



DATE: May 19, 2016
TO: Design Review Committee (DRC)
FROM: Artemio Hoyos, Case Planner
RE: P16VA00010 Desert Senna Cluster Subdivision

Applicant: Paul Oland, The WLB Group

Owner: Landmark Title TR 18109

Parcels: #214-23-2960, 214-23-2970, 214-23-2980, 214-23-2990, 214-23-3000, 214-23-3010, 214-23-3020, 214-23-3030, 214-23-3040, 214-23-3050, 214-23-3060, 214-23-3070, 214-23-3080, 214-23-3090, 214-23-3100, 214-23-3110, 214-23-3120, 214-23-3130, 214-23-3140, 214-23-3150, 214-23-3160

I. APPLICANT REQUEST

The applicant requests DRC approval of a cluster subdivision, as allowed by Chapter 18.09.040.C of the Pima County Zoning Code, for 45 single family detached residential homes on approximately 77.9 acres.

II. DRC Authority

Proposed plans in a cluster development shall be reviewed by the DRC as authorized in the Pima County Zoning Code (18.09.040.H).

III. Staff Recommendation

Staff recommends **approval** of the Desert Senna Preliminary Cluster Development Plan (PCDP) with the following conditions:

1. Subdivision plats shall conform to the approved PCDP;
2. A note shall be placed on the subdivision plat that the DRC approval expires concurrently from the date of the tentative Board of Supervisors rezoning approval;
3. Applicant shall provide staff with one hardcopy and one electronic copy of the approved DRC documents for staff sign-off in compliance with the DRC decision.

IV. BACKGROUND

The applicant is in the process of rezoning the 77.9-acre site from the SR (Suburban Ranch) zone (with portions of the site subject to the Buffer Overlay zone and another portion subject to the Hillside Development Overlay zone) to the SR-2 (Suburban Ranch Estate) zone as a cluster development. The applicant proposes a 45-lot subdivision with 67% natural open space and trail easements. A total of 19.2 acres of off-site natural open space mitigation is also proposed as part of the Conservation Lands System (CLS) policy compliance and support of the Coalition for Sonoran Desert Protection. The proposed rezoning would replace the existing, undeveloped 22-lot Desert Senna Estates subdivision plat approved in April 2006, which only features approximately 35% of the site as open space. On March 30, 2016 the Planning & Zoning Commission recommended approval of the rezoning request for the cluster development.

V. STAFF ANALYSIS

Overall, the compact development meets the intention of the SR-2, Cluster Development Option. The 45 lots are designated into 4 clusters in the PCDP, with lot sizes ranging from 1 acre to 4.6 acres. A maximum of 15,000 sf. will be allowed for residential development and disturbance for each lot, with the remaining lot area left for open space. A mix of 1- and 2-story stucco homes is proposed and exterior colors will complement the natural desert environment. The cluster development site is located east of the Tucson Mountains, west of Camino de Oeste, on the south side of Sunset Road. The general area is characterized as low-density, single-family residential development, with undisturbed natural desert, extensive views, and few nearby commercial services.

The general topography of the site is composed of rolling hills and a portion of the East Idle Hour Wash that generally flows south to north. Several smaller washes transect the site and the 100-year flood plain is associated with the East Idle Hour Wash. Residential lots are clustered in the flatter sections of the property. Individual clusters are separated by open space, a protected ridgeline, and riparian areas. Two overlay zones apply to the subject property: the Buffer Overlay (BZ) zone abutting Saguaro National Park and the Hillside Development Overlay zone's Protected Areas of Peaks and Ridges – Level 2 (PR-2). The BZ affects 2 acres of the site and additionally overlays the East Idle Hour Wash. The PR-2 applies to approximately 8 acres in the southeastern portion of the site that is visible to surrounding neighborhoods. Elevations range from 2,340' along the PR-2 to 2,276' where the East Idle Hour Wash crosses Sunset Road. The PCDP protects the East Idle Hour Wash water course in its existing natural state and preserves the PR-2 in its entirety by designating them as natural open space. A total of 52.8 acres (67%) of the site's 77.9 acres is proposed as natural open space. There are no rock outcrops or other significant topographic features on site.

The majority of the 77.9-acre site lies within the CLS and designations include Special Species Management Areas (SSMA), Mixed Use Management Areas (MUMA), and 2 areas of Important Riparian Areas (IRA). Approximately 3.6 acres is not subject to any CLS designation. The amount of natural open space set-aside conforms to CLS Conservation Guidelines. The applicant intends to provide an additional 19.2 acres of natural open space set-aside at a suitable off-site location to meet the full SSMA natural open space requirement. (Additional information is provided in the Environmental Planning Staff Report.)

