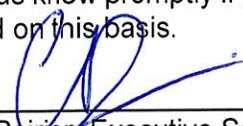


MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Chairman and Members, Pima County Planning and Zoning Commission
FROM: Chris Poirier, Executive Secretary
RE: Pima County Planning and Zoning Commission Hearing of SEPTEMBER 27, 2017
DATE: OCTOBER 4, 2017

This abstract is subject to editing and amending. Please let us know promptly if you believe there are any omissions or corrections; otherwise, we will proceed on this basis.



Chris Poirier, Executive Secretary

The meeting was called to order at 9:00 a.m. at Pima County Administration Building Board of Supervisors Hearing Room, 130 W. Congress St., 1st Floor, Tucson, AZ

1) ROLL CALL:

PRESENT

ABSENT

- D1 Brad Johns, Chair
- D2 Barbara Becker, Vice-Chair
- D1 Jodi Bain
- D2 Armando Membrila
- D3 Peter Gavin
- D3 Lynne Mangold
- D4 William Matter
- D5 Bob Cook

- D5 Bruce Gungle
- D4 Vacant

EIGHT MEMBERS PRESENT

ALSO PRESENT

- Chris Poirier, Planning Official
- Tom Drzazgowski, Chief Zoning Official
- Mark Holden, Principal Planner
- Terri Tillman, Senior Planner

- Greg Saxe, Environmental Plan. Mgr., RFCD
- Jeanette DeRenne, Principal Planner, DOT
- Jim Portner, Hearing Administrator
- Angie Rangel, Commission Coordinator

2) PLEDGE OF ALLEGIANCE

3) **CONSENT AGENDA (UNADVERTISED PUBLIC HEARING)**

MONTHLY REPORTS TO THE P/Z COMMISSION

Monthly reports from Development Services Department for enterprise fund, total fees collected, services activity report and permits issued and from the planning division for total fees collected and services activity report.

ON MOTION, it was

Voted: To **APPROVE** AUGUST 30, 2017 Summary, consent agenda as presented by staff.

The motion **PASSED** (8 – 0; Commissioner Gungle absent)

4) **CALL TO THE AUDIENCE**

No one spoke.

CONTINUED FROM AUGUST 30, 2017

REZONING

5) **P17RZ00004 MICHAEL E & LINDA A ARNOLD FAMILY TR - N. LA CHOLLA BOULEVARD REZONING**

Request of Michael E and Linda A Arnold Family TR, represented by The Planning Center, for a **rezoning** of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) to the CR-5 (Multiple Residence) zone, parcel codes 225-21-0080, 225-21-0090, and 225-21-0100, located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. (District 1)

ON MOTION, it was

Voted: To recommend **MODIFIED APPROVAL (rezone to CR-4 Mixed-Dwelling Type Zone) SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the east.
 - B. The owner shall construct McCarty Road from W. Dawn Drive south to the end of the rezoning site frontage. Construction of McCarty Road shall include curb along the frontage of the rezoning site.
 - C. The property shall be limited to 2 access points as shown on the preliminary development plan.
 - D. Pedestrian access shall be provided from the single-family homes to La Cholla Boulevard via the multi-family portion of the rezoning site.

3. Regional Flood Control District condition: At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) 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(s) to that effect.
 - B. The owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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.
5. Environmental Planning Division condition: Upon the effective date of the Ordinance, the owner 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 shall record a covenant, to run with the land, memorializing the terms of this condition.
6. Cultural Resources Division condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance

with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

7. Adherence to the preliminary development plan as approved at public hearing.
8. 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.
9. The property owner shall execute 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)."

The motion **PASSED** (8 – 0; Commissioner Gungle was absent)

COMPREHENSIVE PLAN AMENDMENT

6) **P17CA00001 BIRENBAUM, ET AL. – SOUTH KINNEY ROAD #2 PLAN AMENDMENT**

Request of Marianne Birenbaum, Michael Norvelle and Norville TR, represented by D'Co'Sine, Inc., to amend the Pima County Comprehensive Plan from Resource Sensitive (RS) and Medium Intensity Urban (MIU) to Multifunctional Corridor (MFC) for approximately 4.3 acres located south of the 'T' intersection of S. Kinney Road and S. Donald Avenue, in Sections 26 and 27, Township 14 South, Range 12 East, in the Southwest Planning Area.
(District 3)

ON MOTION, it was

Voted: To **CONTINUE** the case until the **NOVEMBER 29, 2017 HEARING**.

The motion **PASSED** (5 – 2; Commissioners Gavin and Becker voted nay; Commissioners Gungle and Cook were absent)

TYPE III CONDITIONAL USE PERMIT COMMUNICATION TOWER

- 7) **P17CU00007 WEEKS – W. BOPP RD.** Request of Eco-Site and T-Mobile (Nancy Smith) representing Jon Weeks, on property located at 7711 W. Bopp Rd., in the **GR-1 Zone**, for a conditional use permit for a communication tower, in accordance with Section 18.07.030H2e of the Pima County Zoning Code as a Type III conditional use permit.
(District 3)

ON MOTION, it was

Voted: To recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

Standard Conditions (per the Pima County Zoning Code)

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

1. The new top height of the tower structure shall not be more than the requested eighty feet (80') and shall be camouflaged as a monopalm.
2. The fronds of the monopalm are permitted to extend to a height of eighty-five feet (85').
3. All associated cabling, etc. necessary to serve the antennae will be placed within the monopalm base.
4. The tower and its associated on-the-ground equipment area shall be located on the property as shown on the submitted Development Plan (DP). The use of chain-link for the security fencing is acceptable.

The motion **PASSED** (7 – 0; Commissioners Gungle and Cook were absent)

8) **NEW BUSINESS**

- A) Board of Supervisors disposition of cases.
Tom Drzazowski, Chief Zoning Inspector, gave dispositions of cases.

9) **ADJOURNMENT**

Meeting was adjourned at 11:40 a.m. on motion by Commissioner Bain seconded by Commissioner Gavin.