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

HEARING April 30, 2014

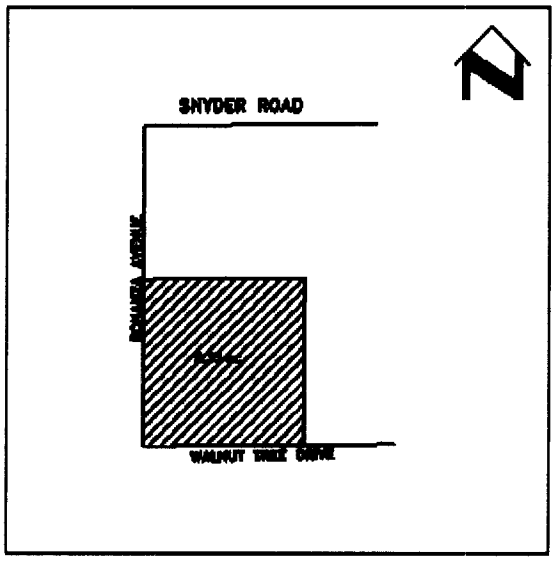
DISTRICT 1

CASE Co9-14-01 DeGrazia Company, Bonanza Avenue Rezoning

REQUEST SR (Suburban Ranch) to CR-1

SIZE 9.33 Acres

OWNER DeGarzia Company LLC
4030 N. Painted Quail Place
Tucson, AZ 85750



AGENT MJM Consulting
Michael Marks, AICP
7002 E. 4th Street
Tucson, AZ 85710

APPLICANT'S PROPOSED USE
This is a request to rezone a 9.33-acre property into 10 single-family residential lots.

APPLICANT'S STATED REASON
To develop 10 single-family lots.

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 consistent with the Comprehensive Plan designation, and the development standards of CR-1 should provide adequate mitigation of the use of the property.

COMPREHENSIVE PLAN
The subject property is designated as LIU-1.2 (Low Intensity Urban 1.2 units per acre) by the Pima County Comprehensive Plan. A rezoning request to the CR-1 zone complies with the LIU-1.2 designation. The property is not within an area designated for special Rezoning Policies.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM CLASSIFICATION (MMBCLS)
The subject property is located outside the MMBCLS.

SURROUNDING LAND USES/GENERAL CHARACTER

North	CR-1	Low Density Residential
South	CR-1	Low Density Residential

East	CR-1	Low Density Residential
West	CR-1	Low Density Residential

The surrounding properties are all developed in a comparable residential land use pattern. Approval of this rezoning request will result in development consistent with adjoining land uses. Essentially, this project represents an "in-fill" opportunity.

PUBLIC COMMENT
Staff has received one comment at the time of this report (attached). The required community meeting was conducted by the applicant on April 10, 2014.

PREVIOUS REZONING CASES ON PROPERTY
NA

PREVIOUS REZONING CASES IN GENERAL AREA
There are no recent rezoning cases in the area.

CONCURRENCY CONSIDERATIONS		
Department	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
TRANSPORTATION	Yes	None
FLOOD CONTROL	Yes	None
WASTEWATER/ ENVIRONMENTAL QUALITY	Yes	None
PARKS AND RECREATION	Yes	None

PLANNING REPORT
The request is to rezone 9.33 acres from the SR (Suburban Ranch) zone to the CR-1(Single Residence) zone to provide for a single family residential development on lot sizes of about 1 acre in size. The preliminary development plan reflects placement of 10 single family homes. Ultimate subdivision design will be reviewed at time of development plan approval, and the density will be consistent with the underlining comprehensive plan. Ingress and egress to the development will be via Bonanza Avenue.

A site analysis has been provided for this development. Potential issues relating to topography, hydrology, biological resources, vegetation, view-sheds, and traffic have been assessed and it found that there will not be adverse impacts associated with this development. Additionally, the project is not within the Maeveen Marie Behan Conservation Lands System (MMBCLS).

