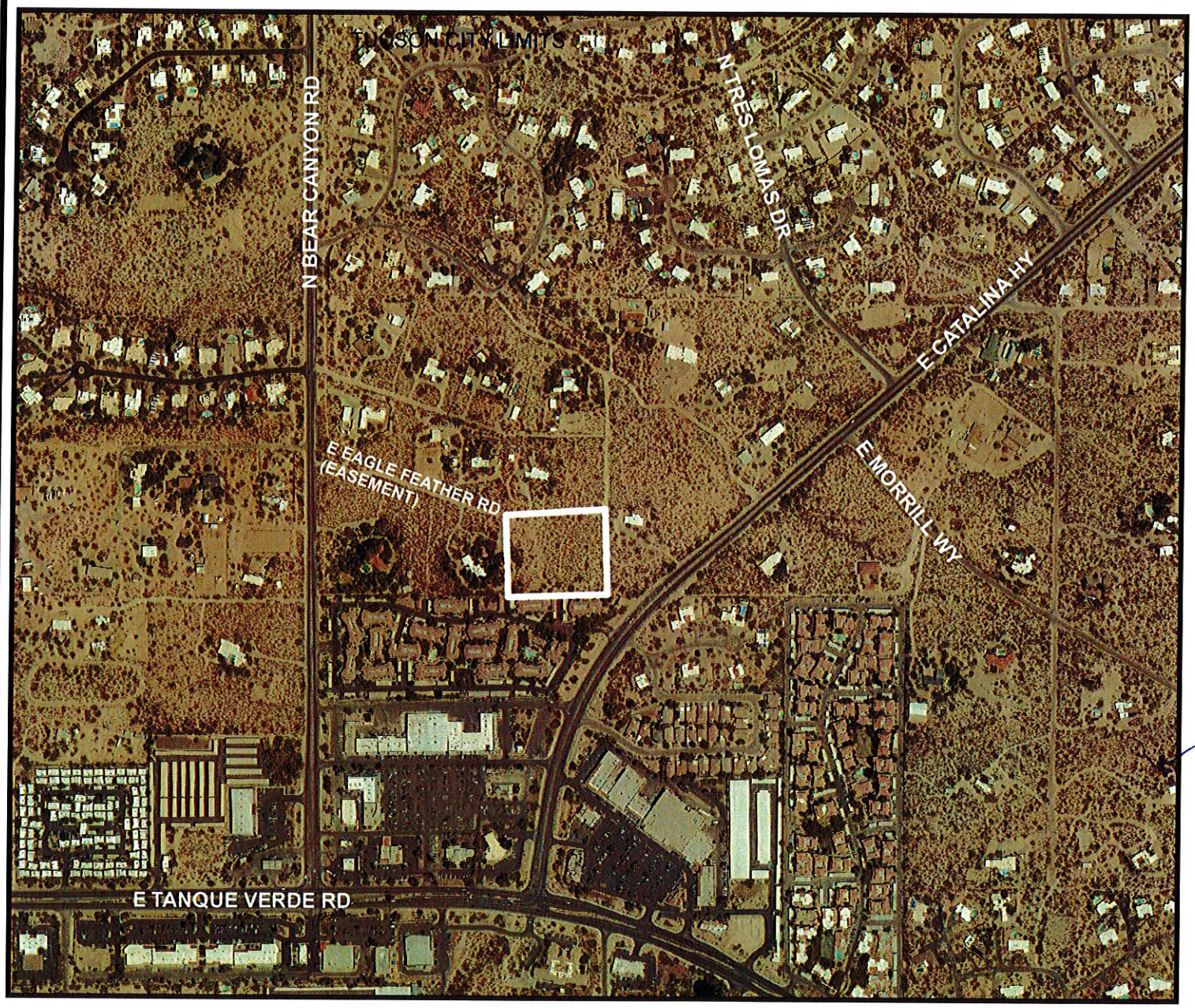
Respectfully Submitted,

Sue Morman, Senior Planner

c: Rita Pizarro (representative of JT RP LLC) / /Kathy Gormally (applicant)

Case #: Co9-15-005
Case Name: JT RP LLC - E. EAGLE FEATHER ROAD (EASEMENT) REZONING

Tax Code(s): 114-51-1790



0 285 570 1,140 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)