There is a potential loss of saguaros located within the buildable areas. Three-hundred and fifty-five (355) saguaros (80% of the total number of saguaros) are likely located within the conceptual buildable areas. The U.S. Fish and Wildlife Service expressed concern due to the fact that saguaros are foraging resources for lesser long-nosed bats (an endangered species). The Native Plant Preservation Ordinance (NPPO) requires the developer/homeowner to mitigate transplanted or removed saguaros at 3:1 or 2:1 ratios depending on size. Even with replacement ratios as significant as the NPPO requires, preservation in place (or avoidance) when possible is preferred. Environmental Planning staff stated that since the lots are likely to be built out individually over time, impacts to the saguaros would not occur in a single event which would minimize the impact to lesser long-nosed bats. Subject to their recommended conditions, Environmental Planning staff concluded that this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS. (Additional information is provided in the U.S. Fish and Wildlife Service and Environmental Planning Staff Reports.) The site also contains ocotillos, barrel cactus, palo verdes, mesquite, and other trees. Denser vegetation is located along wash areas. No ironwood trees were found.

Sunset Road is a designated Scenic Route per the Scenic Routes Plan. Structures within 200' of a Scenic Route must meet certain requirements of the Zoning Code (Section 18.77.040). A minimum 40' natural bufferyard will be provided around the entire project boundary. Homes adjacent to Sunset Road will not exceed a maximum height of 24' and will be setback a minimum of 40' from the property line except for block walls, pools, and landscaping as permitted. Building colors and materials will be non-reflective, earthtone colors and blend with the natural desert landscape.

The proposed development will generate approximately 450 ADT (Average Daily Trips) compared to 220 ADT for the existing plat. Sunset Road is currently under-capacity. The most recent traffic count is 947 ADT from Blue Bonnet to Camino de Oeste and 1,419 ADT from Camino de Oeste to Silverbell Road. Sunset Road is a two lane road with no sidewalks or bike paths. The speed limit is 35 mph and the capacity is 13,122 ADT. In 2009, the Pima County Department of Transportation completed \$1.3 million of intersection improvements at the intersection of Sunset Road and Sunray Drive near the western boundary of the rezoning site. The improvements included lowering the crest vertical curve on Sunset Road in order to provide the appropriate sight distance for both safety and operational benefits.

There are 2 access points proposed on Sunset Road, spaced in excess of 1,350' apart. This is a reduction from the 3 access points on the existing plat. The main access point is aligned with the gated Tierra Preserve subdivision access point on the north side of Sunset Road. This access point will serve 39 of the proposed lots. The remaining 6 lots will be served by an access point further west, approximately 300' east of the intersection of Sunray Drive and Sunset Road.

There are no recreation areas on-site. The property owner is allowed to pay the in-lieu fee per Zoning Code 18.69.090 for subdivisions of 65 lots or less. There will be approximately 2.5 acres of on-site trail easements that connect to existing off-site trails. Walking trails are also intended to connect clusters to open space areas. No bicycle facilities are proposed and there is no public transit nearby. There are no pedestrian facilities planned other than the pedestrian access to the vacant 23.6-acre Tucson Unified School District (TUSD) property to the south.

Cluster Development Criteria

Below is a review of select cluster development criteria (18.09.040.I.5) and Desert Senna PCDP conformance:

- *Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural and historic site features and structures to be preserved.*

The 4 cluster groupings are designed around and in harmony with the various washes, important riparian areas, and multiple slopes on the site. A total of 52.8 acres (67%) of the site's 77.9 acres is proposed as natural open space.

- *Cluster open space shall include irreplaceable natural features if located in the site (such as, but not limited to, stream beds, significant stands of vegetation and trees, individual trees and cacti of significant size, rock outcroppings, peaks, ridges and slopes).*

The site contains saguaros, ocotillos, barrel cactus, palo verdes, mesquite, and other trees. Denser vegetation is located along wash areas. No ironwood trees were found. Three-hundred and fifty-five (355) saguaros (80% of the total number of saguaros) are likely located within the conceptual buildable areas. The Native Plant Preservation Ordinance requires the developer/homeowner to mitigate transplanted or removed saguaros at 3:1 or 2:1 ratios depending on size. Designated cluster open space (52.8 acres) includes interior slopes, an existing wash corridor, xeroriparian areas, 8 acres of an area of protected peaks and ridges, and natural undisturbed vegetation vital for landscape connectivity and wildlife movement. The applicant intends to provide an additional 19.2 acres of natural open space set-aside at a suitable off-site location to meet the full CLS natural open space requirement.