TRANSPORTATION REPORT
Transportation concurrency criteria have been met for the above reference rezoning as all major roadways within a two mile radius of the rezoning site are functioning under capacity. The site is located on the east side of Bonanza Avenue approximately 650 feet south of Snyder Road. The rezoning request is to subdivide the parcel into 10 single family residential lots. Access is

via a proposed neighborhood street off of Bonanza Avenue with a cul-de-sac. The proposed subdivision will generate approximately 100 ADT.

Bonanza Avenue is a two lane, county maintained, neighborhood street with approximately 60 feet of right-of-way. Traffic counts are not available for Bonanza Ave; however, DOT estimates the ADT to be less than 500. Right-of-way for Walnut Tree Street has been dedicated along the full extent of the southern property boundary; however, it has not been built. The dedication was done in the mid 1950's as a large dedication establishing several roads in the area. None of the adjacent parcels use Walnut Tree for access. Because access to Walnut Tree Street is not proposed as part of this rezoning request, the Department of Transportation is requesting that as a condition of this rezoning, the owner/developer files for a right-of-way abandonment.

Snyder Road is a paved, two lane, county maintained, urban minor arterial. It is designated as a Scenic Major Route on the Pima County Major Street and Routes Plan with a planned future right-of-way of 150 feet. There are no bike lanes or sidewalks on Snyder Road. The most current traffic count for Snyder Road between Houghton Road and Harrison Road is 3,000 ADT, and the capacity is approximately 15,930 ADT.

Houghton Road is a paved two lane, county maintained, urban minor arterial. Houghton Road, south of Snyder Road has paved shoulders without curbs, bike lanes, or sidewalks. Houghton Road is designated as a Scenic Major Rout on the Pima County Major Streets and Routes Plan with a planned future right-of-way of 200 feet. Right-of-way between Snyder Road and Catalina Highway varies in width but is generally around 150 feet. The most recent traffic count for Houghton Road between Snyder and Catalina Highway is 4,000 ADT, and the capacity is approximately 15,930 ADT. The Pima Association of Government's Regional Transportation Plan calls for the widening of Houghton Road between Tanque Verde and Catalina Highway to a three lane cross section; however, this improvement is not scheduled within the next 5 years. The RTA planned improvements to Houghton Road, which are currently underway, do not affect any segment within one mile of the subject property.

Catalina Highway is a paved, three lane, county maintained, urban minor arterial. Catalina Highway has two travel lanes, a continuous center left turn lane, paved shoulders/bike lanes, and no sidewalks. It is designated as a Scenic Major Route on the Pima County Major Streets and Scenic Routes Plan, with a planned future right-of-way of 150 feet. Right-of-way between Tanque Verde and Snyder Road varies, but is generally between 100 and 150 feet. The most current traffic county for Catalina Highway between Houghton Road and Snyder Road is 3,817 ADT, and from Prince Road to Houghton Road is 6,391 ADT. The capacity is approximately 16,700 ADT.

REGIONAL FLOOD CONTROL DISTRICT (RFCD) REPORT

RFCD offers the following comments:

1. The parcel includes one regulatory watercourse in the southeast corner that has Pima County Regulated Riparian Habitat (PCRRH) associated with it. The PCRRH location shown has been modified from the adopted maps per a boundary modification request adhering to District Technical Policy 104.

2. The floodplain, erosion hazard setback and PCRRH shall be avoided. Disclosure via plat notes as shown on the PDP shall be required.

3. The site analysis describes how detention and retention requirements for the site will be

met. Where development is less than 2 units to the acre, use of a fee system is encouraged in lieu of a detention in order to preserve the natural drainage patterns. First flush retention is required but has not been shown. The applicant is aware of this and is evaluating options including placement of first flush retention within the cul-de-sac.

4. A Preliminary Integrated Water Management Plan has been provided. This plan indicates that, in order to achieve the water conservation required, each lot shall comply with the Pima County Green Building program and shall include both indoor and outdoor conservation measures. Table B, which specifically identifies conservation measures, is typically used at the time of rezoning, however, compliance with the Green Building program certification at the time of development is also an option. The site measures will be determined at the time of development but are still required per the policy.