Base Map(s): 52 | Map Scale: 1:8,000 | Map Date: 09/01/2015

N
W E
S

SITE
N
N

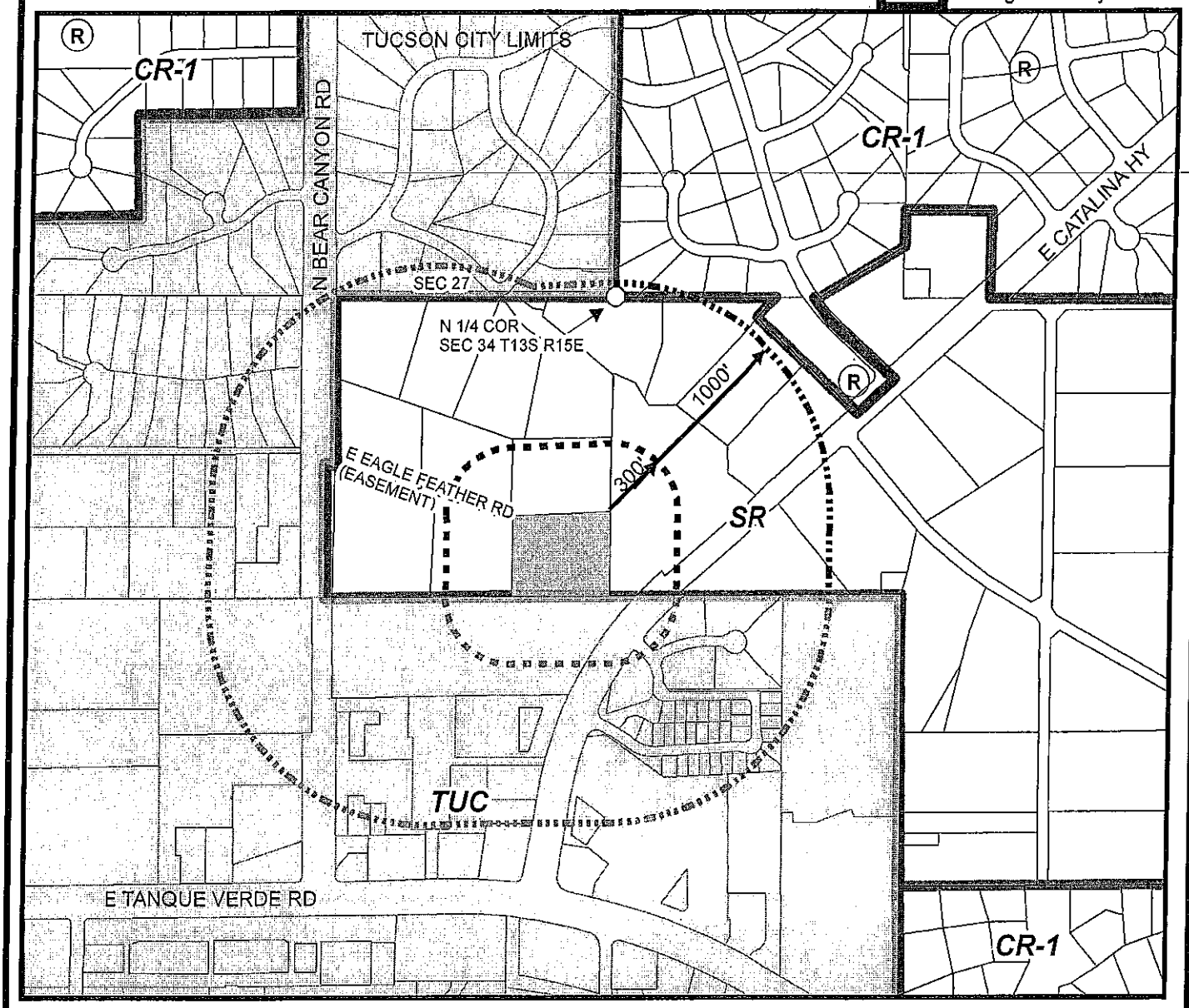
Case #: Co9-15-005
Case Name: JT RP LLC - E. EAGLE FEATHER ROAD (EASEMENT) REZONING

Tax Code(s): 114-51-1790

300' Notification Area

1000' Notification Area

Zoning Boundary



0 285 570 1,140 Feet

Area of proposed rezoning from SR to CR-1

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

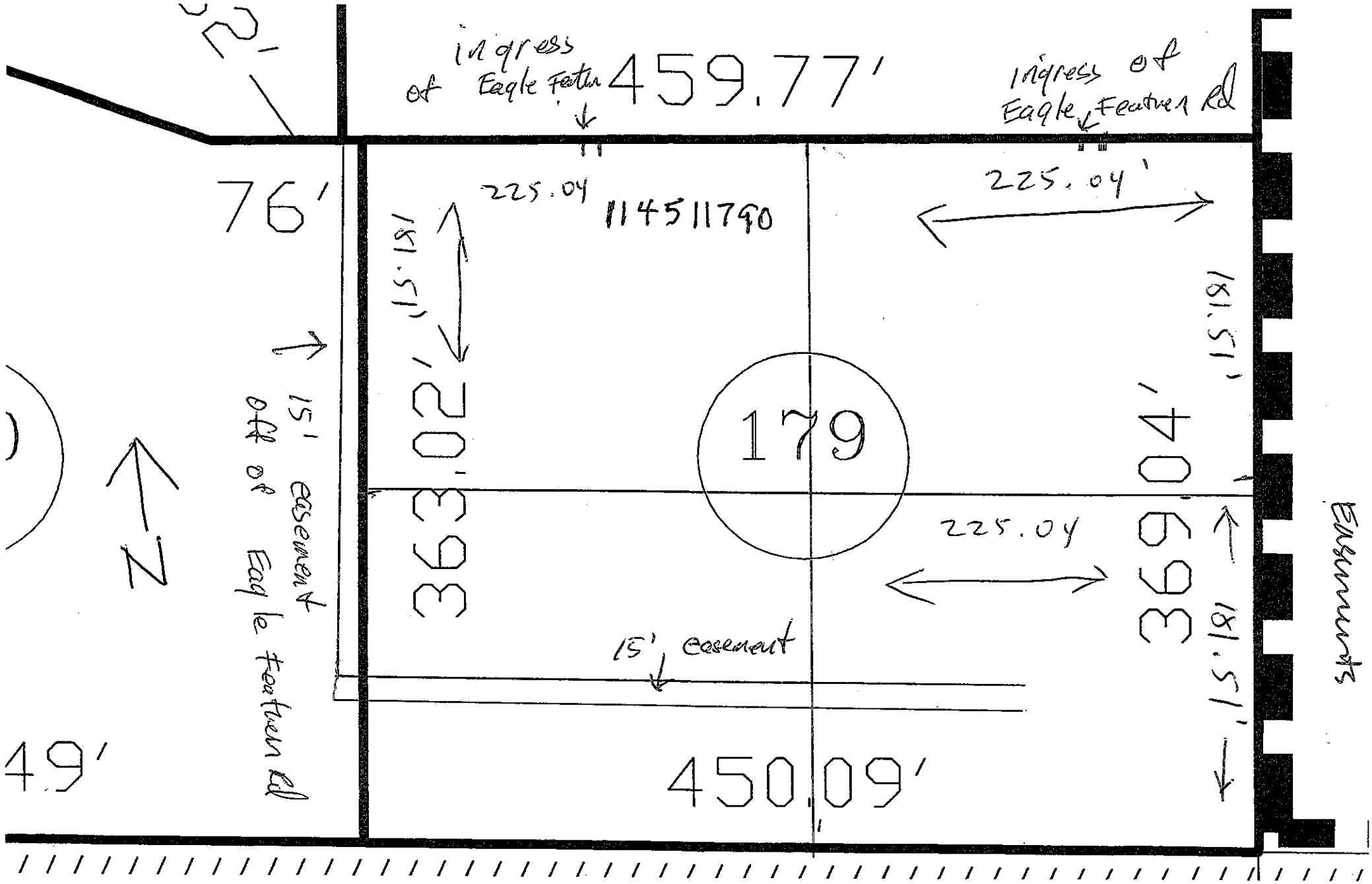
Notes:

PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)

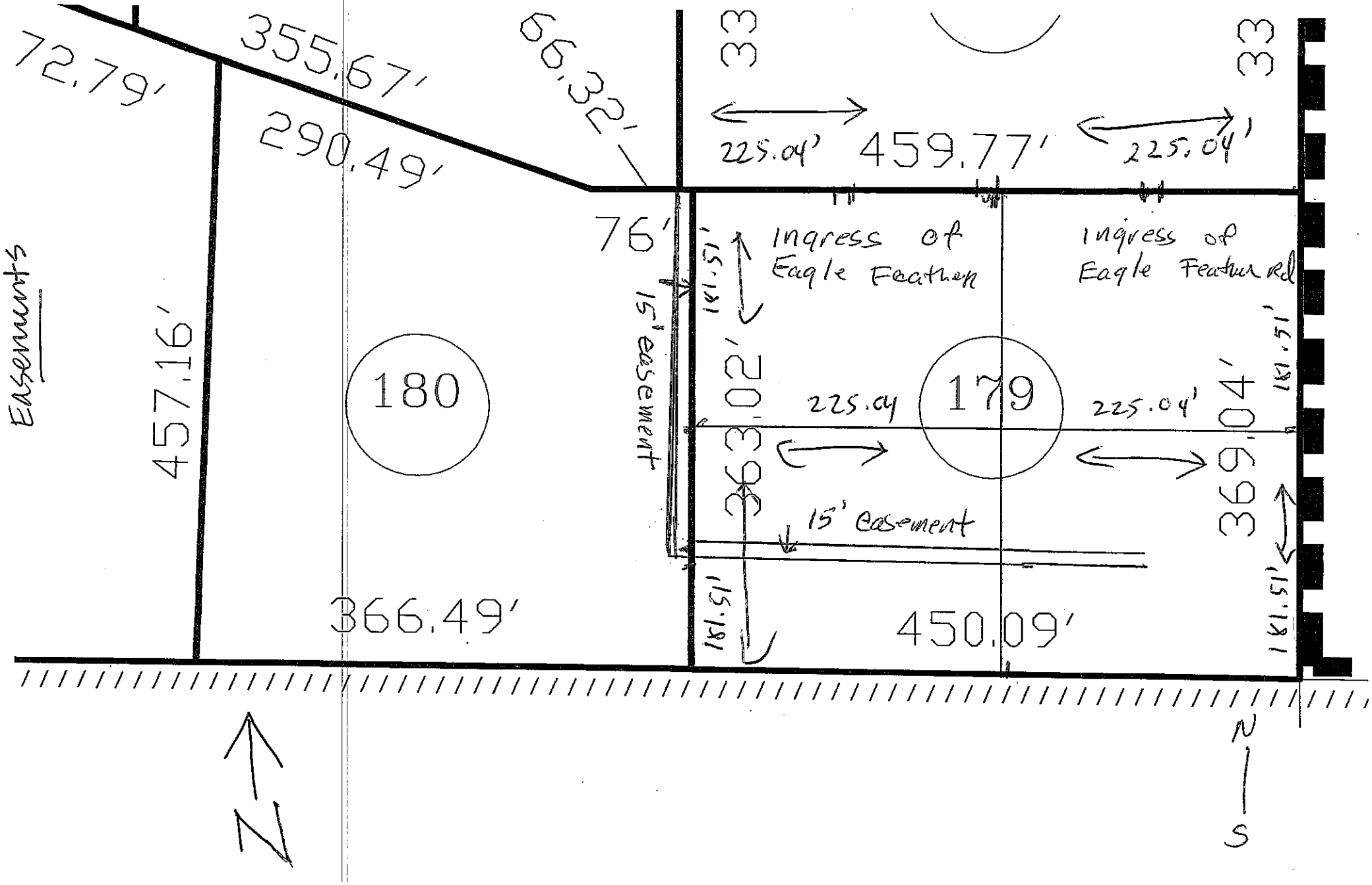
Planning & Zoning Hearing: 09/30/15 (scheduled)

Base Map(s): 52 | Map Scale: 1:8,000 | Map Date: 09/01/2015

N W E S



ingress of Eagle Feather
459.77'
ingress of Eagle Feather Rd
76'
225.04
114511790
225.04'
181.51'
363.02'
179
369.04'
181.51'
225.04
15' easement off of Eagle Feather Rd
15' easement
N
49'
450.09'
Easements