- *Cluster open space intended for a recreation or common use shall be easily accessible to pedestrians, and accessibility shall meet the needs of the handicapped and elderly.*

There are no recreation areas on-site. There will be approximately 2.5 acres of on-site trail easements that connect to existing off-site trails. Walking trails are also intended to connect clusters to open space areas.

- *The suitability of cluster open space intended for scenic purposes shall be determined by its visual impact and quality as seen from a significant number of units, buildings or by its visibility along the nearest lengths of public or private streets, and shall be validated in the site analysis.*

A total of 52.8 acres (67%) of the site's 77.9 acres is proposed as natural open space. The open space contains interior slopes of 15% or greater, an existing wash corridor, xeroriparian areas, a protected peak, and natural vegetation. A minimum 40' natural bufferyard will be provided around the entire project boundary. Homes adjacent to Sunset Road will not exceed a maximum height of 24' and will be setback a minimum of 40' from the property line. The PCDP preserves the 8-acre protected peak and ridge in its entirety by designating the overlay zone as natural open space.

- *Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view of buildings, and to minimize the land area devoted to motor vehicle access; and adverse effects of pollution, noise, lighting, and traffic.*

The proposed development is comprised of 22.6 acres, or 29% of the site, concentrated towards the center of the subject site and away from the regulated slopes 15% or greater, protected peaks, washes, riparian areas, and other vital and sensitive features. SR-sized lots have been proposed in most areas adjacent to existing SR houses, ensuring an appropriate density transition along the project edge. The increase in density is compatible with existing surrounding neighborhoods. The project will have 2 access points located on Sunset Road, a reduction from 3 access points proposed in the existing plat.

VI. OTHER AGENCIES

Below are comments provided for the March 30, 2016 Planning & Zoning Commission meeting:

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Staff has no objection to the requested rezoning. When a subdivision plat is submitted, two non- motorized trail easements will be dedicated that connect to existing trails as shown on the PDP.

DEPARTMENT OF TRANSPORTATION REPORT

The Department of Transportation (DOT) has no objection to the proposed rezoning. Concurrency considerations have been met with roadways in the area operating below capacity. The rezoning proposes 45 units with two access points onto Sunset Road. The project could generate approximately 450 ADT (as opposed to 220 ADT with the existing plat). The main access point is aligned with the gated access point on the north side of Sunset. This access point will serve 39 of the proposed lots. The remaining six lots will be served by an access point further west on Sunset, approximately 300 feet east of the intersection of Sunray and Sunset. Because this site was platted, there are two existing public right-of-ways that will need to be abandoned during the re-plat of this subdivision.

Sunset Road is a scenic, not major, route as shown on the Major Streets and Scenic Routes Plan. The most recent traffic count is 947 ADT from Blue Bonnet to Camino de Oeste and 1,419 ADT from Camino de Oeste to Silverbell Road. Sunset is a two lane road with no sidewalks or bike paths. The speed limit is 35 mph and the capacity of 13,122 ADT. Other nearby roadways include Camino de Oeste with a current traffic count of 1,419 ADT and a capacity of 13,122 ADT, and Silverbell Road with a current traffic count of 9,197 ADT and a capacity of 15,930 ADT.

In 2009, DOT completed \$1.3 million of intersection improvements at the intersection of Sunset Road and Sunray Drive near the western boundary of the rezoning site. The improvements included lowering the crest vertical curve on Sunset Road in order to provide the appropriate sight distance for both safety and operational benefits.

Silverbell Road from Ina to Grant Road is currently under construction. The project is a joint effort between Pima County, the City of Tucson, and Marana. The purpose of this project is to reduce congestion, provide alternative modes of transportation, improve drainage and enhance safety. The proposed improvements include widening the roadway to 3-4 lanes with raised medians, multi-use lanes, curbs, sidewalks, drainage improvements, storm drains, landscaping and public areas. The project is phased; the segment from El Camino del Cerro to Grant Road is currently under construction with an estimated completion sometime in 2017. The Ina Road to El Camino de Cerro segment will be designed and constructed starting in 2022 with an estimated completion in 2026.

Over the past 10 years, six accidents were reported on Sunset Road between Blue Bonnet and Camino de Oeste, and one accident was reported between Camino de Oeste and Silverbell. Most accidents in this area resulted from speeding and failure to yield at intersections.