5. As required by the Pima County Comprehensive Plan Water Policy, the following Water Resources Impact Analysis has been prepared by staff:

    a. Tucson Water has provided a service letter. Tucson water does provide a blend of recharged CAP/groundwater from Avra Valley that is classified as potable and renewable.

    b. Per the ADWR Well Inventory those wells within ¾ of a mile had depths to groundwater below 100', with several under 50' however these are private wells and dates tested vary. Per ADWR groundwater level maps declines between 10' to 20' are projected between 2010 and 2025. Per ADWR Projected 2025 Groundwater depth maps the depth is also in the 50' -100".

    c. The site is not located within a mapped subsidence zone.

    d. The nearest Groundwater-Dependent Ecosystem is an intermittent stream and series of springs approximately ½ mile to the north at the base of the Catalina's and the Sabino Canyon shallow groundwater area begins 1.2 miles west of the site. The much smaller Tres Lomas shallow groundwater area is .87 miles west as well.

    e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 400-800 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 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**.

In conclusion, the District has **no objection subject to the recommended conditions.**

WASTEWATER MANAGEMENT REPORT

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

ENVIRONMENTAL QUALITY REPORT

Environment Quality has no objection to the proposed Rezoning provided the property is served by either private and/or public sewer.

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

CULTURAL RESOURCES REPORT

The property was surveyed in 2009 and no cultural resources were identified as a result of the survey.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within **five** years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.

2. Recording of a covenant holding Pima County harmless in the event of flooding.

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

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

5. 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.

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

7. Transportation Conditions:
   A. The property shall be limited to one access point onto Bonanza Avenue as shown on the preliminary development plan.
   B. The owner/developer shall file an application for abandonment of public right-of-way for Walnut Tree Street. Once abandoned, the land shall be incorporated into the rezoning site.

8. Regional Flood Control District Conditions:
   A. A permitting note shall be added to the Final Plat and a covenant shall be recorded with the Conditions, Covenants and Restrictions for the subdivision indicating that Floodplains, Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat as delineated on the Final Plat shall not be disturbed.
   B. First flush retention shall be required.
   C. In order to achieve water conservation measures identified in the PIWMP, a note shall be added to the Final Plat indicating that development of each lot shall obtain certification under the Pima County Green Building program, and shall include at least one outdoor conservation measure.

9. 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).

10. Adherence to the preliminary development plan as approved at public hearing.

11. 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.