72.79'
355.67'
66.32'
33
33
225.04'
459.77'
225.04'
290.49'
76'
Ingress of Eagle Feather
Ingress of Eagle Feather Rd
181.51'
181.51'
Easements
457.16'
180
15' easement
363.02'
225.04
179
225.04'
369.04'
15' easement
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366.49'
450.09'
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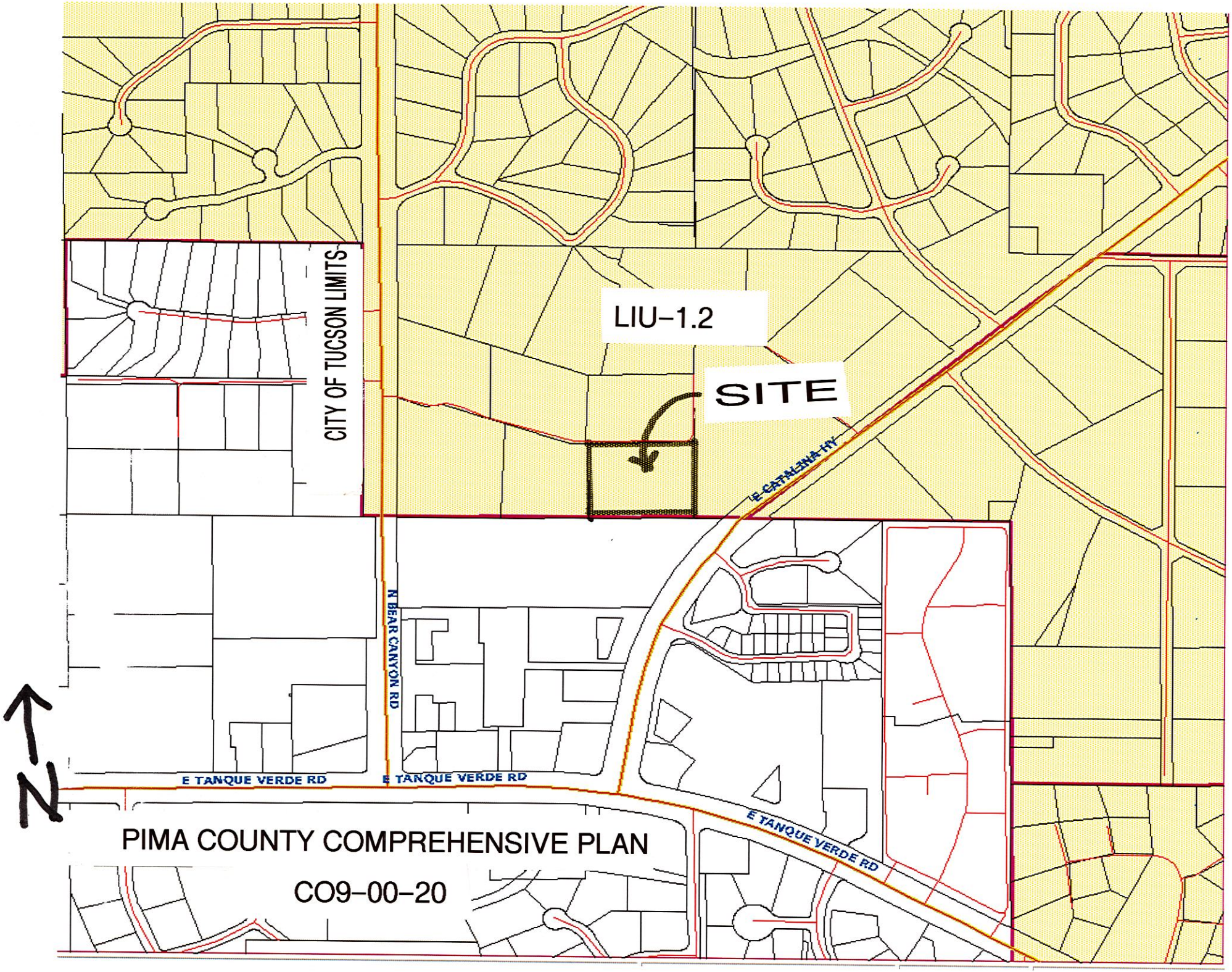
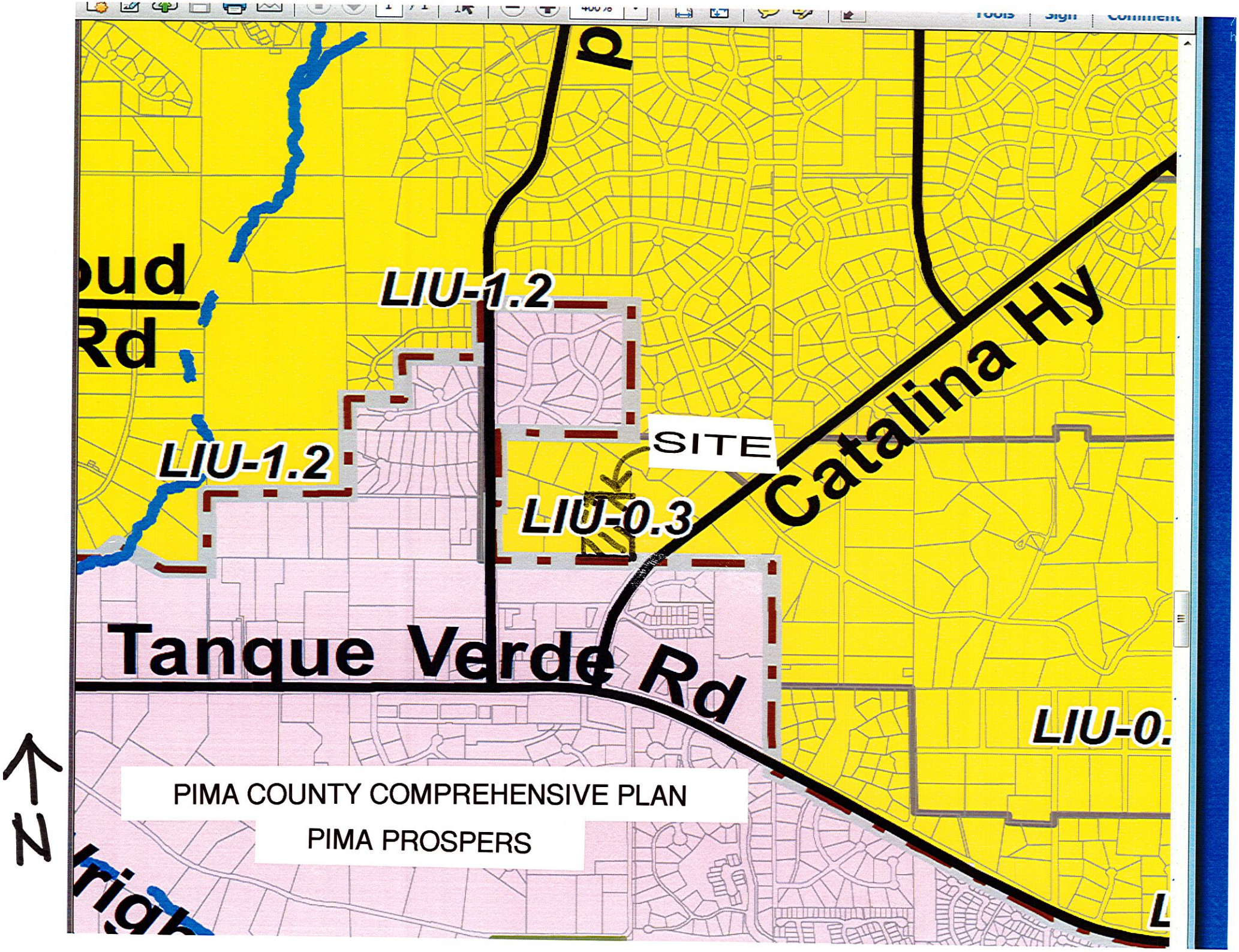

