



Pima County
Planning and Zoning Commission

MEETING LOCATION
Administration Bldg. - East
130 W. Congress Street
1st Floor
Tucson, AZ 85701

**Meeting Summary
08-26-2020**

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

1. ROLL CALL – 9:00 a.m.

PRESENT

- District 1 Brad Johns, Chair
*Jodi Bain
- District 2 *Barbara Becker, Vice-Chair
- District 3 *Tom Tronsdal
*Ryan Maese
- District 4 *David Hook
*William Matter
- District 5 *Bruce Gungle

ABSENT

- District 2 Armando Membrila
- District 5 Bob Cook

EIGHT MEMBERS PRESENT

ALSO PRESENT

Chris Poirier, Planning Official & Executive Secretary
Mark Holden, Principal Planner

Tom Drzazgowski, Chief Zoning Inspector
*Terrill Tillman, Principal Planner

**Present Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of July 29, 2020.
The motion **PASSED** (8 – 0 Commissioners Membrila and Cook were absent).

4. CALL TO THE PUBLIC

No one from the public spoke.

CONTINUED HEARINGS

REZONING (Continued from the July 29, 2020 hearing)

5. **P20RZ00005 TAYLOR ET AL - S. KOLB ROAD REZONING** Michael Taylor, et al., represented by Coronado Engineering and Development Inc., requests a **rezoning** of approximately 3.47 acres from the SR (AE) (Suburban Ranch – Airport Environs) to the CB-2 (AE) (General Business – Airport Environs) zone located approximately 1,300 feet south of the intersection of S. Kolb Road and E. Valencia Road addressed as **6400 S. Kolb Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property as Military Airport (MA). (District 4)

ON MOTION, it was

Voted to recommend **APPROVAL 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. Prior to Development Plan approval, written proof of coordination with the City of Tucson is required.
3. Regional Flood Control District condition: At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Environmental Planning 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.
4. Adherence to the preliminary development plan as approved at public hearing.
5. 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.
6. 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(l)."

The motion **PASSED** 8 – 0 (Commissioners Membrila and Cook were absent).

NEW HEARINGS

REZONING

6. **P20RZ00008 SB VENTURES I, LLC – E. BENSON HIGHWAY REZONING**

SB Ventures I, LLC, requests a **rezoning** of approximately 8.13 acres from the CB-2 (General Business) and TR (Transitional) zones to the TH (Trailer Homesite) zone, located 200 feet west of the intersection of E. Benson Highway and S. Columbus Boulevard, on parcel codes 140-35-2030, 140-35-206B and a portion of 140-35-407A and addressed as 4180, 4200, and 4240 E. Benson Highway. The proposed rezoning conforms to the Pima County Comprehensive Plan, which designates the property for Multifunctional Corridor and Medium Intensity Urban. (District 2)

ON MOTION, it was

Voted to **CONTINUE** to the September 30, 2020 hearing.

The motion **PASSED** 8-0 (Commissioners Membrila and Cook were absent).

MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITIONS

7. CO9-99-43 RIVROAD ASSOCIATES LLC - RIVER ROAD REZONING

Underdown Gary Revoc Trust, et al. represented by Keri Silvyn, request a **substantial change of rezoning condition #11**, which requires adherence to the approved preliminary development plan and limits the use of the property to office development to allow for residential townhouse development. The 2.05 acre property is conditionally zoned TR(Transitional) and is located on the north side of River Road approximately ¼ mile east of La Canada Drive addressed as **1100 W. River Road**. (District 3)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL CONDITIONS**.

- ~~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 Department of Transportation, Real Property Division.~~
- ~~6.1. There shall be no further lot splitting or subdividing of residential property without the written approval of the Board of Supervisors.~~
- ~~7.2. Transportation conditions:
 - A. Provision of all necessary access improvements to Hansen Avenue River Road as determined during the plan review process. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements. These improvements shall need the approval of Pima County and meet the appropriate standards prior to the issuance of any building permits for any portion of the subject property.
 - B. Access to River Road shall only be allowed to this site at the west and/or east property boundaries. The property owner shall provide for, or obtain if necessary, access to neighboring properties prior to development plan approval. ~~Access shown midway on the PDP shall not be allowed.~~~~
- ~~8.3. Flood Control conditions:~~

- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
- B. All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts that are needed as a result of the proposed development shall be constructed at no cost to the District.
- C. At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.

9.4. Wastewater Management conditions:

- A. The owner(s)/~~developer~~ shall construe no action by Pima County as a commitment to ~~provide sewer service of capacity to serve~~ any new development within the rezoning area until Pima County executes an agreement with the owner(s)/~~developer~~ to that effect.
- B. ~~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.~~ The owner(s)/~~developer~~ shall obtain written documentation from the Pima County Regional Wastewater Reclamation Management 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)/~~developer~~ shall enter into a written agreement addressing ~~have~~ the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.~~Pima County Wastewater Management Department.~~
- C. ~~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 Wastewater Management Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction, or request for building permit.~~ 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/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, including obtaining all necessary off-site easements.~~ 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)/~~developer~~ shall fund, design and construct all the 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)/~~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.

- ~~10.5. An on-the-ground archaeological survey and historic resources assessment of the site shall be conducted by a qualified archaeologist prior to any ground modifications. The four existing residential dwellings shall be recorded on Historic Property Inventory forms. If significant cultural resources are found through survey, then an appropriate Mitigation Plan shall be prepared and submitted for review in accordance with the Site Analysis Requirements. Cultural Resources 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.~~
- 11.6. Adherence to the preliminary development plan as approved at public hearing. Use shall be restricted to office townhouse development (EXHIBIT B).
- 12.7. ~~Site shall comply with all the fire code regulations. The property owner shall provide written documentation demonstrating compliance with Sun Tran for the augmentation of the River Road bus stop adjacent to the property with Americans with Disabilities Act (ADA) accessibility.~~
- 13.8. In the event the subject property is annexed into the City of Tucson, 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.
- 4.9. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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 property owner. recommend the following Special Condition:
 Under no circumstances shall the following exotic plant species be planted anywhere on the site:
- Fountain grass (*Pennisetum setaceum*)
 - Buffelgrass (*Pennisetum ciliare*)
 - Johnson grass (*Sorghum halapense*)
 - Giant reed (*Arundo donax*)
 - Common crabgrass (*Digitaria sanguinalis*)
 - Pampas grass (*Cortaderia selloana*)
 - Red brome (*Bromus rubens*)
 - Mediterranean grass (*Schismus spp.*)
 - Tree of heaven (*Ailanthus altissima*)
 - African sumac (*Rhus lancea*)
 - Russian olive (*Eleagnus angustifolia*)
 - Salt cedar/Tamarisk (*Tamarix portandra* & *T. ramosissima*)
 - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
 - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)
 - African rue (*Peganum harmala*)
 - Iceplant (*Mesembryanthemum crystallinum*)

~~Arabian Grass (Schismus arabicus)~~

~~Natal Grass (Melinis repens (Rhynchelythrum repens))~~

10. 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(l)."

The motion **PASSED** 8-0 (Commissioners Membrila and Cook were absent).

8. BOARD OF SUPERVISORS DISPOSITION OF CASES

9. ADJOURNMENT

Meeting adjourned at 9:35 a.m.

The meeting summary will be posted on the website at <http://pima.gov/DSDBCC/>