12. Regional 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.

13. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

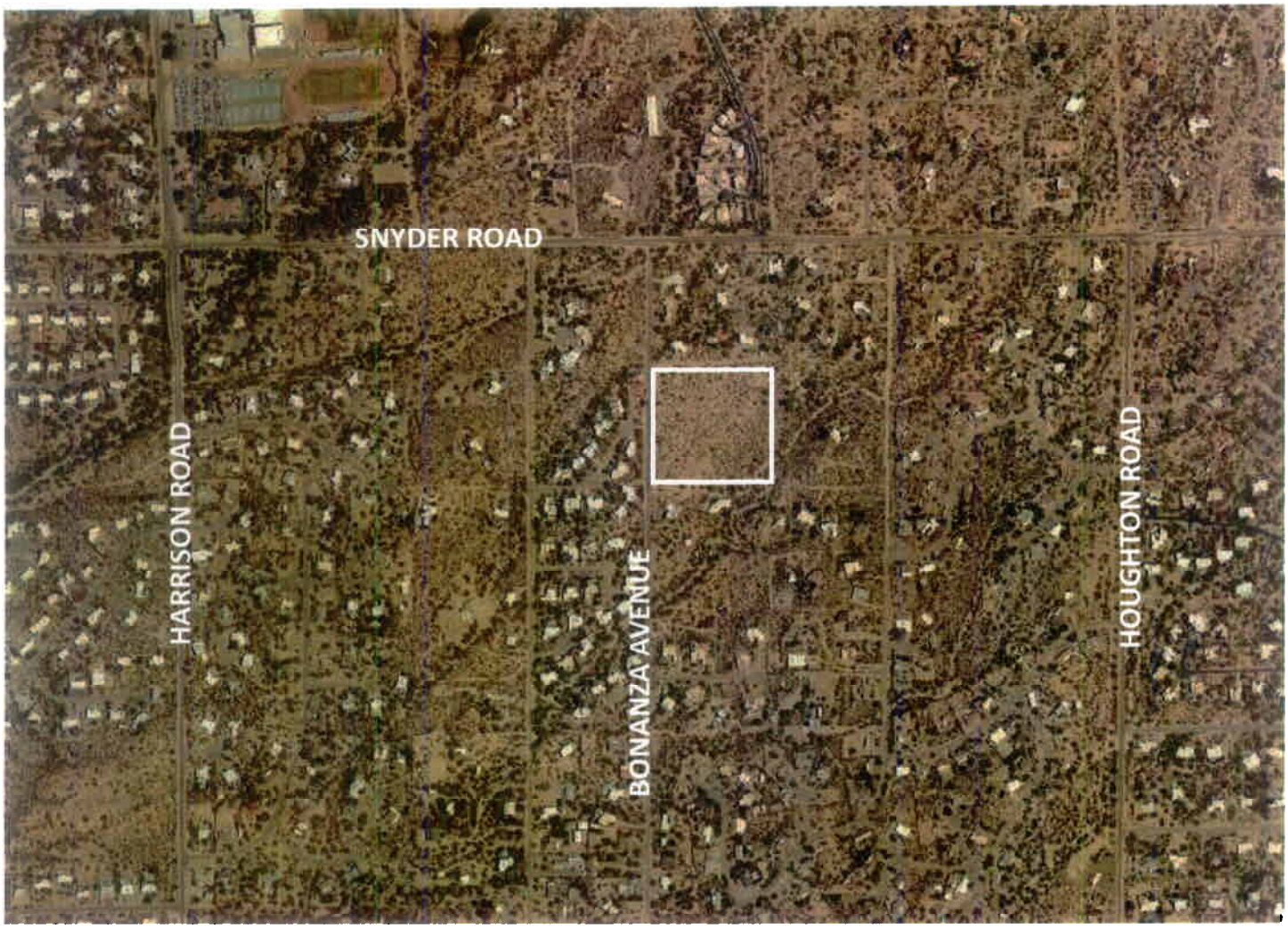
14. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights 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(I)."

15. Development plans or plats shall be within the densities of the comprehensive plan and applicable zoning ordinance. Final lot configuration and internal subdivision design shall be responsive to the conditions identified in this approval and generally consistent with the rezoning exhibits.

16. Residential structures shall be no more than 1 story in height.

Respectively submitted,

Tom Coyle, AICP
Principal Planner



Co9-14-01 J DE GRAZIA COMPANY LLC — NORTH BONANZA AVENUE REZONING

MJM
CONSULTING, INC.

MICHAEL MARKS, AICP
Land Planner

March 28, 2014

Re: Rezoning of Property at the Northeast Corner of Bonanza Ave & Walnut Tree Drive

Dear Property Owner:

You are invited to attend a meeting to be held on Thursday night, April 10, 2014, on the property of the subject rezoning, that being at the northeast corner of Bonanza Ave & Walnut Tree Drive. The owner and I will be on the property from 5:30 pm to 6:30 pm. The purpose of the meeting is to present information on the proposed rezoning and development of the property. Attached is a map identifying the location of the subject property and meeting location.