DOT has no objection to this rezoning subject to Conditions:

- The property shall be limited to two access points as indicated on the preliminary development plan.
- The eastern access point shall align with the access point on the north side of Sunset Road.

UNITED STATES FISH AND WILDLIFE SERVICE (USFWS) REPORT

USFWS is concerned about potential impacts to foraging resources for the lesser long-nosed bat, a species listed as endangered under the Endangered Species Act. The new development proposal for the project will impact 355 saguaros, an important forage resource for the lesser long-nosed bat. Lesser long-nosed bats have been documented foraging in the vicinity of the proposed project by an ongoing citizen-science hummingbird feeder monitoring project where citizens document the use of hummingbird feeders by nectar-feeding bats. While USFWS understands some saguaros will not be impacted by the project and that some of the impacted saguaros will be relocated within the project boundaries, there will be a substantial loss of potential forage resources as a result of the proposed project.

Page II-8 and II-9 (of the site analysis) appear to indicate that the project proponents will also conserve some off-site mitigation land (19.2 acres) to comply with Pima County policies. It refers the reader to Appendix G for a description of these lands but no Appendix G was included in the materials we received to review. [Staff note: Appendix G (Off-site Mitigation of CLS) was subsequently provided to USFWS] It is, therefore, not possible to know if the proposed off-site lands will provide saguaros as forage resources for lesser long-nosed bats in the region. [After receiving Appendix G, USFWS staff stated that they estimated there are no saguaros on the off- site piece, or only a very few, so it does not really address the substantial impacts to saguaros on the proposed rezoning site.]

Given the scope of potential impacts to the lesser long-nosed bat forage resources, USFWS recommends that Pima County require a more quantified documentation of the number of saguaros that will remain on site following the completion of the proposed development. USFWS also recommends that Pima County ensure that the off-site mitigation lands provided by the project proponents provide adequate saguaro resources to reasonably offset the on-site impacts to saguaros. [Staff note: After reviewing Appendix G,

USFWS effectively said that the proposed off-site mitigation is an important piece of the connectivity and riparian puzzle in NW Tucson and it is hard to fault using that as the off-site mitigation for this project. It does not address the substantial impacts to saguaros on the proposed rezoning site but depending on what the developer does on site with regard to salvage and replanting, it may not be significant that there are no saguaros on the off-site mitigation parcel.] It does not appear that this project will require a Clean Water Act 404 permit, but if it does or if there is any other sort of Federal nexus with this project, we suggest that, due to the magnitude of impacts to saguaros, section 7 consultation with the Federal action agency may be required. The Federal action agency, if any, will make a determination of whether section 7 consultation is needed.

We offer any additional technical assistance that you may need to determine if the potential impacts to saguaros are adequately being addressed and if impacts to lesser long-nosed bats are being avoided and minimized. We cannot make those determinations at this time due to the lack of information on the number of saguaros being salvaged and relocated on site, or the nature of the off-site mitigation lands. If you can provide that additional information, we will be happy to provide you additional input and technical assistance.

FLOOD CONTROL REPORT

The Pima County Regional Flood Control District (District) has the following comments:

- The East Idle Hour Wash and several tributaries impact the site. There are regulatory floodplains and riparian habitat associated with these. A portion of these is designated as IRA. While regulatory floodplains (those with flow over 100 cubic feet per second during the 100 year storm event) and Pima County Regulated Riparian Habitat (PCRRH) have been avoided by the building envelopes shown on the PDP, there is no common area set aside proposed nor have easements been shown.
- Lots including 11, 12, 16-26, 31, 32, 35, 42, 41 and 45 are impacted by flows under the regulatory threshold per the submittal, but are significant. Building envelopes have been shown schematically.
- Proposed detention basin locations shown on the PDP are all within residential lots. This is prohibited by Section 4.3.1 of the Design Standards for Stormwater Detention and Retention. Furthermore the site is within a Critical Basin in which infrastructure is inadequate to handle existing flows and reductions are required. Staff supports changes in lot size, configuration, or number of lots to provide more space for common area detention.
- The applicant has submitted a Preliminary Integrated Water Management Plan (PIWMP). The use projections do not utilize the approved method, exclude features including detention, and therefore may be low. The 342 gallons per unit per day translates by the District's calculations to under 18 acre feet per year. The site will be served by a renewable and potable supply pending a pre-annexation service agreement with Tucson Water.
- As required, staff has prepared the following Water Resources Impact Assessment (WRIA):

The site is adjacent to Tucson Water's service area and the applicant has submitted a letter from Tucson Water indicating service is available pending a pre-annexation service agreement with Tucson Water.