CITY OF TUCSON LIMITS
LIU-1.2
SITE
E CATALINA HY
N BEAR CANYON RD
E TANQUE VERDE RD
E TANQUE VERDE RD
E TANQUE VERDE RD
N
PIMA COUNTY COMPREHENSIVE PLAN
CO9-00-20


LIU-1.2
LIU-1.2
LIU-0.3
SITE
Catalina Hy
Tanque Verde Rd
LIU-0.
N
PIMA COUNTY COMPREHENSIVE PLAN
PIMA PROSPERS

DESCRIPTIONS OF LAND USE DESIGNATIONS for Co9-15-005-East Eagle Feather Road (Easement) Rezoning

Pima County Comprehensive Plan Co9-00-20

This is the land use designation in place at the time of submittal of this subject property. The rezoning is processed under LIU-1.2 (Low Intensity Urban 1.2):

8. **Low Intensity Urban** **LIU (or C) on the Land Use Plan Maps**

a. Purpose: To designate areas for low density residential and other compatible uses; to provide incentives for clustering residential development and providing natural open space; and to provide opportunities for a mix of housing types throughout the region.

b. 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. Projects utilizing any of the cluster options set forth in this section shall conform with the provisions of Section 18.09.040 Cluster Development Option. Residential gross density shall conform with the following:

2) Low Intensity Urban 1.2:

(a) Minimum - (none)
(b) Maximum - 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster options:
  (i) Gross density of 2.5 RAC with 30 percent cluster open space, plus 15 percent natural open space; or
  (ii) Gross density of 4.0 RAC with 30 percent cluster open space, plus 30 percent natural open space.
(c) 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:

Minimum – (none)
Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster option:
(i) Gross density of 2.0 RAC with 30 percent cluster open space plus 20 percent natural open space.

DESCRIPTIONS OF LAND USE DESIGNATIONS for Co9-15-005-East Eagle Feather Road (Easement) Rezoning

Pima County Comprehensive Plan Update – Pima Prospers
The Pima County Comprehensive Plan (Pima Prospers) was adopted recently by the Board of Supervisors on August 16, 2015. The land use designation under the comprehensive plan update (Pima Prospers) was changed to LIU 0.3 (Low Intensity Urban 0.3).

9. Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

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

Low Intensity Urban 0.3 (LIU-0.3)

a) Residential Gross Density:
   i) Minimum – none
   ii) Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following options:
      a] Gross density of 0.7 RAC with 50 percent open space; or
      b] Gross density of 1.2 RAC with 65 percent open space.

PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS

JT RP LLC	4802 E Ray Road #23-339 Phoenix AZ 85044	#850-8064	rikapizarro@gmail.com 602 748 4134
Owner	Mailing Address		Email Address/Phone daytime / (FAX)
Kathy Gormally	815 N. Wentworth Rd		gormally1@cox.net
Applicant (if other than owner)	Mailing Address		Email Address/Phone daytime / (FAX)
9062 E Eagle Feather Rd.	Tucson Az. 85749		#114-51-179 & 0
Legal description / property address			Tax Parcel Number
3.81	SR	CR-1	CAT FOOT / LOW INTENSITY URBAN LIU 1.2
Acreage	Present Zone	Proposed Zone	Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ) printout** showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with a **signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a **signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a **signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with **Chapter 18.91.030.E.1.a. & b** of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. Submit the **entire** rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

5/20/15
Date

RECEIVED JUL 16 2015 BY: JE

Rita Pizarro
Signature of Applicant

FOR OFFICAL USE ONLY

JT RP LLC - E. EAGLEFEATHER RD. Co9- 15-0[redacted]5
Case name

SR	CR-1	52		4
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District

NA
Conservation Land System category

CAT FOOT / LIU 1.2 /
Cross reference: Co9-, Co7-, other — Comprehensive Plan Subregion / Category /Policies

Received by JE Date 7/16/15 Checked by DS Date 7-17-15

Co9- 15-04

PIMA COUNTY
REZONING IMPACT STATEMENT

Please answer the following questions completely; required hearings may be delayed if an adequate description of the proposed development is not provided. Staff will use the information to evaluate the proposed rezoning. Additional information may be provided on a separate sheet.

NAME (print) Rita Pizarro DBA JTRP LLC

NAME OF FIRM (if any)

INTEREST IN PROPERTY Sub Divide

SIGNATURE [signature] DATE 6/13/15

A. PROPOSED LAND USE

1. Describe the proposed use of the property.
Single Family Residence in CR1 zoning

2. State why this use is needed.
Develope highest use.

3. If the proposed use is residential, how many **total residential units** would there be on the property to be rezoned? Will these be detached site-built homes, manufactured homes, or another type?