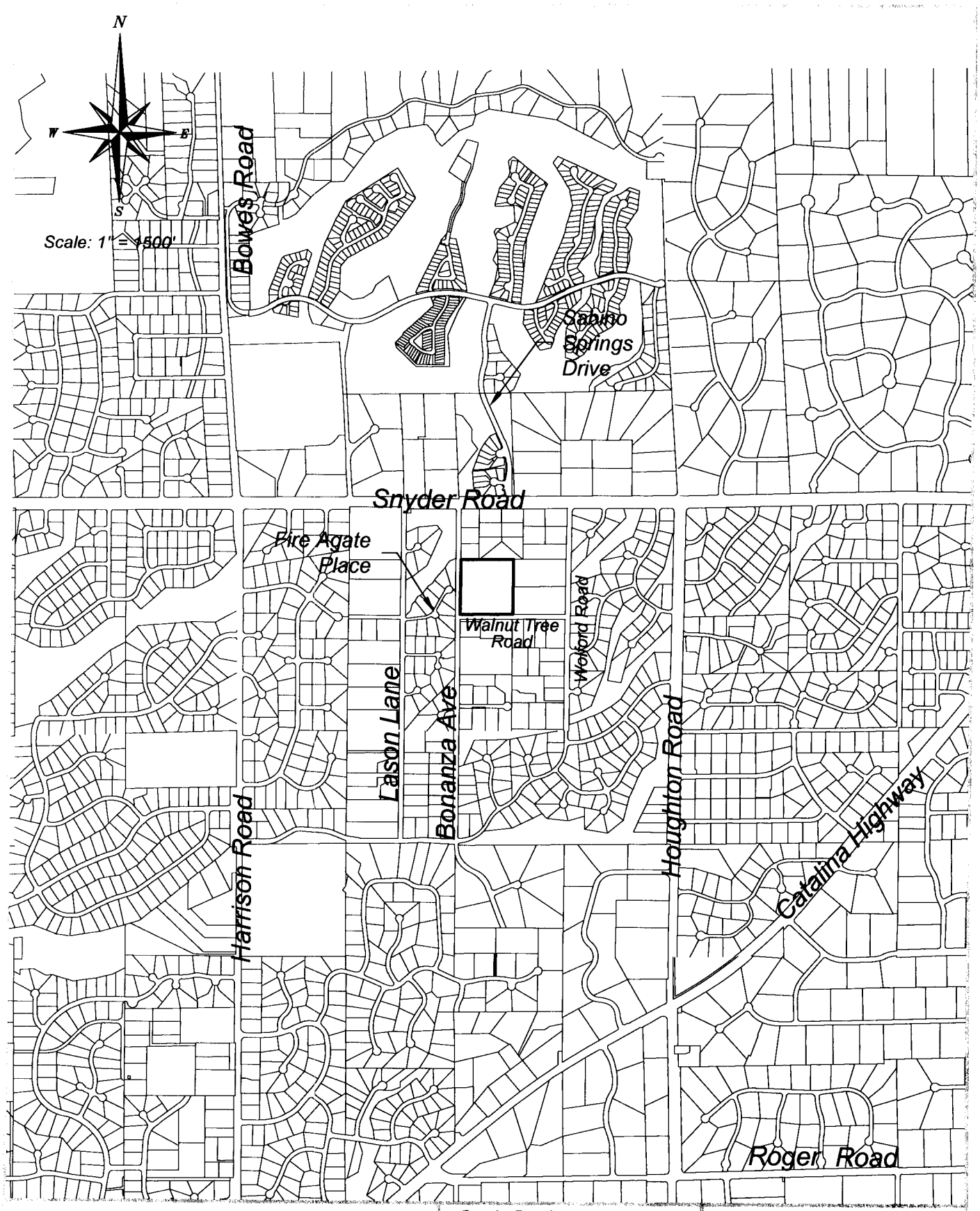
The 9.33 acre parcel in question is currently vacant and zoned SR. The proposed zoning is CR-1, and the proposed land use is a single family residential development on 10 lots, each no less than 36,000 square feet. A Preliminary Development Plan will be presented at the neighborhood meeting.

We look forward to your attendance at the meeting. I you are unable to attend, though, and you are interested in getting Information on the rezoning project, you may call me at 885-5021. Thank you.