Groundwater depth at the nearest wells which are within a mile of the site per the ADWR Well Registry was between 100 and 200 feet at the time of drilling. Per "Mason, Dale, 2014, Technical Memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment Model Projection, Arizona Department of Water Resources" between the years 2010 and 2025 groundwater depth is predicted to change between +10 to -10 feet and be over 250 feet below the surface by 2025. It should be noted that the scale and resolution of these maps is large and this site is on the edge of the area modeled.

The site is not in an area impacted by more than the 3" of subsidence as mapped by Pima County, the applicability threshold under the Water Policy.

The nearest Groundwater-Dependent Ecosystem is the perennial section of the Santa Cruz River .72 miles away.

The site is within the Tucson Hydrogeological Basin, and the depth to bedrock is 800-1,600 feet on a majority of the site.

The WRIA finds that the project is not expected to have adverse impacts on groundwater dependent ecosystems.

In conclusion because the floodplain and PCRRH are to be avoided the District has no objection subject to conditions.

ENVIRONMENTAL PLANNING REPORT

Site Conservation Values and Landscape Context

- The majority of the 77.9-acre site lies within the CLS; designations are MUMA, IRA, and SSMA overlay. Approximately 3.6 acres is not subject to any CLS designation.
- The subject site does not lie within the Priority Conservation Areas for the western burrowing owl, needle-spined pineapple cactus, or Pima pineapple cactus. It does lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl.
- The subject site is not part of any of the six CLS Critical Landscape Connections.
- On-site resource conditions: The subject site is currently in a natural, undisturbed condition. The only riparian resources are associated with the East Idle Hour Wash which is regulated by the District as IRA - Xeroriparian Class C. Results of on-site surveys found 443 saguaros (158 at 6' or greater; 285 at less than 6') and no ironwood trees. The USFWS notes that saguaros are important forage species for the federally-endangered lesser long-nosed bat; they have been documented foraging in the general area.
- The site is not within nor is it adjacent to any Pima County Preserve properties.

Sweetwater Preserve, at over 1.5 miles southeast of the subject site, is the nearest County Preserve. Saguaro National Park lies approximately 1 mile west-northwest of the subject site.

- The site is not identified for acquisition under the 2004 Open Space Conservation Bond Program.
- Landscape context: Land uses in the vicinity of the subject property are residential and range from 1 residence per acre to 1 residence per 3.3 acres. These land uses constitute a homogenous landscape that is relatively permeable for the movement of wildlife and are consistent with the Arizona Game and Fish Department's designation of the area between the eastern front of the Tucson Mountains and the Santa Cruz River as a Landscape Wildlife Movement Area. As the subject site is embedded in this Landscape Wildlife Movement Area and is currently undeveloped, it does make a positive contribution to landscape permeability for biological resources.

Potential Impact to Biological Resources and CLS

According to the preliminary development plan (PDP), approx. 55.3 acres will be undeveloped; 52.8 acres will be retained in natural open space. The East Idle Hour Wash and its riparian resources is included in its entirety within the on-site set-aside. Projections indicate that only 20% of saguaros (including 33 of the 158 saguaros at 6' or greater) will be within on-site set-aside areas. Impacts to vegetative resources (including saguaros) will occur at later stages in the development process when the proposed development is subject to the applicability of the Native Plant Preservation Ordinance (Title 18; Ch. 18.72). The applicant indicates that lots are likely to be built out individually over time, impacts to and mitigation for 355 saguaros will occur over the time span it takes to reach build out and would not likely occur in a single event. This reduction in temporal impacts to available foraging habitat along with mitigation required under the Native Plant Preservation Ordinance will minimize impacts to lesser long-nosed bats.

The amount of natural open space set-aside conforms to CLS Conservation Guidelines in all instances save one. The conservation objective for development within the SSMA is to achieve 4 acres of natural open space set-aside for each acre that is developed. The proposed project anticipates impacting approximately 13 acres of SSMA yielding a need for approx. 52 acres of natural open space. On-site set-asides only provide 33 acres of SSMA thus leaving a deficit of approx. 19 acres. The applicant intends to provide the 19 acres of SSMA natural open space set-aside at a suitable off-site location.

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

VII. Public Comment

As of the writing of this staff report, staff has not received any public comments.

Neighborhood Meeting: The most recent neighborhood meeting was held on February, 11 2016 to discuss the rezoning of the existing undeveloped cluster subdivision on Sunset Road. A summary of the meeting is attached.