Total units: 4 Type: SFR

4. Will the subject property be split into additional lots? YES (NO) (circle one)

5. How many **total lots** are proposed to be on the property to be rezoned, and what size in acres will each lot be?
4

6. If more than one lot would be created by this rezoning, how will all-weather access be provided to these lots from a dedicated public road? (e.g. direct access, existing easement, new easement, etc.)
Eagle Feather Dr. a parcel 180 ingress & egress

7. What is the maximum proposed building height?

_____ feet and 1 stories

8. Provide an estimate of when proposed development will be started and completed.

Starting date:
Completion date: Oct 1 estimate

9. If the proposed development is commercial or industrial:
a. How many employees are anticipated?
b. How many parking spaces will be provided?
c. What are the expected hours of operation?

d. Will a separate loading area be provided? _____

e. Approximate size of building (sq. feet)? _____

10. a. For commercial or industrial developments, or residential developments of three residences per acre or greater, state which bufferyards are required, according to Chapter 18.73 (Landscape Standards) of the Zoning Code.

_____

b. Describe the buffer choice that would be provided (e.g.: buffer width, use of walls, or type of plant material) to meet the Code requirement. Refer to Chapter 18.73 of the Zoning Code.

_____

11. If the proposed development is an industrial project, state the industrial wastes that will be produced and how they will be disposed of. (Discuss the means of disposal with the Wastewater Management Department at 740-6500 or the Department of Environmental Quality at 740-3340.)

_____

B. SITE CONDITIONS - EXISTING AND PROPOSED

1. Are there existing uses on the site? YES (NO)

a. If yes, describe the use, stating the number and type of dwelling unit, business, etc.

no

b. If no, is the property undisturbed, or are there areas that have been graded?

no

2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?

remain as is

3. Are there any existing utility easements on the subject property? YES (NO)

If yes, state their type and width, and show their location on the sketch plan.

_____

4. Describe the overall topography of the subject property, and note whether any slopes of greater that 15% are present on the property. Note any rock outcropping or unusual landforms or features.

None

d. Are there any Palo Verde trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: _____

e. Are there any Ironwood trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: _____

f. Have any Cactus Ferruginous Pygmy Owls been found on the subject property or within 1,500 feet of the proposed development project as a result of an Owl Habitat Survey?

___ 1) No survey has been done.
X 2) No owls were found as a result of a survey performed on _____ (date).
___ 3) ____(Number of) owls were found as a result of a survey performed on_____ (date).

11. Will a septic system or public sewer be used for the proposed development?

SEPTIC SEWER

If septic is to be used, state whether one currently exists on the property and, if so, whether additions to that system will be needed for this development. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

_____

_____

12. How will water be supplied to the property? If a water company, state which one.

existing well water

C. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 500 feet of the subject property in all directions.

NORTH: x SR4

SOUTH: High Density Bear Canyon Condominiums SR

EAST: x SR4

WEST: x SR4

5. Note any areas of heavy vegetation on the sketch plan and describe its type and general density.

none

6. Conservation Land System (CLS):
   a. Is the subject property within the MMB Conservation Land System (see Attachment A)?
      Yes (No)

   b. If so, which of the following does the subject property fall within, and if more than one, provide the approximate percentage of the site within each?
      Important Riparian area, Biological Core, Multiple Use, Special Species Management area, or *Recovery Management area, or Existing Development* within the CLS.

7. How has the plan for the rezoning met the conservation standard for the applicable category area?

n/a

8. Are there any natural drainageways (washes) on the subject property? YES (NO)
   If yes, state whether these natural drainage patterns would be altered by the proposed development, and what type of alteration is proposed.

(NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

9. *Approximately how much of the subject property is proposed to be graded*, including areas where most vegetation will be cleared? _____ Acres, or 10% percent of the land area. How much of this area is currently graded? none

10. Describe any revegetation proposal in areas where development would require removal of natural vegetation.

n/a

11. For rezonings larger than 3.3 acres (144,000 square feet) or for more than one residential unit per 3.3 acres:
    a. Is the subject property elevation less than 4,000 feet?

       NO (YES)

    b. Are there any saguaros on the subject property that are eight feet or taller or that contain a woodpecker cavity? If yes, how many?

       (NO) ~~YES~~ Number: Over 8 feet:_____ under 8 feet with cavity:_____

    c. Are there any mesquite trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

       (NO) YES Number: _____

PIMA COUNTY DEVELOPMENT SERVICES
BIOLOGICAL IMPACT REPORT GUIDELINES

(Not Applicable for Rezonings that Require a Site Analysis)

With the Board of Supervisors' approval of Ordinance No. 2001-103 in July 2001, Chapter 18.91 of the Zoning Code was amended to require that a Biological Impact Report be included as part of the documentation submitted for rezoning applications, Type 2 and Type 3 conditional use permits, zoning plan plat waivers, modification to or waiver of rezoning conditions, and requests for rezoning time extensions. The Biological Impact Report is a tool which staff will use to facilitate an assessment of the proposed project's potential to impact sensitive biological resources. A project's design should, to the greatest extent possible, seek to conserve these important resources. The Biological Impact Report should, at a minimum, include responses to all the questions set forth below.

A significant amount of the information requested below is available on Pima County's MapGuide. To access the MapGuide version that displays the appropriate SDCP information, go to www.dot.co.pima.az.us/gis/maps and click on the Sonoran Desert Conservation Plan Maps under the Maps From Others section. Among the choices of maps found on that page, select the **SDCP MapGuide Map.** If you don't readily find the data layer referenced in the following questions, continue to zoom in until the desired data layer appears in the menu box.

Should you have specific questions about compiling the Biological Impact Report or any of the information being requested, please contact the Planning Division at 520/740-6800.

Landscape Resources

NO - outside

1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System Category including Important Riparian Areas and Special Species Management Areas.

NO -

2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages. (Critical Landscape Linkages are not viewable on MapGuide. Textual descriptions and general locations of these 6 general areas can be found on a hardcopy of the Maeveen Marie Behan Conservation Lands System Map; for a map and textual descriptions of Critical Landscape Connections see Attachment A.)

NO —

3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.