Sincerely,

Michael Marks, AICP
President

7002 E. 4th Street • Tucson, Arizona 85710 • Phone & Fax: 520-885-5021



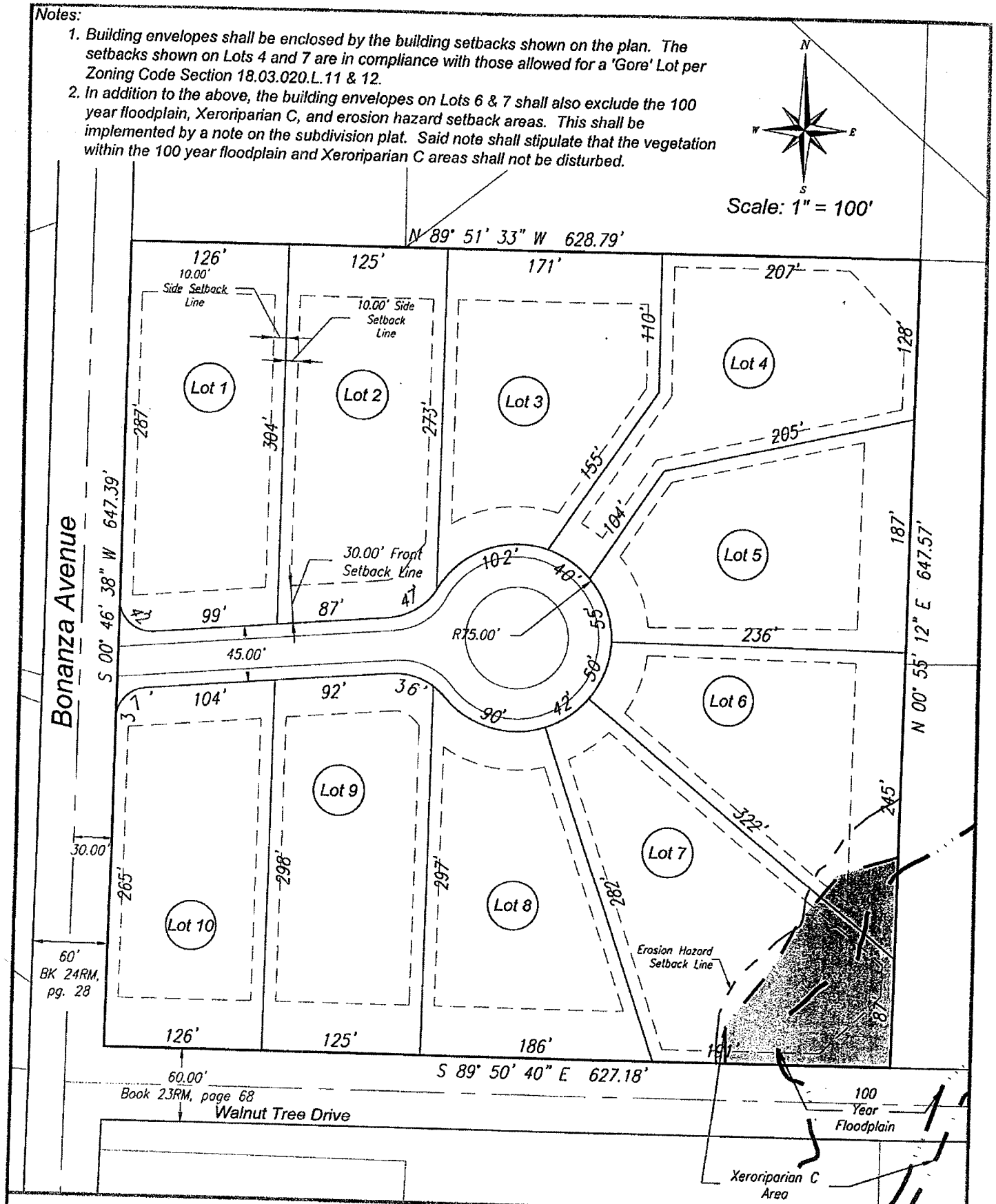
MJM CONSULTING, INC.
Land Planning and Development Services
7002 E. 4th Street Tucson, Arizona 85710 Phone: 520-885-5021

SandyCreek on Bonanza Ave.
Parcel No. 114-21-322A
Section 23, Township 13 S, Range 15 E
Pima County, Arizona

Location Map

Notes:

1. Building envelopes shall be enclosed by the building setbacks shown on the plan. The setbacks shown on Lots 4 and 7 are in compliance with those allowed for a 'Gore' Lot per Zoning Code Section 18.03.020.L.11 & 12.
2. In addition to the above, the building envelopes on Lots 6 & 7 shall also exclude the 100 year floodplain, Xeroriparian C, and erosion hazard setback areas. This shall be implemented by a note on the subdivision plat. Said note shall stipulate that the vegetation within the 100 year floodplain and Xeroriparian C areas shall not be disturbed.



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

SandyCreek on Bonanza Ave.
Parcel No. 114-21-322A
Section 23, Township 13 S, Range 15 E
Pima County, Arizona

Exhibit II-B.1b
Preliminary Development Plan

April 16, 2014
Dawson Residence
9884 E. Fire Agate Place
Tucson, AZ, 85749

APR 21 2014

Pima County Development Services Department,

This letter is to state our concerns for the rezoning request: **Co9-14-01 by J De Grazia for the property on N. Bonanza Ave**. Our residence is lot 29 from the Winchester Ranch development and is directly across from the proposed development. The primary concerns are:

- The development plan and information provided by the developer does not stipulate that the houses built will be single story. The Winchester Ranch development is all single story. It is our view that allowing multiple story houses would impact the scenic and rural character of the Tanque Verde Valley and in particular the neighborhoods directly affected by this development.

- The water management and storm drainage is a concern. The developer indicates that the development plan will conform to all applicable county regulations. Our property has a wash that runs during rain and monsoon storms and its upstream feed comes from the parcel being considered for rezoning. Changes to the volume or intensity of water flow that feeds our wash will have a direct and derogatory affect on our property that may result in erosion, loss of trees or other natural vegetation, or flooding of parts of our lot.

The secondary concern that we have is that Bonanza Ave between Snyder and Prospect is already crumbling and is mostly patchwork. The construction traffic and additional residents increase the temporary and permanent load on this road and needs to be addressed. While the condition of Bonanza should not prevent approval of the rezoning petition, a recommendation needs to be given to the appropriate Pima County department that repaving of Bonanza Ave (Snyder to Prospect) is needed.

The items mentioned above were discussed with the developer, Jerry De Grazia, and the zoning consultant, Mike Marks, in a face to face meeting that was held on April 10.

Respectfully,

Colin Dawson Erika Dawson

Colin & Erika Dawson

Homeowners for Winchester Ranch Lot 29, 9884 E. Fire Agate Place

APR 18 2014

PIMA COUNTY
FLOOD CONTROL

MEMORANDUM

DATE: April 18, 2014

TO: Thomas Coyle
Development Services

FROM: Greg Saxe, Ph.D.
Environmental Planning Manager

SUBJECT: **Co9-14-01 J De Grazia Company LLC - Bonanza and Snyder Rd Rezoning Updated Water Resources Impact Analysis**

The Pima County Regional Flood Control District has been in discussion with Arizona Department of Water Resources (ADWR) regarding updated groundwater trend modeling that they are developing for the Tucson Active Management Area Safe Yield Task Force. I am providing this memorandum to update groundwater depth information provided in my comments on the subject case.

As part of the Water Resources Impacts Analysis (WRIA) I reported that per ADWR groundwater level maps declines between 10' to 20' were projected between 2010 and 2025 and furthermore, that projected 2025 Groundwater depth was in the 50' -100' range. I have since requested and received a proper academic citation for this data and an updated model. 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 25 to 50 feet below the surface by 2025. This new modeling includes updated use projections and reflects a change in localized decline trends associated with wheeling agreements and recharge facilities which have been put in place as well as local pumping management.

While the conclusion of the prior comments, that the project water supply demand will not have a significant impact on shallow groundwater areas has not changed I felt it important to provide the most up to date data available to us.

Please feel free to contact me at 520-724-4600 with any questions or concerns on these comments.

GS/sm

cc: File