Species-Specific Information (including Pertinent Federally-Threatened and Endangered Species)

Cactus Ferruginous Pygmy-owl:

yes 1. Does the proposed project site occur within the Priority Conservation Area for the cactus ferruginous pygmy-owl? (This information is viewable on MapGuide.)

NO 2. Has the proposed project site been surveyed for pygmy-owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

NO surveys planned for future. If no, are surveys planned in the future?

Western Burrowing Owl:

NO 1. Does the proposed project site occur within the Priority Conservation Area for the western burrowing owl? (This information is viewable on MapGuide.)

2. Has the proposed project site been surveyed for burrowing owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

Pima Pineapple Cactus:

NO 1. Does the proposed project site occur within the Priority Conservation Area for the Pima pineapple cactus? (This information is viewable on MapGuide.)

2. Have Pima pineapple cactus been found on the proposed project site?

3. Has the proposed project site been surveyed for Pima pineapple cactus?

a. If yes, disclose the date when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

Needle-Spined Pineapple Cactus:

NO 1. Does the proposed project site occur within the Priority Conservation Area for the needle-spined pineapple cactus? (This information is viewable on MapGuide.)

2. Have needle-spined pineapple cactus been found on the proposed project site?

3. Has the proposed project site been surveyed for needle-spined pineapple cactus?

   a. If yes, disclose the date when surveys were done and provide a summary of the results.

   b. If no, are surveys planned in the future?

Book-Map-Parcel: 114-51-1790 Oblique Image Tax Year: Tax Area: 0100

Property Address:

Street No	Street Direction	Street Name	Location
9062	E	EAGLE FEATHER RD	Pima County

Taxpayer Information:

JT RP LLC
4802 E RAY RD STE 23 PMB 339
PHOENIX AZ

85044- 6410

Property Description:

N369.04' M/L E450.09' NE4 NW4 3.81 AC
SEC 34-13-15

Valuation Data:

	2015				2016			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	$150,000	16.0	$24,000	Vacant/Ag/Golf (2)	$175,000	15.0	$26,250
IMPR FCV		$0				$0		
TOTAL FCV	Vacant/Ag/Golf (2)	$150,000	16.0	$24,000	Vacant/Ag/Golf (2)	$175,000	15.0	$26,250
LIMITED VALUE	Vacant/Ag/Golf (2)	$149,940	16.0	$23,990	Vacant/Ag/Golf (2)	$157,437	15.0	$23,616

Property Information:

Section:	34
Town:	13.0
Range:	15.0E
Map & Plat:	/
Block:	
Tract:	
Rule B District:	6
Land Measure:	3.81A
Group Code:	
Census Tract:	4024
Use Code:	0012 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED)
File Id:	1
Date of Last Change:	11/7/2014

Valuation Area:

Condo Market:	13
DOR Market:	5
MFR Neighborhood:	FW_WEST_NW
SFR Neighborhood:	01003401
SFR District:	7

Sales Information:

Affidavit of Fee No.	Parcel Count	Sale Date	Property Type	Sale	Time Adjusted Sale	Cash	Validation
20132840586	2	10/2013	Single Family	$550,000	$550,000	Y	X Aut

Supervisor District:

(4) RAY CARROLL

Recording Information:

Sequence No.	Docket	Page	Date Recorded	Type
20132840586	0	0	10/11/2013	WARRANTY DEED
0	5811	251	7/5/1978	

Petition Information:

Tax Year	Owner's Estimate	Petition	SBOE
2014	$110,000		
2013	$100,000		
2008	$254,100		

Parcel Note: Click to see/expand 7 note(s)

PIMA COUNTY
DEVELOPMENT SERVICES

Building & Site Development
201 N. Stone Avenue, 1st Floor
Tucson, AZ 85701-1207

LETTER OF AUTHORIZATION

As required by Arizona Revised Statues I herby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

9062 E. Eagle Feather Rd. Tucson, Az 85749
Property Address

App. for Rezoning
Type of Permit Applied for: *(SFR/MF/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Secondary Dwelling/Assisted Living Home/Group Home)*

Signature of Applicant — Date 6/2/15

AUTHORIZED BY:

Signature of Property Owner — Date 6/18/15

Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.

Search Date and Time:
7/16/2015 4:01:16 PM

File Number:
L14542533

Corporation Name:
JT/RP, L.L.C. LATEST DATE TO DISSOLVE 12/31/2038

Collapse | Expand

Corporate Inquiry

File Number	L14542533
Corporation Name	JT/RP, L.L.C.
Standing	Check Corporate Status

Domestic Address

4802 E RAY RD #23-339
PHOENIX, AZ 85044

Statutory Agent Information

Agent Name: RITA PIZARRO

Agent Mailing/Physical Address:
4802 E RAY RD #23-339
PHOENIX, AZ 85044

Agent Status: APPOINTED 08/27/2013

Manager/Member Information

Name	Title	Address	Date of Taking Office	Last Updated
RITA PIZARRO	MEMBER	4802 E RAY RD #23-339 PHOENIX, AZ 85044	06/02/2008	08/25/2011
JAMES TROXELL	MEMBER	4830 S 38TH ST PHOENIX, AZ 85040	06/02/2008	06/01/2011

Scanned Documents

Sue Morman

From: Richard Sarti <Richard.Sarti@tucsonaz.gov>
Sent: Thursday, August 13, 2015 4:56 PM
To: Sue Morman
Subject: RE: Co9-15-005-JT RP LLC. East Eagle Feather Road (Easement) Rezoning

You're welcome Sue.

Richard

>>> Sue Morman <Sue.Morman@pima.gov> 8/13/2015 4:54 PM >>>
Thanks Richard and thanks for your clarification.

Sue Morman, Sr. Planner

Pima County Planning
520-724-9000
sue.morman@pima.gov

Help us Plan Pima County's Future!
http://www.pimaprospers.com/

From: Richard Sarti [mailto:Richard.Sarti@tucsonaz.gov]
Sent: Thursday, August 13, 2015 4:19 PM
To: Sue Morman
Subject: Co9-15-005-JT RP LLC. East Eagle Feather Road (Easement) Rezoning

Location: 9062 E. Eagle Feather Road, Parcel # 114-51-1790

Dear Ms. Morman:

Tucson Water has no objections to the proposed rezoning of the subject parcel from SR to CR-1.

Currently this parcel is not being served by Tucson Water. As the parcel currently exists it would be eligible to receive water service from Tucson Water (contingent upon official application being made) since it is less than 20 acres in area and it is surrounded on at least three (3) sides by parcels currently being served by Tucson Water. If this parcel were to be divided in four (assuming NW, NE, SE and SW quarters) and application was then made for Tucson Water service, the resulting parcels would no longer meet the requirements of the Water Area Service Policy since they would no longer conform to the "three side rule".

This email does not constitute a "will serve letter" for the parcel in its current configuration or otherwise.

If you have any questions or comments please feel free to contact me.

Sincerely,

Richard A. Sarti, P.E.

520 837-2215

Sue Morman

From: Manny Padilla <Manny.Padilla@tucsonaz.gov>
Sent: Wednesday, August 12, 2015 3:30 PM
To: Sue Morman
Cc: John Beall
Subject: Co9-15-005 - JT RP LLC. East Eagle Feather Road

Good afternoon Sue.
The Department of Planning and Development Services, Community Planning Section has no comments on Pima County rezoning case Co9-15-005. The City limits border the southern border of the rezoning site, which is under the *Bear Canyon Neighborhood Plan* policy.

A side comment as noted on the application is that the site will be connected to sewer and not septic systems. Looking at the aerial it seems the nearest existing sewer line is on the adjacent property to the south (located in the City) and would require a cross-access easement to extend this site's sewer and tie into a manhole located on private property and City jurisdictions. This may require a City permit and inspections for that part of the sewer construction occurring on the adjacent property to the south.

The other note is the application indicates the new 4 lots will be connected to a private on-site well. Will this require a fifth (5) parcel/lot to be created around the well site to create a legal description added to each lots (4 new, 1 existing) to be serviced by the private well? Or is that strictly a private matter between buyer and seller?

Have a good day.
Manny

Sue Morman

From: Richard B. Obenshain <rbobenshain@azwater.gov>
Sent: Tuesday, July 28, 2015 5:20 AM
To: Sue Morman
Subject: Pima Co. rezoning request

Hi Sue, since the landowner is only creating 4 lots, the Assured Water Supply (AWS) program does not apply. We operate under the AZ Dept of Real Estate's definition of a subdivision which is 6 or more lots.

Cordially,

Rick Obenshain, Mgr
Recharge, Assured & Adequate Water Supply programs
Arizona Department of Water Resources

Sue Morman

From:	Coach Larry <coach.larry@yahoo.com>
Sent:	Tuesday, September 22, 2015 4:05 PM
To:	Sue Morman
Subject:	Re: Co9-15-005 E. Eagle Feather Road (easement) Rezoning.
Attachments:	Rezoning Letter.docx; Rezoning Letter.docx

Hi Sue,

Hi Sue,

thank you for our conversation and your follow up email last week. Attached is my letter that I would like to have presented to the commission next week. I will mail you the letter with my signature. Do you have a specific address to mail to? Thank you again,

Larry Willingham

September 22, 2015

Against Rezoning of Co9-15-05 E. Eagle Feather Road (easement) Rezoning

From:

Larry & Leslie Willingham

3150 N Bear Canyon Road

Tucson, AZ 85749

September 22, 2015

Against Rezoning of Co9-15-05

From:

Larry & Leslie Willingham

3150 N Bear Canyon Road

Tucson, AZ 85749

To: Sue Morman & Pima County Planning and Zoning Commission

We are writing this letter to express our firm objection to this rezoning request. We have a small community of residents on SR zoned lots with many having lived here for 30-40 years. My wife and I have been here 22 years and all of us enjoy (and do not want to give up) our quiet open space setting. The parcel in consideration is part of our community and is in fact surrounded on three sides by SR lots of our community. Ingress and egress to this property can only be attained through the middle of our community.

The rezoning is to divide an empty SR lot into 4 lots and therefore the traffic potential of 4 additional families to our undeveloped road infrastructure and very old waterline system. The water mains were installed prior to the Tucson Water Department taking them over and the water pressure is already low. The reality is that the SR lot to the west is owned by the same people as this vacant lot in question. If this rezoning is successful they will most likely move to change the zoning on that property as well. This would then create the potential of 8 houses and families crammed in the middle of our SR community. This is not an enhancement for our neighborhood, could very well hurt our property values and we will be left with an undesirable situation while they will be long gone. This is an investment deal for these owners who do not live here. Although we are surrounded by CR-1 subdivisions, the continuity and identity of our very unique community will be broken by this action. None of us want this to happen.

Thank you for your consideration,

Larry Willingham

MEMORY TRANSMISSION REPORT

TIME :09-15-2015 14:46
FAX NO.1 :5206235411
NAME :Pima Co Dev Services

FILE NO.	:	255
DATE	:	09.15 14:45
TO	:	☎ 2220448
DOCUMENT PAGES	:	2
START TIME	:	09.15 14:45
END TIME	:	09.15 14:46
PAGES SENT	:	2
STATUS	:	OK

SUCCESSFUL TX NOTICE

PIMA COUNTY

PUBLIC WORKS -
DEVELOPMENT SERVICES
PLANNING DIVISION
201 N. STONE AVENUE - 2ND FLOOR
TUCSON, AZ 85701
PHONE: (520) 724-9000
FAX: (520) 623-5411

Facsimile

DATE: 9-15-15
TO: Clerk of the Board
COMPANY: DS- PLANNING
FAX #: 222-0448
FROM: Sue Morman
SUBJECT: 1st ⅓ INA REZONING
COMMENTS: Comment Letter

PAGES INCLUDING COVER SHEET: 2